

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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SENATE BILL 270
House Committee Substitute Favorable 7/30/19

Short Title: Durham/Clemmons Deannexation.

(Local)

Sponsors:

Referred to:

March 18, 2019

A BILL TO BE ENTITLED

AN ACT REMOVING CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE
LIMITS OF THE CITY OF DURHAM AND REMOVING CERTAIN DESCRIBED
PROPERTY FROM THE CORPORATE LIMITS OF THE VILLAGE OF CLEMMONS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The following described property is removed from the corporate
limits of the City of Durham:

Being all the lands described in Deed Book 1251, Page 422, to BEMAC Partners,
Deed Book 1014, Page 817, and Deed Book 300, Page 237, to Lillie Eve Umstead, being further
described as follows: BEGINNING at an existing iron pin, said point being the southwest corner
of the land described in Deed Book 1251, Page 422, and the Northwest corner of the land
described in Deed Book 989, Page 25, thence North 2 Degrees 46 Minutes 35 Seconds West –
194.75' to an existing iron pin, thence North 3 Degrees 27 Minutes 35 Seconds West – 209.49'
to an existing iron pin, thence North 3 Degrees 27 Minutes 35 Seconds West – 953.47' to an iron
pin set, thence South 89 Degrees 21 Minutes 35 Seconds East – 721.91' to an existing iron pin,
thence North 89 Degrees 21 Minutes 35 Seconds East – 160.15' to an iron pin set, said point
being on the NCDOT right-of-way for Terry Road, thence across said NCDOT right-of-way
North 88 Degrees 34 Minutes 24 Seconds East – 111.73' to an existing iron pin, thence North 89
Degrees 48 Minutes 23 Seconds East – 342.95' to an existing iron pin, thence North 89 Degrees
26 Minutes 46 Seconds East – 62.08' to an existing iron pin, thence North 89 Degrees 46 Minutes
34 Seconds East – 200.04' to an existing iron pin, thence North 89 Degrees 44 Minutes 20
Seconds East – 399.27' to an existing iron pin, thence North 0 Degrees 36 Minutes 34 Seconds
East – 649.79' to an iron pin set, thence South 86 Degrees 52 Minutes 14 Seconds East – 360.50'
to an iron pin set, thence North 83 Degrees 23 Minutes 25 Seconds East – 329.61' to an iron pin
set, thence South 1 Degrees 09 Minutes 13 Seconds West – 956.44' to an existing iron pin, thence
South 1 Degrees 42 Minutes 38 Seconds West – 168.00' to an existing iron pin, thence South 0
Degrees 17 Minutes 13 Seconds West – 117.00' to an existing iron pin, thence South 0 Degrees
14 Minutes 04 Seconds East – 247.59' to a point, thence South 0 Degrees 14 Minutes 04 Seconds
East – 220.00' to an existing iron pin, thence South 0 Degrees 14 Minutes 27 Seconds East –
90.51' to an existing iron pin, thence South 0 Degrees 20 Minutes 19 Seconds East – 109.27' to
an existing iron pin, thence South 0 Degrees 19 Minutes 17 Seconds East – 44.25' to an iron pin
set, said point being on the NCDOT right-of-way for Terry Road, thence across said NCDOT
right-of-way South 0 Degrees 19 Minutes 17 Seconds East – 63.58' to an iron pin set, thence
South 0 Degrees 19 Minutes 17 Seconds East – 754.12' to an iron pin set, thence North 83
Degrees 44 Minutes 06 Seconds West – 182.74' to a point, thence North 83 Degrees 44 Minutes
06 Seconds West – 67.33' to a point, thence North 83 Degrees 44 Minutes 06 Seconds West –



1 179.96' to an existing iron pin, thence North 83 Degrees 44 Minutes 06 Seconds West – 80.00'
2 to a point, thence North 83 Degrees 44 Minutes 06 Seconds West – 100.00' to an existing iron
3 pin, thence North 83 Degrees 44 Minutes 06 Seconds West – 100.00' to a point, thence North 83
4 Degrees 44 Minutes 06 Seconds West – 95.57' to a point, thence North 83 Degrees 44 Minutes
5 06 Seconds West – 10.00' to a point, thence North 88 Degrees 03 Minutes 44 Seconds West –
6 120.00' to a point, thence North 88 Degrees 03 Minutes 44 Seconds West – 138.94' to a point,
7 thence North 88 Degrees 03 Minutes 44 Seconds West – 130.00' to a point, thence North 88
8 Degrees 03 Minutes 44 Seconds West – 145.00' to a point, thence North 88 Degrees 03 Minutes
9 44 Seconds West – 126.60' to an iron pin set, thence North 0 Degrees 31 Minutes 03 Seconds
10 East – 691.77' to an existing iron pin, thence South 88 Degrees 56 Minutes 58 Seconds West –
11 661.42' to a point, thence South 88 Degrees 56 Minutes 58 Seconds West – 468.82' to an existing
12 iron pin, said point being the POINT OF BEGINNING, containing 114.36 acres more or less.

13 **SECTION 1.(b)** This section has no effect upon the validity of any liens of the City
14 of Durham for ad valorem taxes or special assessments outstanding before the effective date of
15 this act. Such liens may be collected or foreclosed upon after the effective date of this act as
16 though the property were still within the corporate limits of the City of Durham.

17 **SECTION 2.(a)** The following described property is removed from the corporate
18 limits of the Village of Clemmons:

19 TRACT #1

20 Beginning at a point located in the eastern right-of-way line of Styers Ferry Road,
21 same being the western-most corner of Lot 4 as shown on the map of River Ridge as recorded in
22 Plat Book 45, Page 186, Forsyth County Registry; and running thence along the right-of-way of
23 Styers Ferry Road the following three courses and distances: North 48 deg. 24 min. 53 sec. East
24 97.65 feet to an iron; thence North 88 deg. 36 min. 18 sec. East 105.20 feet to a 1 inch iron pipe;
25 thence along a curve to the left having a radius of 635.00 feet, a length of 246.02 feet and a chord
26 bearing and distance of South 70 deg. 06 min. 52 sec. East 244.49 feet to a point, said point being
27 the eastern-most corner of said Lot 4; running thence along the southern line of said Lot 4 the
28 following six courses and distances: North 87 deg. 44 min. 48 sec. West 12.48 feet to a point;
29 thence North 87 deg. 44 min. 48 sec. West 99.91 feet to a point; thence North 87 deg. 44 min. 48
30 sec. West 97.91 feet to an axle; thence North 87 deg. 15 min. 02 sec. West 94.05 feet to a 3/4
31 existing iron pipe; thence North 88 deg. 17 min. 17 sec. West 86.17 feet to a point; and, thence
32 North 88 deg. 37 min. 49 sec. West 19.40 feet to the point and place of Beginning, containing
33 0.377 acres, more or less, as shown on the survey for Stan Forester prepared by Lewis L. Moore,
34 PLS, Allied Associates, P.A. dated June 19, 2008.

35 TRACT #2

36 Beginning at a point located in the western right-of-way of Lewisville-Clemmons
37 Road, said point being located along a tie line North 07 deg. 05 min. 56 sec. East 218.95 feet
38 from a NCDOT right-of-way cap; running thence from said beginning point, North 86 deg. 09
39 min. 07 sec. West 186.06 feet to a 3/4 inch iron pipe; running thence North 07 deg. 10 min. 00
40 sec. East 100.00 feet to a 3/4 inch iron pipe; running thence North 82 deg. 50 min. 44 sec. West
41 76.87 feet to a point; running thence North 03 deg. 00 min. 45 sec. West 15.00 feet to a point;
42 running thence South 87 deg. 14 min. 03 sec. West 11.64 to a point located in the eastern line of
43 Vogler (Tax PIN: 5884-88-8007); running thence along the eastern line of said Vogler tract North
44 02 deg. 33 min. 41 sec. East 26.77 feet to a 1 inch iron pipe; running thence North 02 deg. 33
45 min. 41 sec. East 163.55 feet to a point located in the southern right-of-way line of Immanuel
46 Road; running thence along the southern right-of-way line of Immanuel Road the following four
47 courses and distances: South 88 deg. 53 min. 40 sec. East 143.07 feet to a 1 inch iron pipe; thence
48 South 07 deg. 11 min. 46 sec. West 2.13 feet to a NCDOT right-of-way cap; thence South 89
49 deg. 29 min. 11 sec. East 115.13 feet to a point; and, thence South 50 deg. 54 min. 29 sec. East
50 41.28 feet to a point located in the western right-of-way line of Lewisville-Clemmons Road;
51 running thence along the western right-of-way line of Lewisville-Clemmons Road South 07 deg.

1 05 min. 56 sec. West 296.15 feet to the point and place of Beginning, as shown on the Boundary
2 Survey for Robert A. Vogler and William L. Vogler, Jr. prepared by Daniel M. Wiles, PLS,
3 Yadkin Valley Surveying dated February 12, 2019.

4 TRACT #3

5 Beginning at a point located in the western right-of-way line of Lewisville-Clemmons
6 Road (said point having NAD 83 GRID coordinates N: 848,408.4737 US FT and E:
7 1,589,184.2214 US FT) and running thence with the western right-of-way of
8 Lewisville-Clemmons Road South 07 deg. 08 min. 59 sec. West 108.27 feet to an iron; running
9 thence South 36 deg. 29 min. 26 sec. West 60.24 feet to a NCDOT cap located in the northern
10 right-of-way line of Immanuel Road; running thence along the northern right-of-way line of
11 Immanuel Road North 89 deg. 27 min. 55 sec. West 51.67 feet to an iron; running thence North
12 03 deg. 34 min. 10 sec. East 197.27 feet to a 3/4 existing iron pipe; running thence South 87 deg.
13 44 min. 48 sec. East 46.68 feet to an iron; running thence South 37 deg. 02 min. 12 sec. East
14 49.09 feet to the point and place of Beginning, containing 0.361 acres, more or less, as shown on
15 the survey for Stan Forester prepared by Lewis L. Moore, PLS, Allied Associates, P.A. dated
16 June 19, 2008.

17 **SECTION 2.(b)** This section has no effect upon the validity of any liens of the
18 Village of Clemmons for ad valorem taxes or special assessments outstanding before the effective
19 date of this act. Such liens may be collected or foreclosed upon after the effective date of this act
20 as though the property were still within the corporate limits of the Village of Clemmons.

21 **SECTION 3.** This act becomes effective June 30, 2020. Property in the territory
22 described in Section 1 and Section 2 of this act as of January 1, 2020, is no longer subject to
23 municipal taxes for taxes imposed for taxable years beginning on or after July 1, 2020.