



FOR REGISTRATION REGISTER OF DEEDS  
Willie L. Covington  
DURHAM COUNTY, NC  
2005 JUN 20 02:44:51 PM  
BK:4838 PG:7-11 FEE:\$23.00

INSTRUMENT # 2005026942

Return to:  
City of Durham  
Budget and Management Services Dept.  
101 City Hall Plaza  
Durham, NC 27701

ORDINANCE # 13112

**AN ORDINANCE ANNEXING TO THE CITY OF DURHAM AN AREA HEREINAFTER DESCRIBED AND WHICH DOES NOT ABUT DIRECTLY ON THE PRESENT CORPORATE BOUNDARY OF THE CITY OF DURHAM, UNDER THE PROVISIONS OF NCGS 160A-58 ET.SEQ. (Chelsea Meadows II)**

**WHEREAS**, a petition was filed by the owner (Lucille V. Jones) for annexation of certain property described therein to the City of Durham (**Attachment A**); and

**WHEREAS**, said petition was referred to the City Clerk to investigate its sufficiency, and the City Clerk has certified that said petition is sufficient; and

**WHEREAS**, the City Council fixed **7:00 p.m. on June 6, 2005**, at the City Council Chambers of City Hall as the time and place for a public hearing on the question of annexation of said property and ordered that notice of such public hearing be published as provided by NCGS 160A-58.2; and

**WHEREAS**, said notice of public hearing was duly published in the Durham Herald-Sun one time at least ten (10) days prior to the date of the public hearing; and

**WHEREAS**, at this public hearing, all residents of the City of Durham were given an opportunity to be heard on any questions concerning the desirability of the annexation.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF DURHAM MAKES THE FOLLOWING FINDING AND DETERMINATIONS:**

1. The area proposed for annexation and the accompanying petition meet the requirements of NCGS 160A-58.1(b) in that;
  - a. The nearest point on the proposed satellite corporate limits is not more than three miles from the primary corporate limits of the City of Durham; and

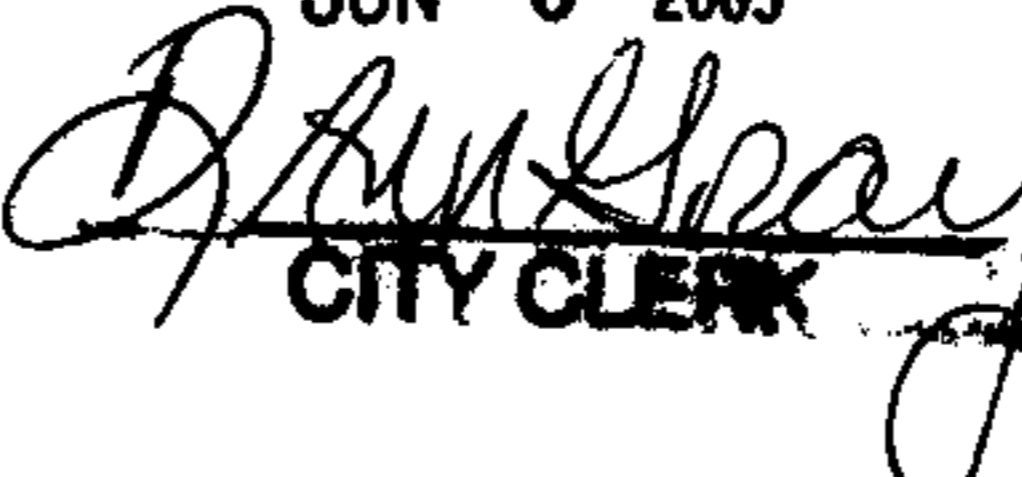
- b. No point on the proposed satellite corporate limits is closer to the primary corporate limits of another City than the primary corporate limits of the City of Durham; and
  - c. The area is so situated that the City of Durham will be able to provide the same services within the proposed satellite corporate limits that it provides within its corporate limits; and
  - d. If the area proposed for annexation, or any portion thereof, is a subdivision as defined in NCGS 160A-376, then all of the subdivision is included; and
  - e. The area within the proposed satellite corporate limits, when added to the area within all of other satellite corporate limits, does not exceed ten percent (10%) of the area within the primary corporate limits of the City of Durham; and
  - f. The petition contains the names, addresses, and signatures of all owners within the area proposed for annexation; and
  - g. The petition describes the area for annexation by metes and bounds description and by the annexation plat; and
2. The petition is otherwise valid; and
  3. The public health, safety, and welfare of the inhabitants of the City and of the area proposed for annexation will best be served by annexation of the area proposed.

**IT IS THEREFORE ORDAINED BY THE CITY COUNCIL OF THE CITY OF DURHAM:**

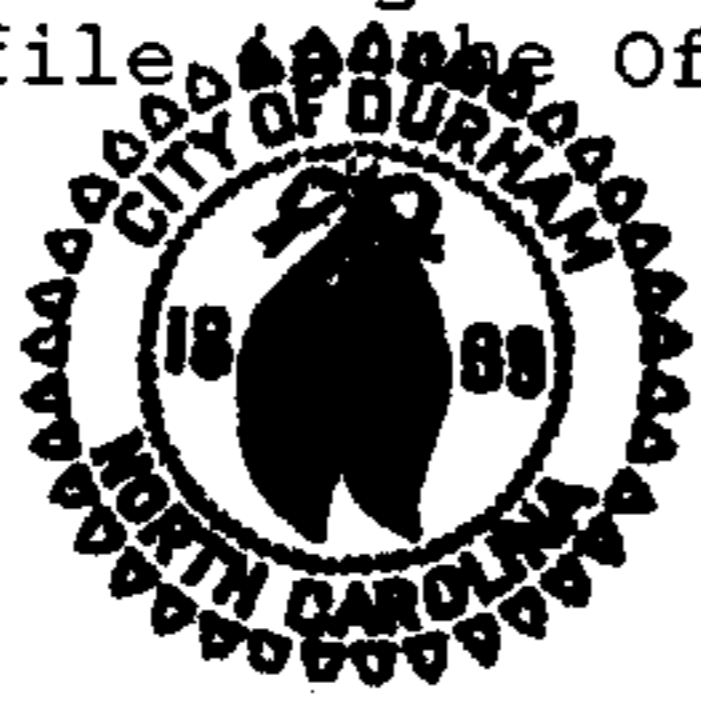
- Section 1. That certain area bounded and described in **Attachment A** is hereby annexed to and made a part of the City of Durham and that minor technical changes to the metes and bounds description and/or to the annexation map may be made administratively to conform to the ownership of the property that has been submitted for annexation.
- Section 2. From and after the effective date of this annexation ordinance the area so annexed shall be subject to all debts, laws, ordinances, and regulations of the City of Durham and shall be entitled to the same privileges and benefits as other parts of the City.
- Section 3. This ordinance shall be in full force and effect from and after **June 30, 2005**.

**APPROVED BY  
CITY COUNCIL**

JUN 6 2005

  
**CITY CLERK**

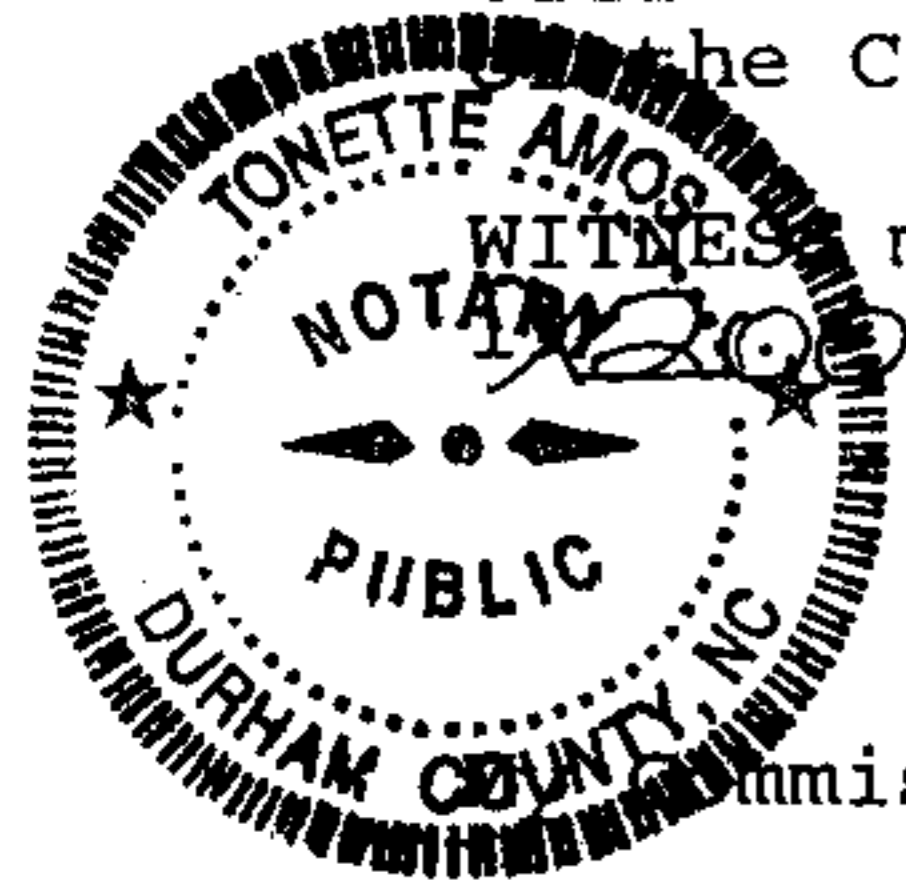
I, D Ann Gray, City Clerk of the the City of Durham, North Carolina, do hereby certify that the foregoing and attached Ordinance, Ordinance No. 13112 was duly adopted by the City Council in Regular Session held June 6, 2005, which is on file in the Office of the City Clerk at City Hall.



D Ann Gray  
City Clerk of the City of Durham,  
North Carolina

NORTH CAROLINA - DURHAM COUNTY

I, Tonette Amos, Notary Public in and for the above-named County and State, do hereby certify that this day personally appeared before me D Ann Gray, with whom I am personally acquainted, and stated that she is City Clerk of the City of Durham, North Carolina, who acknowledged and certified before me that the foregoing and attached is a true and correct copy of Ordinance No. 13112 entitled "AN ORDINANCE ANNEXING TO THE CITY OF DURHAM AN AREA HEREINAFTER DESCRIBED, WHICH IS NOT CONTIGUOUS TO THE PRESENT CORPORATE BOUNDARY OF THE CITY OF DURHAM, UNDER PROVISIONS OF G.S. 160A-58 ET.SEQ.", which was adopted by the City Council of the City of Durham in Regular Session held June 6, 2005, as taken from and compared with the official Record of said Ordinance, which is on file in the Office of the City Clerk at City Hall.



WITNES my hand and notarial seal, this 13<sup>th</sup> day of June, 2005.

Tonette Amos  
Notary Public

Commission Expires: 07-17-07

NORTH CAROLINA-DURHAM COUNTY

The foregoing certificate of \_\_\_\_\_, Notary Public of Durham County, NC., attested by her notarial seal is certified to be correct. Let this instrument with all certificates be registered.

WITNESS my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

WILLIE L. COVINGTON, REGISTER OF DEEDS

By \_\_\_\_\_

CHELSEA II  
NON-CONTIGUOUS AREA TO BE ANNEXED

Commencing at a Corps of Engineers concrete monument No. 6505; which has NCGS Grid coordinates of North = 779,664.461 feet and East = 2,014,705.860 feet; thence North 51°08'32" West, a distance of 639.86 feet to a point in the southern line of Lucille V. Jones, PIN 0718-03-40-6217 & 0718-04-50-1633, at its intersection with the northeastern right-of-way of The American Tobacco Trail and the northwestern corner of Lot 42, Huntington Ridge Subdivision; the POINT OF BEGINNING; thence crossing said trail North 89°30'40" West, a distance of 128.53 feet to a point on the southwestern right-of-way along the American tobacco Trail right-of-way; thence North 36°12'15" West, a distance of 8.23 feet to a point; thence crossing said trail North 38°17'57" East, a distance of 106.95 feet to a point in the line of the United States of America; thence along said line North 38°17'57" East, a distance of 354.00 feet to a point in the line of E. H. Herndon Subdivision; thence along said line North 85°16'15" East, a distance of 176.07 feet to a point; thence North 86°26'15" East, a distance of 146.00 feet to a point; thence North 87°56'15" East, a distance of 412.00 feet to a point; thence North 02°03'45" West, a distance of 299.54 feet to a point on the southern right-of-way of Massey Chapel Road; thence crossing the right-of-way North 02°21'30" West, a distance of 60.00 feet to a point on the northern right-of-way of said road; thence along said right-of-way North 87°38'30" East, a distance of 100.00 feet to a point; thence crossing the road South 02°21'30" East, a distance of 60.00 feet to a point on the southern right-of-way of Massey Chapel Road; thence South 02°03'45" East, a distance of 300.06 feet to a point; thence North 87°56'15" East a distance of 400.00 feet to a point; thence North 89°35'56" East, a distance of 100.88 feet to a point in the line of M/I Homes of Raleigh, LLC; thence along said line South 04°50'33" East, a distance of 441.17 feet to a point in the line of Huntington Ridge Subdivision; thence along said line North 89°30'40" West, a distance of 1,523.07 feet to a point; to the POINT OF BEGINNING, containing 14.84 acres, more or less, as shown on a rezoning exhibit by The John R. McAdams Company, Inc. dated 06 December 2004 last revised 08 April 2005.

David E. Cates  
APPROVED  
4/19/05



WILLIE L. COVINGTON  
REGISTER OF DEEDS, DURHAM COUNTY  
DURHAM COUNTY COURTHOUSE  
200 E. MAIN STREET  
DURHAM, NC 27701

**PLEASE RETAIN YELLOW TRAILER PAGE**

It is part of recorded document, and must be submitted with original for re-recording  
and/or cancellation.

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Filed For Registration: 06/20/2005 02:44:51 PM

Book: RE 4838 Page: 7-11

Document No.: 2005026942

ORD 5 PGS \$23.00

Recorder: SHARON M CEARNEL

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State of North Carolina, County of Durham

The foregoing certificate of TONETTE AMOS Notary is certified to be correct. This 20TH of June 2005

WILLIE L. COVINGTON , REGISTER OF DEEDS

By: Sharon M Cearnel

Deputy/~~Assistant~~ Register of Deeds

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2005026942