

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 435
HOUSE BILL 926

AN ACT TO AUTHORIZE COUNTIES TO ESTABLISH RESEARCH AND
PRODUCTION SERVICE DISTRICTS.

The General Assembly of North Carolina enacts:

Section 1. Article 16 of Chapter 153A of the General Statutes is amended by designating the existing Article as Part 1, "County Service Districts", and by adding a new Part 2, to read as follows:

"Part 2.

"County Research and Production Service Districts.

"§ 153A-310. Purposes for which districts may be established.—The board of commissioners of any county may define a county research and production service district in order to finance, provide, and maintain for the district any service, facility, or function that a county or a city is authorized by general law to provide, finance, or maintain. Such a service, facility, or function shall be financed, provided, or maintained in the district either in addition to or to a greater extent than services, facilities, or functions are financed, provided, or maintained for the entire county.

"§ 153A-311. Definition of research and production service district.—(a) Standards. The board of commissioners may by resolution establish a research and production service district for any area of the county that, at the time the resolution is adopted, meets the following standards:

- (1) All real property in the district is being used for or is subject to covenants that limit its use to research or scientifically oriented production or for associated commercial or institutional purposes.
- (2) The district contains at least 4,000 acres. (3) The district includes research and production facilities that in combination employ at least 5,000 persons.
- (4) All real property located in the district was at one time or is currently owned by a nonprofit corporation, which developed or is developing the property as a research and production park.
- (5) A petition requesting creation of the district signed by at least fifty percent (50%) of the owners of real property in the district who own at least fifty percent (50%) of total area of the real property in the district has been presented to the board of commissioners. In determining the total area of real property in the district and the number of owners of real property, there shall be excluded (1) real property exempted from

taxation and real property classified and excluded from taxation and (2) the owners of such exempted or classified and excluded property.

- (6) The district has no more than 25 permanent residents.
- (7) There exists in the district an association of owners and tenants, to which at least seventy-five percent (75%) of the owners of real property belong, which association can make the recommendations provided for in G.S. 153A-312.
- (8) There exist deed-imposed conditions, covenants, restrictions, and reservations that apply to all real property in the district other than property owned by the federal government.
- (9) No part of the district lies within the boundaries of any incorporated city or town.

The Board of Commissioners may establish a research and production service district if, upon the information and evidence it receives, the Board finds that:

- (1) The proposed district meets the standards set forth in this subsection; and
- (2) It is impossible or impracticable to provide on a countywide basis the additional or higher levels of services, facilities, or functions proposed for the district; and
- (3) It is economically feasible to provide the proposed services, facilities, or functions to the district without unreasonable or burdensome tax levies.

(b) Multi-county districts. If an area that meets the standards for creation of a research and production service district lies in more than one county, the boards of commissioners of those counties may adopt concurrent resolutions establishing a service district, even if that portion of the district lying in any one of the counties does not by itself meet the standards. Each of the county boards of commissioners shall follow the procedure set out in this section for creation of a service district.

If a multi-county service district is established, as provided in this subsection, the boards of commissioners of the counties involved shall jointly determine whether the same appraisal and assessment standards apply uniformly throughout the district. This determination shall be set out in concurrent resolutions of the boards. If the same appraisal and assessment standards apply uniformly throughout the district, the boards of commissioners of all the counties shall levy the same rate of tax for the district, so that a uniform rate of tax is levied for district purposes throughout the district. If the boards determine that the same standards do not apply uniformly throughout the district, the boards shall agree on the extent of divergence between the counties and on the resulting adjustments of tax rates that will be necessary in order that an effectively uniform rate of tax is levied for district purposes throughout the district.

The boards of commissioners of the counties establishing a multi-county service district pursuant to this subsection may, by concurrent resolution, provide for the administration of services within the district by one county on behalf of all the establishing counties.

(c) Report. Before the public hearing required by subsection (d), the board of commissioners shall cause to be prepared a report containing:

- (1) A map of the proposed district, showing its proposed boundaries;
- (2) A statement showing that the proposed district meets the standards set out in subsection (a); and (3) A plan for providing one or more services, facilities, or functions to the district.

The report shall be available for public inspection in the office of the clerk to the board for at least four weeks before the date of the public hearing.

(d) Hearing and notice. The board of commissioners shall hold a public hearing before adopting any resolution defining a service district under this section. Notice of the hearing shall state the date, hour, and place of the hearing and its subject, and shall include a map of the proposed district and a statement that the report required by subsection (c) is available for public inspection in the office of the clerk to the board. The notice shall be published at least once not less than one week before the date of the hearing. In addition, it shall be mailed at least four weeks before the date of the hearing by any class of U.S. mail which is fully prepaid to the owners as shown by the county tax records as of the preceding January 1 (and at the address shown thereon) of all property located within the proposed district. The person designated by the board to mail the notice shall certify to the board that the mailing has been completed and his certificate is conclusive in the absence of fraud.

(e) Effective date. The resolution defining a service district shall take effect at the beginning of a fiscal year commencing after its passage, as determined by the board of commissioners.

"§ 153A-312. Advisory Committee.—The board or boards of commissioners, in the resolution establishing a research and production service district, shall also provide for an advisory committee for the district. Such a committee shall have at least 10 members, serving terms as set forth in the resolution; one member shall be the representative of the developer of the research and production park. The resolution shall provide for the appointment or designation of a chairman. The board of commissioners or, in the case of a multi-county service district, the boards of commissioners shall appoint the members of the advisory committee. If a multi-county service district is established, the concurrent resolutions establishing the district shall provide how many members of the advisory committee are to be appointed by each board of commissioners. Before making the appointments, the appropriate board shall request the association of owners and tenants, required by G.S. 153A-311(a), to submit a list of persons to be considered for appointment to the committee; the association shall submit at least two names for each appointment to be made. Except as provided in the next two sentences, the board of commissioners shall make the appointments to the committee from the list of persons submitted. In addition, the developer of the research and production park shall appoint one person to the advisory committee as the developer's representative on the committee. In addition, in a single county service district, the board of commissioners may make two additional appointments of such other persons as the board of commissioners deems appropriate, and in a multi-county service district, each board of county commissioners may make one additional appointment of such other person as

that board of commissioners deems appropriate. Whenever a vacancy occurs on the committee in a position filled by appointment by a board of commissioners, the appropriate board, before filling the vacancy, shall request the association to submit the names of at least two persons to be considered for the vacancy; and the board shall fill the vacancy by appointing one of the persons so submitted, except that if the vacancy is in a position appointed by the board of commissioners under the preceding sentence of this section, the board of commissioners making that appointment shall fill the vacancy with such person as that board of commissioners deems appropriate.

Each year, before adopting the budget for the service district and levying the tax for the district, the board or boards of commissioners shall request recommendations from the advisory committee as to the level of services, facilities, or functions to be provided for the district for the ensuing year. The board or boards of commissioners shall, to the extent permitted by law, expend the proceeds of any tax levied for the district in the manner recommended by the advisory board.

"§ 153A-313. Extension of service districts.—(a) Standards. A board of commissioners may by resolution annex territory to a research and production service district upon finding that:

- (1) The conditions, covenants, restrictions, and reservations required by G.S. 153A-311(a)(8) that apply to all real property in the research district, other than property owned by the federal government, also apply or will apply to the property, other than property owned by the federal government, to be annexed.
- (2) One hundred percent (100%) of the owners of real property in the area to be annexed have petitioned for annexation.
- (3) The district, following the annexation, will continue to meet the standards set out in G.S. 153A-311(a).
- (4) The area to be annexed requires the services, facilities, or functions financed, provided, or maintained for the district.
- (5) The area to be annexed is contiguous to the district.

(b) Report. Before the public hearing required by subsection (c), the board shall cause to be prepared a report containing:

- (1) A map of the district and the adjacent territory proposed to be annexed, showing the present and proposed boundaries of the district; and
- (2) A statement showing that the area to be annexed meets the standards and requirements of subsection (a) of this section.

The report shall be available for public inspection in the office of the clerk to the board for at least four weeks before the date of the public hearing.

(c) Hearing and notice. The board shall hold a public hearing before adopting any resolution extending the boundaries of a service district. Notice of the hearing shall state the date, hour and place of the hearing and its subject, and shall include a statement that the report required by subsection (b) of this section is available for inspection in the office of the clerk to the board. The notice shall be published at least once not less than four weeks before the hearing. In addition, the notice shall be mailed at least four weeks before the date of the hearing by any class of U.S. mail which is fully prepaid to the

owners as shown by the county tax records as of the preceding January 1 (and at the address shown thereon) of all property located within the area to be annexed. The person designated by the board to mail the notice shall certify to the board that the mailing has been completed, and the certificate shall be conclusive in the absence of fraud.

(d) **Effective Date.** The resolution extending the boundaries of the district shall take effect at the beginning of a fiscal year commencing after its passage, as determined by the board.

"§ 153A-314. Required provision or maintenance of services.— (a) **New District.** When a county or counties define a research and production service district, it or they shall provide, maintain, or let contracts for the services for which the district is being taxed within a reasonable time, not to exceed one year, after the effective date of the definition of the district.

(b) **Extended District.** When a territory is annexed to a research and production service district, the county or counties shall provide, maintain, or let contracts for the services provided or maintained throughout the district to property in the area annexed to the district within a reasonable time, not to exceed one year, after the effective date of the annexation.

"§ 153A-315. Abolition of service districts.—A board or boards of county commissioners may by resolution abolish a research and production service district upon finding that (i) a petition requesting abolition, signed by at least fifty percent (50%) of the owners of real property in the district who own at least fifty percent (50%) of the total area of real property in the district, has been submitted to the board or boards; and (ii) there is no longer a need for such service district. In determining the total area of real property in the district and the number of owners of real property, there shall be excluded (1) real property exempted from taxation and real property classified and excluded from taxation and (2) the owners of such exempted or classified and excluded property. The board or boards shall hold a public hearing before adopting a resolution abolishing a district. Notice of the hearing shall state the date, hour, and place of the hearing, and its subject, and shall be published at least once not less than one week before the date of the hearing. The abolition of any service district shall take effect at the end of a fiscal year following passage of the resolution, as determined by the board or boards. If a multi- county service district is established, it may be abolished only by concurrent resolution of the board of commissioners of each county in which the district is located.

"§ 153A-316. Taxes authorized; rate limitation.—A county may levy property taxes within a research and production service district in addition to those levied throughout the county, in order to finance, provide, or maintain for the district services provided therein in addition to or to a greater extent than those financed, provided, or maintained for the entire county. In addition, a county may allocate to a service district any other revenues whose use is not otherwise restricted by law. The proceeds of taxes only within a service district may be expended only for services provided for the district.

Property subject to taxation in a newly established district or in an area annexed to an existing district is that subject to taxation by the county as of the preceding January 1.

Such additional property taxes may not be levied within any district established pursuant to this Article in excess of a rate of ten cents (\$.10) on each one hundred dollars (\$100.00) value of property subject to taxation."

Sec. 2. No municipality may annex any or all of the following described territory in Durham or Wake Counties pursuant to Parts 2 or 3 of Article 4A of Chapter 160A of the General Statutes, or under any procedure other than Parts 1 or 4 of that Article:

As shown on a plat recorded in Durham County Plat Book 52, pages 71 and 72, Beginning in the North Carolina Grid Coordinate System N 791, 781.52 E 2,035, 863.50, thence N 3° 17' E 1106.88 feet; thence S 89° 34' W 297.26 feet; thence N 0° 30' E 2161.71 feet; thence as shown on a plat recorded in Durham County Plat Book 103, page 33, N 3° 30' 00" W 2092.59 feet to the southern right of way line of So-Hi Drive; thence with said, right of way line S 35° 02' 08" W 144.46 feet; thence in a southeasterly and northeasterly direction along an arc having a radius of 290.09 feet a distance of 526.56 feet; thence N 40° 57' 30" E 90.67 feet; thence leaving the southern right of line of So-Hi Drive S 3° 35' 21" E 2059.30 feet; thence as shown on the plat recorded in Durham County Plat Book 52, pages 71 and 72 S 89° 03' E 300.08 feet; thence as shown on the plat recorded in Durham County Plat Book 105, page 145, N 6° 14' 05" E 2444.70 feet; thence along the southern right of way line of So-Hi Drive N 43° 54' 23" E 659.38 feet; thence leaving said southern right of way line S 1° 09' 00" E 380.20 feet; thence S 84° 15' 10" E 660.03 feet; thence S 6° 41' 51" W 2617.22 feet; thence as shown on a plat recorded in Durham County Plat Book 86, page 65, S 84° 18' 00" E 508.57 feet; thence N 5° 45' E 407.00 feet; thence S 84° 24' 46" E 609.28 feet; thence as shown on a plat recorded in Durham County Plat Book 93, page 65, S 82° 26' 43" E 660.00 feet; thence N 6° 58' 30" E 626.58 feet; thence S 84° 37' 48" E 165.0 feet; thence N 6° 14' 00" E 960.0 feet; thence S 82° 52' 23" E 819.16 feet; thence with the southern right of way line of Ellis Road southeasterly along an arc having a radius of 6436.64 feet a distance of 705.12 feet; thence as shown on a plat recorded in Durham County Plat Book 105, page 28, and with the southern right of way line of Ellis Road, S 79° 07' 30" E 211.10 feet; thence with the western right of way line of the Durham freeway the following courses: S 10° 34' 30" W 103.70 feet; S 1° 35' W 497.94 feet; S 0° 05' 44" W 299.51 feet; S 8° 29' 48" E 232.82 feet; S 10° 18' 12" W 237.11 feet; thence as shown on the plat recorded in Durham County Plat Book 52, pages 71 and 72, and crossing Durham Freeway S 89° 29' E 723.52 feet; thence S 2° 04' W 247.63 feet; thence as shown on a plat recorded in Durham County Plat Book 108, page 65, N 49° 01' 54" E 580.00 feet; thence N 15° 21' 54" E 1220.69 feet; thence N 15° 21' 54" E 30.39 feet; thence with the centerline of Ellis Road S 83° 48' 13" E 6.68 feet; thence S 80° 40' 29" E 50.05 feet; thence S 74° 13' 32" E 99.91 feet; thence S 65° 30' 07" E 100.01 feet; thence S 58° 43' 33" E 100.02 feet; thence S 55° 38' 46" E 210.20 feet; thence S 56° 15' 26" E 100.00 feet; thence S 58° 29' 40" E 49.98 feet; thence S 61° 08' 29" E 50.03 feet; thence leaving the centerline of Ellis Road S 00° 49' 51" W 33.08 feet;

thence S 00° 49' 51" W 1327.42 feet; thence S 88° 02' 59" E 498.67 feet; thence with the centerline of the Southern Railway S 20° 34' 55" W 581.06 feet; thence S 19° 25' 05" W 200.14 feet; thence S 17° 24' 42" W 200.01 feet; thence S 15° 29' 18" W 199.89 feet; thence S 13° 35' 49" W 200.93 feet; thence as shown on the plat recorded in Durham County Plat Book 52, pages 71 and 72, south 4284.52 feet along the centerline of the Southern Railway; thence S 87° 14' E 820.59 feet; thence S 15° 29' E 119.77 feet; thence S 23° 02' W 125.17 feet; thence S 42° 13' W 309.45 feet; thence S 31° 23' W 156.20 feet; thence S 19° 16' W 107.12 feet; thence S 7° 18' W 203.03 feet; thence S 2° 55' W 336.53 feet; thence S 19° 16' E 30.5 feet; thence S 2° 47' W 165.70 feet; thence S 0° 05' E 160.00 feet; thence S 4° 20' E 150.00 feet; thence S 2° 24' E 86.04 feet; thence S 0° 26' W 341.45 feet; thence S 0° 59' E 57.99 feet; thence as shown on a plat recorded in Durham County Plat Book 52, page 70, S 0° 54' E 358.15 feet; thence S 1° 31' W 120.65 feet; thence N 78° 14' W 403.10 feet to the eastern right of way line of the Southern Railway; thence as shown on the plat recorded in Durham County Plat Book 52, pages 71 and 72 and with the eastern right of way line of the Southern Railway S 0° 52' W 214.22 feet; thence leaving the eastern right of way line of the Southern Railway S 78° 18' E 378.80 feet; thence with the western right of way line of SR 1959 S 0° 43' W 1013.27 feet; thence S 9° 41' W 142.90 feet; thence S 6° 04' W 92.52 feet; thence, leaving the western right of way line of SR 1959 S 11° 37' W 698.67 feet; thence N 86° 34' W 261.04 feet; thence with the western right of way line of the Southern Railway S 0° 43' W 1013.27 feet; thence S 0° 41' E 207.00 feet; thence S 4° 08' E 207.00 feet; thence S 7° 51' E 158.75 feet; thence leaving the western right of way line of the Southern Railway S 67° 26' E 225.00 feet; thence southerly along the centerline of the Southern Railway a distance of 1750.79 feet; thence N 86° 34' W 110.00 feet to the western right of way line of the Southern Railway; thence with the western right of way line of the Southern Railway, S 19° 44' E 561.47 feet; thence along an arc with a radius of 3090.44 feet a distance of 737.16 feet; thence, leaving the western right of way line of the Southern Railway S 87° 58' E 110.50 feet; thence southerly along the centerline of the Southern Railway a distance of 1754.44 feet; thence N 87° 16' W to the western right of way line of the Southern Railway; thence as shown on a plat recorded in Durham County Plat Book 89, page 48, and with the western right of way line of the Southern Railway the following courses: S 7° 08' 10" W 53.73 feet; S 5° 24' 24" W 103.70 feet; S 3° 25' 55" W 103.43 feet; S 1° 29' 25" W 103.30 feet; S 0° 34' 24" E 104.25 feet; S 2° 53' 50" E 103.01 feet; S 3° 59' 32" E 100.97 feet; S 4° 12' 38" E 99.99 feet; S 3° 25' 33" E 98.19 feet; S 1° 34' 36" E 96.50 feet; S 0° 34' 00" W 96.72 feet; S 2° 39' 04" W 96.33 feet; S 4° 45' 29" W 96.47 feet; S 6° 49' 55" W 96.64 feet; S 8° 54' 58" W 105.46 feet; S 10° 58' 12" W 86.91 feet; S 12° 48' 59" W 96.55 feet; S 14° 43' 07" W 74.64 feet; S 16° 30' 31" W 118.12 feet; S 18° 51' 42" W 96.60 feet; S 20° 52' 05" W 96.67 feet; S 21° 55' 29" W 44.61 feet; thence as shown on a plat recorded in Durham County Plat Book 94, page 48, along an arc with a radius of 3364.30 feet a distance of 76.42 feet; thence S 23° 34' 53" W 17.80 feet to the intersection of the western right of way line of the Southern Railway with the northern right of way line of NC 54; thence southwesterly to the intersection of the western right of way line of the Southern Railway with the southern right of way line of NC 54; thence S 23° 34' 53" W 703.18

feet; thence, leaving the western right of way line of the Southern Railway, N 82° 04' W 610.40 feet; thence N 14° 45' 18" W 162.50 feet; thence N 62° 11' 10" W 140.68 feet; thence N 55° 57' W 161.50 feet; thence N 85° 20' 36" W 123.05 feet; thence N 56° 16' 10" W 101.84 feet; thence N 79° 36' 56" W 224.13 feet; thence N 77° 48' 24" W 1896.15 feet; thence N 88° 39' 21" W 658.86 feet; thence S 0° 36' 34" W 1946.54 feet; thence S 0° 05' 31" E 908.77 feet; thence S 63° 38' 30" E 292.07 feet; thence S 12° 08' 09" E 2056.86 feet; thence S 88° 51' 20" W 803.00 feet; thence as shown on the plat recorded in Durham County Plat Book 52, pages 71 and 72, S 88° 46' W 844.20 feet; thence S 6° 56' E 2640.92 feet; thence S 88° 39' E 157.15 feet; thence S 86° 52' E 1264.40 feet; thence S 2° 42' E 1397.80 feet; thence S 2° 38' E 939.0 feet; thence N 87° 56' E 1142.0 feet; thence S 0° 54' W 19.8 feet; thence S 12° 19' E 144.89 feet; thence southwesterly along Cow Lick Branch a distance of 1462.50 feet; thence as shown on the plat recorded in Wake County Registry, Book of Maps 1977, page 113, S 71° 07' 42" E 255.59 feet; thence S 74° 14' 35" E 1654.26 feet; thence S 87° 56' 27" E 2009.46 feet; thence S 05° 43' 21" W 1207.38 feet; thence S 85° 51' 07" E 665.00 feet; thence N 06° 38' 53" E 367.00 feet; thence S 89° 51' 21" E 534.57 feet; thence S 2° 39' 38" E 635.00 feet; thence S 78° 38' 01" E 800.00 feet; thence N 88° 05' 03" E 378.87 feet; thence with the western right of way line of SR 1637 S 1° 17' 49" W 474.72 feet; thence along an arc with a radius of 1044.44 feet a distance of 358.38 feet; thence, leaving the western right of way line of SR 1637 N 87° 43' 06" W 539.23 feet; thence S 4° 02' 45" E 470.96 feet; thence N 87° 25' 27" W 851.72 feet; thence S 89° 40' 30" W 799.19 feet; thence N 19° 28' 52" W 99.84 feet; thence S 89° 39' 43" W 199.94 feet; thence S 19° 39' 35" E 99.89 feet; thence S 89° 40' 30" W 199.53 feet; thence S 5° 59' 36" E 784.00 feet; thence S 8° 30' 20" E 611.64 feet; thence N 71° 53' 20" W 1178.43 feet; thence N 66° 40' 44" W 1931.06 feet; thence as shown on the plat recorded in Durham County Plat Book 52, pages 71 and 72 S 2° 00' W 629.42 feet; thence S 86° 42' W 1108.39 feet; thence N 3° 19' E 1658.87 feet; thence N 89° 10' W 1867.71 feet; thence S 10° 21' W 192.45 feet; thence N 84° 53' W 2713.40 feet; thence S 3° 19' W 810.24 feet; thence N 37° 40' W 315.55 feet; thence N 8° 11' W 450.80 feet; thence N 28° 56' W 141.71 feet; thence S 89° 53' W 56.75 feet; thence S 3° 39' E 519.79 feet; thence S 31° 38' W 55.05 feet; thence S 1° 37' W 225.1 feet; thence northwesterly along the northern right of way line of the former Durham and Southern Railroad (presently the Seaboard System Railroad) a distance of 2434.01 feet; thence leaving said northern right of way line N 23° 41' E 281.88 feet; thence N 65° 33' W 433.84 feet; thence S 13° 29' W 170.65 feet; thence along the northern right of way line of the Seaboard System Railroad a distance of 466.91 feet; thence as shown on the plat recorded in Wake County Registry, Book of Maps 1983, page 1127, and also along the northern right of way line of the Seaboard System Railroad N 48° 07' 10" W 1101.77 feet; thence as shown on a plat of the L.C. McCarson property drawn by Credle Engineering Co., March, 1957, S 5° 00' W 1708.67 feet; thence northerly with the eastern right of way line of N.C. 55 a distance of 2802 feet; thence and with reference to a map of the McCarson-Porterfield property recorded in the Wake County Registry, Book of Maps 1977, page 351, and leaving said right of way line S 82° 17' 56" E 216.81 feet to the western right of way line of the (former) Durham and Southern Railroad; thence with said right of way line along an arc

with a radius of 1959.86 feet a distance of 200.52 feet; thence leaving said right of way line N 81° 39' E 189.8 feet to the eastern right of way line of N.C. 55; thence and as shown on the Credle Engineering Co. March, 1957, plat and with said right of way line of N.C. 55 northerly a distance of 2218 feet; thence leaving said right of way line S 85° 20' E 385 feet to a point in the eastern right of way line of the (former) Durham and Southern Railroad; thence as described in a deed for the W. Preston Marcom property, DB 3379-261 in the Wake County Registry, S 56° E 3036 feet to a point in Kit Creek Road; thence as shown on the plat recorded in Wake County Registry, Book of Maps 1964, Volume I, page 107, N 30° 24' W 150.00 feet; thence N 67° 50' E 30.00 feet; thence N 67° 50' E 116.18 feet; thence N 12° 40' W 3075.11 feet; thence as shown on the plat recorded in Durham County Plat Book 52, pages 71 and 72, N 88° 06' W 675.90 feet; thence southwesterly along an unnamed branch 637.30 feet; thence N 89° 04' W 331.13 feet; thence northeasterly along the eastern right of way line of the former Durham and Southern Railroad (presently the Seaboard System Railroad) a distance of 4892.13 feet; thence leaving said right of way line S 87° 26' E 142.3 feet; thence N 38° 28' W 81.8 feet; thence with the eastern right of way line of Alston Avenue (SR 1945) a distance of 2735.67 feet; thence leaving said right of way line S 88° 14' E 866.21 feet; thence N 1° 20' E 2533.03 feet; thence S 86° 46' E 22.85 feet; thence N 89° 26' W 150.49 feet; thence as shown on a plat recorded in Durham County Plat Book 64, page 78, N 89° 20' 40" 1642.01 feet; thence N 0° 27' 26" E 590.20 feet; thence N 88° 26' 20" W 199.72 feet; thence with the eastern right or way line of Alston Avenue (SR 1945) N 0° 38' E 1445.32 feet; thence, leaving said right of way line S 89° 0' 38" E 196.90 feet; thence N 0° 40' 43" E 300.13 feet; thence N 0° 13' E 299.80 feet; thence S 89° 02' 54" E 353.85 feet; thence S 1° 31' 22" W 199.84 feet; thence S 89° 42' 03" E 182.55 feet; thence N 18° 54' E 111.75 feet; thence S 70° 46' E 100.15 feet; thence N 18° 54' E 259.75 feet to the northern right of way line of N.C. 54, thence as shown on a plat recorded in Durham County Plat Book 59, page 41, easterly along the northern right of way line of N.C. 54 a distance of 11.18 feet; thence, leaving said right of way line N 19° 08' E 200.0 feet; thence S 71° 02' E 164.6 feet; thence N 0° 28' E 1091.24 feet; thence S 66° 19' W 6.11 feet; thence S 76° 18' W 147.08 feet; thence S 83° 32' W 100.0 feet; thence S 83° 58' W 300.0 feet; thence N 0° 09' E 214.4 feet; thence N 89° 51' W 517.23 feet; thence N 0° 07' E 478.10 feet; thence with the southern right of way line of the then termed Proposed N.C. 54 Relocation (presently I-40) the following courses: S 69° 46' E 412.80 feet; S 63° 51' E 400.1 feet; S 65° 49' E 530.30 feet; S 64° 24' W 44.79 feet; thence, still with said southern right of way line, easterly along an arc with a radius of 28,522.88' a distance of 998.84 feet; thence as shown on the plat recorded in Durham County Plat Book 52, pages 71 and 72, and leaving said southern right of way line N 5° 11' E 879.57 feet; thence N 6° 00' E 207.51 feet; thence N 89° 57' W 5.13 feet; thence N 1° 16' E 1230.64 feet; thence N 1° 06' E 1736.34 feet; thence as shown on a plat recorded in Durham County Plat Book 98, page 68, N 82° 59' 27" W 1839.15 feet; thence N 7° 05' E 286.5 feet; thence S 82° 08' 19" E 200.15 feet; thence N 7° 05' E 199.93 feet; thence S 82° 43' 46" E 230.97 feet; thence as shown on a plat recorded in Durham County Plat Book 86, page 75, N 1° 37' 00" E 1020.14 feet; thence N 89° 14' 24" E 1000.61 feet; thence as shown on the plat recorded in Durham County Plat Book

52, pages 71 and 72, northerly along Northeast Creek a distance of 1106.22 feet; thence leaving Northeast Creek, N 45° 55' W 555.69 feet; thence N 15° 57' E 776.84 feet; thence easterly along the centerline of Cornwallis Road as it existed prior to its 1968 relocation a distance of 1476.05 feet; thence N 5° 20' E 1098.95 feet; thence N 88° 07' W 516.96 feet to the point of beginning, North Carolina Plan Coordinate Grid System Point N 791,781.52 E 2,035,863.50.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 24th day of June, 1985.