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## **TOWN OF APEX, NORTH CAROLINA**

Municipality No. 333

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**After recording, please return to: Town Clerk, Town of Apex, P.O. Box 250, Apex, NC 27502**

ORDINANCE NO. 2025-  
SATELLITE ANNEXATION PETITION NO. 795  
COURTYARDS ON WIMBERLY – 709 and 717 WIMBERLY ROAD – 23.979 ACRES

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS  
OF THE TOWN OF APEX, NORTH CAROLINA  
P.O. Box 250, Apex, North Carolina 27502

WHEREAS, the Apex Town Council has been petitioned under G.S.§160A-58.1, as amended, to annex the area described herein; and

WHEREAS, the Apex Town Council has by Resolution directed the Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at Apex Town Hall at 6:00 p.m. on May 27, 2025, after due notice by posting to the Town of Apex website, <http://www.apexnc.org/news/public-notices-legal-ads>; and

WHEREAS, the Apex Town Council finds that the area described therein meets the standards of G.S.§160A-58.1(b), to with:

- a) The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town;
- b) No point on the proposed satellite corporate limits is closer to another municipality than to the Town;
- c) The area described is so situated that the Town will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;

- d) No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

WHEREAS, the Apex Town Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Apex Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town and the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Apex, North Carolina:

Section 1. By virtue of the authority granted by G.S. §160A-58.2, as amended, the described non-contiguous territory in the attached property description and also shown as "AREA TO BE ANNEXED", on the below identified survey plat is hereby annexed and made part of the Town of Apex, North Carolina, as of the date of adoption of this Ordinance on May 27, 2025. The survey plat that describes the annexed territory is that certain survey plat entitled "SATELLITE ANNEXATION MAP FOR THE TOWN OF APEX". The survey plat printed date is April 07, 2025, and Land Surveyor dated April 22, 2025, PIN No. 0723-24-0439, PIN No. 0723-24-3244, and PIN No. 0723-23-6877, and recorded in Book of Maps book number 2025 and page number \_\_\_\_\_, Wake County Registry.

Section 2. Upon and after the adoption of this ordinance, the territory described herein and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Apex, North Carolina, and shall be entitled to the same privileges and benefits as other parts of the Town of Apex. Said territory shall be subject to municipal taxes according to G.S. §160A-58.10, as amended.

Section 3. The Clerk of the Town of Apex, North Carolina shall cause to be recorded in the Office of the Register of Deeds of Wake County and in the Office of the Secretary of State at Raleigh, North Carolina and in the Office of the Wake County Board of Elections an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this Ordinance.

Adopted this the 27th day of May, 2025.

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Jacques K. Gilbert  
Mayor

ATTEST:

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Allen L. Coleman, CMC, NCCCC  
Town Clerk

APPROVED AS TO FORM:

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Laurie L. Hohe  
Town Attorney

Legal Description

Situated in the State of North Carolina, County of Wake, Township of White Oak, and being all of that 5.37 acre tract conveyed to Stephen F. Lambert and Mackie W. Lambert of record in Deed Book 17127, Page 1888 and all of that 9.74 acre tract conveyed to Mackie Lambert of record in Deed Book 10567, Page 2337 and all of that 8.86 acre tract conveyed to Michael G. Guadagno Trustee Michael G. Guadagno Living Trust of record in Deed Book 16273, Page 1728, and being more particularly bounded and described as follows:

**Beginning** at an iron pipe found in the easterly right-of-way of Wimberly Road (State Route 1603), being the southeasterly corner of said 8.86 acre tract, the northwesterly corner of a 2.33 acre tract conveyed to Craig A. and Debra Martin Thalhamer of record in Deed Book 4677, Page 819; and having North Carolina State Plane Coordinates (NAD 83–2011 Adjustment): Northing 733629.4520, Easting 2022300.0900;

Thence with the easterly right-of-way of said Wimberly Road, the following courses and distances;

**N 43° 03' 46" W**, a distance of **77.05 feet** to an iron pin set;

**N 44° 25' 36" W**, a distance of **193.72 feet** to an iron pin set;

With a curve to the right, having a chord bearing and distance of **N 41° 00' 29" W, 354.20 feet**, a radius of **2,970 feet**, a central angle of **6° 50' 13"**, and an arc length of **354.41 feet** to an iron pin set;

**N 37° 35' 23" W**, a distance of **36.49 feet** to an iron pin set;

**N 35° 23' 45" W**, a distance of **49.81 feet** to an iron pin set;

With a curve to the right, having a chord bearing and distance of **N 28° 46' 09" W, 175.41 feet**, a radius of **760.00 feet**, a central angle of **13° 15' 13"**, and an arc length of **175.80 feet** to an iron pin set;

**N 22° 08' 32" W**, a distance of **152.08 feet** to an iron pin set;

**N 21° 19' 47" W**, a distance of **77.15 feet** to an iron pin set;

With a curve to the right, having a chord bearing and distance of **N 11° 52' 45" W, 121.51 feet**, a radius of **370.00 feet**, a central angle of **18° 54' 04"**, and an arc length of **122.06 feet** to an iron pin set at the southwesterly corner of a 3.26 acre tract conveyed to Staley C. Smith, Haley S Hoffler, Marlou S. Bacon, and Martha M. Smith of record in Deed Book 14511, Page 1760, the northwesterly corner of said 5.37 acre tract;

Thence, **S 88° 41' 02" E**, with the common line of said 5.37 acre tract, and said 3.26 acre tract, a distance of **1,138.04 feet** to an iron pin found at the southeast corner of said 3.26 acre tract, the southwest corner of a 2.95 acre tract conveyed to The Trails and Estates at Lake Castleberry Community Association, Inc. of record in Deed Book 19320, Page 2228;

Thence, **S 88° 47' 45" E**, with the common line of said 5.37 acre tract, and said 2.95 acre tract, a distance of **76.76 feet**, to an iron pin found at the southeast corner of said 2.95 acre tract, the northeast corner of said 5.37 acre tract, on the westerly line of a 1.58 acre tract conveyed to Staley C. Smith, Haley S Hoffler, Marlou S. Bacon, and Martha M. Smith of record in Deed Book 14511, Page 1760;

Thence, **S 10° 48' 17" E**, with the common line of said 5.37 acre tract, and said 1.58 acre tract, a distance of **19.42 feet**, to an iron pin found at the southeast corner of said 5.37 acre tract, the northeast corner of said 9.74 acre tract;

Thence with the common line of said 9.74 acre tract and said 1.58 acre tract, the following courses and distances;

**S 10° 42' 53" E**, a distance of **157.86 feet** to an iron pin found;

**S 79° 23' 48" W**, a distance of **19.99 feet** to an iron pin found;

**S 10° 40' 39" E**, a distance of **190.07 feet** to an iron pin found at the southeast corner of said 9.74 acre tract, the northeast corner of said 8.86 acre tract, the southwest corner of said 1.58 acre tract, the northwest corner of a 1.40 acre tract conveyed to North Carolina Department of Transportation in Deed Book 6660, Page 194;

Thence with the common line of said 8.86 acre tract and said 1.40 acre tract, the following courses and distances;

**S 10° 37' 49" E**, a distance of **209.89 feet** to an iron pin set;

**N 79° 21' 00" E**, a distance of **10.00 feet** to an iron pin set;

**S 10° 41' 10" E**, a distance of **447.64 feet** to an iron pin found at the southeast corner of said 8.86 acre tract, the southwest corner of said 1.40 acre tract, northeast corner of said 2.33 acre tract;

Thence, **N 88° 26' 07" W**, with the common line of said 8.86 acre tract, and said 2.33 acre tract, a distance of **728.33 feet**, to the **Point of Beginning**, and containing **23.979 acres** of land, more or less, as calculated by the above courses. Subject, to all legal restrictions, easements and/or right-of-way.

The above description was prepared by James D. Whitacre, P.L.S. L-5273 on November 27, 2024. This description is based on existing records from the Wake County Register of Deeds and an actual field survey by Advanced Civil Design, Inc. in October, 2024.

The **Basis of Bearings** used in this description is based upon monuments established by the National Geodetic Survey (NAD 83, 2011 Adjustment) and was determined using GPS equipment and procedures.

All references used in this description can be found at the Register of Deeds, Wake County, North Carolina.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

CLERK'S CERTIFICATION

I, Allen L. Coleman, Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Satellite Annexation Ordinance No. 2025-\_\_\_\_\_, adopted at a meeting of the Town Council, on the 27th day of May, 2025, the original of which will be on file in the Office of the Town Clerk of Apex, North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Apex, North Carolina, this the 27th day of May, 2025.

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Allen L. Coleman, CMC, NCCCC  
Town Clerk

(SEAL)