

## PETITION FOR VOLUNTARY ANNEXATION

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Application #: 795  
Fee Paid: \$ 300.00

Submittal Date: 12-5-2024  
Check #: CC

### TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, ☒ Wake County, ☐ Chatham County, North Carolina.
2. The area to be annexed is ☒ contiguous, ☐ non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

### OWNER INFORMATION

Mackie W. Lambert & Stephen F. Lambert

Owner Name (Please Print)

919-450-8991

Phone

Mackie Lambert

Owner Name (Please Print)

Phone Michael G. Guadagno, and Michael G. Guadagno, Trustee, or his successors in trust, under the MICHAEL G. GUADAGNO LIVING TRUST AGREEMENT, dated December 21, 2015, and any amendments thereto.

Owner Name (Please Print)

716-830-6757

Phone

0723240439

Property PIN or Deed Book & Page #

stevelambert379@gmail.com

E-mail Address

0723243244

Property PIN or Deed Book & Page #

E-mail Address

0723236877

Property PIN or Deed Book & Page #

mquadagnoassociates@gmail.com

E-mail Address

### SURVEYOR INFORMATION

Surveyor: Jack Royal c/o Advanced Civil Design

Phone: 919.535.4058

Fax: \_\_\_\_\_

E-mail Address: jroyal@advancedcivildesign.com

### ANNEXATION SUMMARY CHART

#### Property Information

Total Acreage to be annexed: 23.979  
Population of acreage to be annexed: \_\_\_\_\_  
Existing # of housing units: 0  
Proposed # of housing units: 61  
Zoning District\*: PUD-CZ

#### Reason(s) for annexation (select all that apply)

Need water service due to well failure ☐  
Need sewer service due to septic system failure ☐  
Water service (new construction) ☒  
Sewer service (new construction) ☒  
Receive Town Services ☐

\*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department with questions.

# PETITION FOR VOLUNTARY ANNEXATION

Application #: 795

Submittal Date: 12-5-2024

**COMPLETE IF SIGNED BY INDIVIDUALS:**

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

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Mackie W. Lambert

Please Print

Mackie W. Lambert

Signature

Mackie Lambert

Please Print

Mackie Lambert

Signature

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Please Print

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Signature

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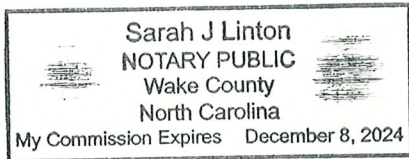
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Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Sarah J Linton, a Notary Public for the above State and County,  
this the 27<sup>th</sup> day of, November, 2024.



SEAL

 Notary Public

Notary Public

My Commission Expires: December 8, 2024

**COMPLETE IF A CORPORATION:**

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Corporate Name

SEAL

By:

President (Signature)

Secretary (Signature)

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County,  
this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Notary Public

SEAL

My Commission Expires:



PETITION FOR VOLUNTARY ANNEXATION

Application #: 795

Submittal Date: 12-5-2024

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

Stephen F. Lambert

Please Print

[Signature]  
Signature

Please Print

Signature

Please Print

Signature

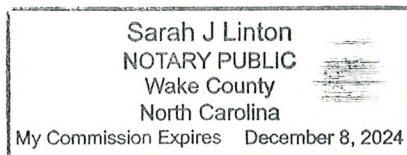
Please Print

Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Sarah J Linton, a Notary Public for the above State and County,  
this the 27<sup>th</sup> day of November, 2024.

SEAL



[Signature]  
Notary Public

My Commission Expires: December 8, 2024

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

Corporate Name \_\_\_\_\_

SEAL

By: \_\_\_\_\_

Attest:

President (Signature)

\_\_\_\_\_  
Secretary (Signature)

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County,  
this the \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Notary Public

SEAL

My Commission Expires: \_\_\_\_\_

PETITION FOR VOLUNTARY ANNEXATION

Application #: 795

Submittal Date: 12-10-2024

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

Michael G. Guadagno, and Michael G. Guadagno, Trustee, or his successors in trust, under the MICHAEL G. GUADAGNO LIVING TRUST AGREEMENT, dated December 21, 2015, and any amendments thereto

Please Print

Signature

Please Print

Signature

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Patricia L. Bryans, a Notary Public for the above State and County, this the 4<sup>th</sup> day of December, 2024.

Patricia L. Bryans  
Notary Public

SEAL

PATRICIA L. BRYANS  
Notary Public, State of New York  
No. 01BR6030920  
Qualified in Niagara County  
Commission Expires September 20, 2025

My Commission Expires: September 20, 2025

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Corporate Name \_\_\_\_\_

SEAL

By: \_\_\_\_\_

President (Signature)

Attest: \_\_\_\_\_

Secretary (Signature)

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, \_\_\_\_\_, a Notary Public for the above State and County, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public

SEAL

My Commission Expires: \_\_\_\_\_



AFFIDAVIT OF OWNERSHIP

Application #: 795

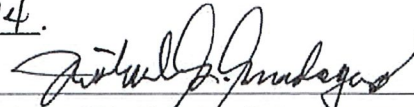
Submittal Date: 12-5-2024

Michael G. Guadagno, and Michael G. Guadagno, Trustee or his successors in trust, under the MICHAEL G. GUADAGNO LIVING TRUST AGREEMENT, dated December 21, 2015, and any amendments thereto

The undersigned, (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 717 Wimberly Road and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated January 16, 2016, and recorded in the Wake County Register of Deeds Office on January 25, 2016, in Book 16273 Page 1728.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on January 25, 2016, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on January 25, 2016, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the 28<sup>th</sup> day of November, 2024.



(seal)

Michael G. Guadagno, and Michael G. Guadagno, Trustee, or his successors in trust, under the MICHAEL G. GUADAGNO LIVING TRUST AGREEMENT, dated December 21, 2015, and any amendments thereto

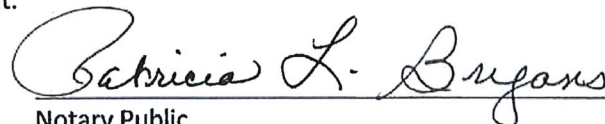
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STATE OF NORTH CAROLINA

COUNTY OF \_\_\_\_\_

I, the undersigned, a Notary Public in and for the County of Niagara, hereby certify that Michael Guadagno, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's \_\_\_\_\_, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

PATRICIA L. BRYANS  
Notary Public, State of New York  
No. 013R6030920  
Qualified in Niagara County  
Commission Expires September 20, 2025



Notary Public

State of North Carolina

My Commission Expires: 9/20/2025

[NOTARY SEAL]

# AGENT AUTHORIZATION FORM

Application #:

795

Submittal Date:

12-5-2024

Michael G. Guadagno, and Michael G. Guadagno, Trustee, or his successors in trust, under the MICHAEL G. GUADAGNO LIVING TRUST AGREEMENT, dated December 21, 2015, and any amendments thereto

is the owner\* of the property for which the attached

application is being submitted:

- ☒ Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- ☒ Site Plan
- ☐ Subdivision
- ☐ Variance
- ☒ Other: Annexation Petition

The property address is:

717 Wimberly Rd., Apex NC 27523

The agent for this project is:

Jason Barron

☐ I am the owner of the property and will be acting as my own agent

Agent Name:

Jason Barron

Address:

434 Fayetteville Street, Suite 2200, Raleigh, NC 27601

Telephone Number:

(919) 590-0371

E-Mail Address:

jbarron@morningstarlawgroup.com

Signature(s) of Owner(s)\*

*Michael G. Guadagno*

Michael G. Guadagno, and Michael G. Guadagno, Trustee, or his successors in trust, under the MICHAEL G. GUADAGNO LIVING TRUST AGREEMENT, dated December 21, 2015, and any amendments thereto

Type or print name

11-28-2024

Date

Type or print name

Date

Attach additional sheets if there are additional owners.

\*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.