



TOWN OF APEX, NORTH CAROLINA

Municipality No. 333

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

ORDINANCE NO. 2023-
ANNEXATION PETITION NO. 762
The Summit (FKA Holland Road Mixed Use) - 29.4692 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-31, 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 September 12, 2023, after due notice by posting to the Town of Apex website, <http://www.apexnc.org/news/public-notice-legal-ads>; and

WHEREAS, the Apex Town Council does hereby find as a fact that said petition meets the requirements of G.S.§160A-31, as amended.

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-31, as amended, the territory described in the attached property description and also shown as "Annexation Area" 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 September 12, 2023. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex, Wake County, North Carolina, Buckhorn Township (PIN#: see survey map), Land Surveyor dated May 31st, 2023" and recorded in Book of Maps book number 2023 and page number [REDACTED], 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 12th day of September, 2023.

Jacques K. Gilbert
Mayor

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

Annexation Legal Description for REID:0193211, 0087601, 0334537, 0160076, 0070103, 0160074 & 0197638

All those certain parcels of land, situated in Apex, Buckhorn Township Wake County, North Carolina, being known as REID:0193211, 0087601, 0334537, 0160076, 0070103, 0160074 & 0197638, Wake

County Records, and being more particularly described as follows:

Commencing at a 3/4" Iron Pipe found at the Western Property Corner of Shelba W Clem, Diane P Williams & Lisa W Krummel (REID: 0193211, DB 16078, Pg 788) and Eastern Right of Way of Humie Olive Road (SR-1142), Wake County records and being designated as the Point of Commencement as shown on map made by Bateman Civil Survey Company, dated 5/9/2023 and entitled "Annexation Map for the Town of Apex" Buckhorn Township, Wake County, Apex, North Carolina, REID:0193211, 0087601, 0334537, 0160076, 0070103, 0160074 & 0197638 ", having State Plane Coordinates N:709673.02, E:2028829.01; Thence S88°19'24"E, 384.60' to a Point, Said Point being the Point of Beginning having State Plane Coordinates N:709661.77, E:2029213.45; Thence S88°19'24"E, 339.43' to a 1/2" Bent Iron Pipe found in a tree at the Northeast Property Corner of RIED:0193211; thence S88°18'19"E, 125.81' to a 2" Iron Pipe found at the Southeast Property Corner of RIED:0296869; thence N05°08'57"E, 754.01' to a

1/2" Iron Pipe Found at the Northwest Property Corner of REID:0160074; thence N05°08'57"E, 237.74' to a 1/2" Iron Pipe Found at the Northwest Property Corner of REID:0087601 Shown as 'Control Corner' on said Map; thence S88°41'36"E, 630.83' to a 1/2" Iron Pipe Found at the Southeast Property Corner of REID:0427358; thence S88°22'38"E, 318.67' to a Point on the Western Right of Way of Holland Road (SR-1149); thence along the Western Right of Way of Holland Road (SR-1149) S16°36'59"W, 29.83' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) S14°47'09"W, 57.10' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) S13°34'48"W, 58.46' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) S12°15'11"W, 59.64' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) S10°51'46"W, 57.69' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) S10°06'24"W, 56.38' to a Point; thence to the Western Right of Way of Holland Road (SR-1149) S09°41'43"W, 68.40' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) S09°41'43"W, 228.74' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) S09°46'21"W, 98.04' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) S09°44'05"W, 30.03' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) S09°56'33"W, 62.62' to an Point; thence along the Western Right of Way of Holland Road (SR-1149) S10°27'07"W, 140.48' to a 3/4" Iron Pipe Found; thence along the Western Right of Way of Holland Road (SR-1149) S84°27'46"E, 7.97' to a 3/4" Iron Pipe Found; thence along the Western Right of Way of Holland Road (SR-1149) S13°06'20"W, 161.42' to a Point being on the Western Right of Way of Holland Road (SR-1149) and Northern Right of Way of Old US-1 Highway (SR-1011); thence along the Northern Right of Way of Old US-1 Highway (SR-1011) S71°01'04"W, 194.85' to a Point; thence along the Northern Right of Way of Old US-1 Highway (SR-1011) S02°07'36"W, 5.36' to a 2" Crimp Top Iron Pipe Found; thence along the Northern Right of Way of Old US-1 Highway (SR-1011) S71°12'43"W, 609.79' to a Existing Railroad Spike Found on the Eastern Right of Way of Humie Olive Road (SR-1142) and Northern Right of Way of Old US-1 Highway (SR-1011) ; thence along the Eastern Right of Way of Humie Olive Road (SR-

1142) N65°06'16"W, 365.03' to a ½" Iron Pipe in a Tree Found; thence along the Eastern Right of Way of Humie Olive Road (SR-1142) N65°04'49"W, 28.91' to a ¾" Iron Pipe Found; thence along the Eastern Right of Way of Humie Olive

Road (SR-1142) N65°33'00"W, 160.67' to a ¾" Iron Pipe Found; thence along the Eastern Right of Way of Humie Olive Road (SR-1142) N66°25'10"W, 96.93' to a Point; thence leaving the Eastern Right of Way of Humie Olive Road (SR-1142) N23°47'37"E, 143.50' to a Point, said being the Point of Beginning.

Said Annexation contains 1,224,197 square feet, 28.1036 acres, more or less.

Annexation Legal Description for Annexation Area #1

All those certain parcels of land, situated in Apex, Buckhorn Township Wake County, North Carolina, being known as Old US 1 Highway (SR-1011), Wake County Records, and being more particularly described as follows:

Beginning at a Existing Railroad Spike Found on the Eastern Right of Way of Humie Olive Road (SR-1142) & Northern Right of Way of Old US 1 Highway (SR-1011), Wake County records and being designated as the Point of Beginning as shown on map made by Bateman Civil Survey Company, dated 5/9/2023 and entitled "Annexation Map for the Town of Apex" Buckhorn Township, Wake County, Apex, North Carolina, REID:0193211, 0087601, 0334537, 0160076, 0070103, 0160074 & 0197638 ", having State

Plane Coordinates N:709259.34, E:2029747.98"

Thence along the Northern Right of Way of Old US-1 Highway (SR-1011) N71°12'43"E, 334.46' to a Point; thence across the Right of Way of Old US-1 Highway (SR-1011) S18°47'17"E, 59.54' to a Point on the Southern Right of Way of Old US-1 Highway (SR-1011), thence along the Southern Right of Way of Old US-1 Highway (SR-1011) S71°11'06"W, 22.49' to a Point; thence along the Southern Right of Way of Old US-1 Highway (SR-1011) S29°47'22"W, 20.05' to a Point; thence along the Southern Right of Way of Old US-1 Highway (SR-1011) S66°51'41"W, 105.25' to a Point; thence along the Southern Right of Way of Old US-1 Highway (SR-1011) S70°21'31"W, 117.65' to a Point; thence along the Southern Right of Way of Old US-1 Highway (SR-1011) S79°37'28"W, 20.87' to a Point; thence along the Southern Right of Way of Old US-1 Highway (SR-1011) N19°02'39"W, 12.99' to a Point; thence across the Right of Way of Old US-1 Highway (SR-1011) N57°40'59"W, 85.44' to an Existing Railroad Spike Found on the Eastern Right of Way of Humie Olive Road (SR-1142) and Northern Right of Way of Old US-1 Highway (SR-1010);, said Existing Railroad Spike being the Point of Beginning.

Said Annexation contains 23,462 square feet, 0.5386 acres, more or less.

Annexation Legal Description for Annexation Area #2

All those certain parcels of land, situated in Apex, Buckhorn Township Wake County, North Carolina, being known as Old US 1 Highway (SR-1011), Wake County Records, and being more particularly described as follows:

Beginning at a Point on the Western Right of Way of Holland Road (SR-1149) & Northwest Property Corner of REID:0087601, Wake County records and being designated as the Point of Beginning as shown on map made by Bateman Civil Survey Company, dated 5/9/2023 and entitled "Annexation Map for the Town of Apex" Buckhorn Township, Wake County, Apex, North Carolina, REID:0193211, 0087601, 0334537, 0160076, 0070103, 0160074 & 0197638 ", having State Plane Coordinates N:710612.45, E:2030716.71"

Thence across the Right of Way of Holland Road (SR-1149) to the Eastern Right of Way of Holland Road (SR-1149) S88°22'38"E, 79.35' to a Point; thence along the Eastern Right of Way of Holland Road (SR- 1149) S17°12'05"W, 13.32' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149) S17°04'02"W, 37.06' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149)

S15°46'08"W, 55.32' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149) S14°32'05"W, 56.80' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149) S13°12'12"W, 57.87' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149) S11°50'52"W, 42.20' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149) N87°21'07"W, 42.94' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149) S10°51'46"W, 6.88' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149) S10°06'24"W, 56.07' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149) S09°41'43"W, 68.29' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149) S09°41'43"W, 228.76' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149) S09°46'21"W, 98.06' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149) S09°44'05"W, 30.07' to a Point; thence along the Eastern Right of Way of Holland Road (SR-1149) S09°56'33"W, 62.67' to a Point; thence across the Right of Way of Holland Road (SR-1149) N88°20'16"W, 30.36' to a ¾" Iron Pipe Found on the Western Right of Way of Holland Road (SR-1149); thence along the Western Right of Way of Holland Road (SR-1149) N09°56'33"E, 62.62' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) N09°44'05"E, 30.03' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) N09°46'21"E, 98.04' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) N09°41'43"E, 228.74' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) N09°41'43"E, 68.40' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) N10°06'24"E, 56.38' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) N10°51'46"E, 57.69' to a Point; thence along the Western Right of Way of Holland Road (SR-1149)

N12°15'11"E, 59.64' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) N13°34'48"E, 58.46' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) N14°47'09"E, 57.10' to a Point; thence along the Western Right of Way of Holland Road (SR-1149) N16°36'59"E, 29.83' to a Point on the Western Right of Way of Holland Road (SR-1149) & Northwest Property Corner of REID:0087601, said Point being the Point of Beginning.

Said Annexation contains 36,028 square feet, 0.8270 acres, more or less.

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 Annexation Ordinance No. 2023-_____, adopted at a meeting of the Town Council, on the 12th day of September, 2023, 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 12th day of September, 2023.

Allen L. Coleman, CMC, NCCCC
Town Clerk

(SEAL)