



TOWN OF APEX, NORTH CAROLINA
Municipality No. 333

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

ORDINANCE NO. 2021-0413-25
ANNEXATION PETITION NO. #687
Horton Park PUD

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 December 15, 2020, 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 April 13, 2021 that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex, Apex, NC, Wake County, White Oak Township, Bateman Civil Survey Company, dated March 24, 2020" and recorded in Book of Maps book number 2021 and page numbers _____ 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.

Section 4. This Ordinance 2021-0413-25 hereby supersedes and replaces in its entirety Ordinance No. 2020-1215-25 and Ordinance No. 2020-1215-25 is null and void and of no further force and effect.

Adopted this the 13th day of April 2021.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

Annexation Legal Description for REID# 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614, 0203135 & 0104750

All that certain parcels of land, situated in Apex, Wake County, North Carolina, being known as REID# 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614, 0203135 & 0104750, Wake County Records, and being more particularly described as follows:

Beginning at an Iron Pipe found at the South West property corner of MFW Investments LLC (REID 0033171, DB 17139, PG 745), Wake County Records and South East property corner of Kimberly A & Loomis Horton III (REID 0094319, DB 16-E, PG 969), Wake County records and being designated as the Point of Beginning as shown on map made by Bateman Civil Survey Company, dated 3/24/2020 and entitled "Annexation Map for the Town of Apex" Apex, NC, Wake County, White Oak Township, REID# 0099938, 0463860, 0034313, 0012276, 0434123, 0449641, 0457588, 0040550, 0203126, 0033171, 0033292, 0089614 & 0203135, having State Plane Coordinates N:707485.663, E:2051769.272; Thence N02°44'07"E, 994.82' to an Iron Pipe found; thence N86°50'22"W, 258.73' to an Iron Pipe found; thence N39°30'30"E, 26.26' to a point; thence N23°42'22"W, 35.95' to a point; thence N13°54'09"E, 79.15' to a point; thence N17°33'13"W, 18.56' to a point; thence N67°29'17"E, 37.85' to a point; thence N02°16'21"W, 22.18' to a point; thence N70°27'02"W, 29.99' to a point; thence N44°05'42"W, 39.31' to a point; thence N13°50'46"E, 28.19' to a point; thence N66°20'10"E, 26.21' to a point; thence N16°14'26"E, 42.75' to a point; thence N42°08'44"E, 49.37' to a point; thence N12°33'20"W, 47.21' to a point; thence S89°48'05"W, 27.39' to a point; thence N47°19'12"W, 39.00' to a point; thence N17°31'45"E, 67.92' to a point; thence S52°16'45"E, 28.62' to a point; thence N53°21'20"E, 14.91' to a point; thence N12°12'41"E, 91.90' to a point; thence N02°59'42"W, 51.52' to a point; thence N59°30'21"W, 62.80' to a point; thence S39°54'45"W, 52.49' to a point; thence S81°30'52"W, 18.15' to a point; thence N37°30'45"W, 51.54' to a point; thence N14°00'20"W, 81.92' to a point; thence N41°47'32"E, 23.66' to a point; thence N31°38'22"W, 1.96' to a point; thence N09°34'30"W, 39.41' to a point; thence N04°27'00"E, 78.83' to a point; thence S86°25'14"E, 33.05' to a point; thence N79°11'30"E, 445.19' to a point; thence N48°13'38"E, 50.09' to a point; thence N22°54'33"E, 74.47' to a point; thence S87°24'13"E, 584.86' to a point; thence N19°40'32"E, 59.76' to a point; thence a curve to the Right having a Radius of 540.00', a Length of 280.51' and a Direction of N34°33'25"E, 277.37' to a point; thence N49°26'19"E, 244.69' to a point; thence a curve to the Left having a Radius of 25.00', a Length of 38.27' and a Direction of N05°35'05"E, 34.64' to a point; thence N49°26'19"E, 50.04' to a point; thence a curve to the Right having a Radius of 25.00', a Length of 38.27' and a Direction of S86°42'27"E, 34.64' to a point; thence N49°26'19"E, 55.76' to a point; thence a curve to the Left having a Radius of 655.00', a Length of 288.86' and a Direction of N36°48'17"E, 286.52' to a point; thence a curve to the Left having a Radius of 8.00', a Length of 13.10' and a Direction of N22°43'53"W, 11.68' to a point; thence N69°38'01"W, 18.54' to a point; thence N24°32'45"E, 50.21' to a point; thence S69°38'01"E, 15.90' to a point; thence a curve to the Left having a Radius of 8.00', a Length of 12.85' and a Direction of N64°20'28"E, 11.51' to a point; thence a curve to the Left having a Radius of 655.00', a Length of 710.34' and a Direction of N12°45'08"W, 676.04' to a point; thence N43°49'14"W, 349.36' to a point; thence a curve to the Right

having a Radius of 540.00', a Length of 161.66' and a Direction of N35°14'40"W, 161.05' to a point; thence N33°53'34"W, 32.27' to a point; thence a curve to the Right having a Radius of 545.00', a Length of 128.17' and a Direction of N16°33'47"W, 127.87' to a point; thence N03°12'43"E, 229.86' to a point; thence S87°58'17"E, 19.70' to a point; thence S09°31'44"E, 28.27' to a point; thence a curve to the Left having a Radius of 20.00', a Length of 30.32' and a Direction of S52°57'16"E, 27.50' to a point; thence a curve to the Right having a Radius of 1,005.00', a Length of 79.07' and a Direction of N85°52'26"E, 79.05' to a point; thence N88°07'40"E, 207.65' to a point; thence a curve to the Left having a Radius of 880.00', a Length of 139.40' and a Direction of N83°35'23"E, 139.25' to a point; thence S87°54'42"E, 189.55' to a point; thence S01°32'07"W, 53.24' to a point; thence a curve to the Right having a Radius of 990.00', a Length of 330.87' and a Direction of S78°33'12"W, 329.33' to a point; thence S88°15'11"W, 158.83' to a point; thence S82°47'37"W, 110.66' to a point; thence a curve to the Left having a Radius of 20.00', a Length of 32.23' and a Direction of S36°37'57"W, 28.85' to a point; thence S09°31'44"E, 31.05' to a point; thence a curve to the Left having a Radius of 475.00', a Length of 114.32' and a Direction of S16°25'26"E, 114.05' to a point; thence S14°55'06"E, 28.54' to a point; thence a curve to the Left having a Radius of 480.01', a Length of 143.51' and a Direction of S35°15'20"E, 142.97' to a point; thence S43°49'14"E, 349.36' to a point; thence a curve to the Right having a Radius of 715.00', a Length of 674.37' and a Direction of S16°48'02"E, 649.65' to a point; thence S87°28'46"E, 195.69' to a point; thence S87°28'09"E, 1,310.85' to a point; thence S87°31'29"E, 16.61' to a point; thence S24°36'54"W, 730.39' to a point; thence a curve to the Right having a Radius of 1097.98', a Length of 143.09' and a Direction of S49°31'31"E, 142.99' to a point; thence S45°47'31"E, 153.36' to a point; thence a curve to the Right having a Radius of 880.00', a Length of 231.46' and a Direction of S53°15'39"E, 230.79' to a point; thence S45°47'31"W, 376.61' to a point; thence S35°44'56"W, 30.33' to a point; thence S35°44'56"W, 30.33' to a point; thence N45°47'31"E, 385.60' to a point; thence a curve to the Left having a Radius of 820.00', a Length of 90.03' and a Direction of N48°52'15"W, 89.98' to a point; thence S66°31'41"W, 375.96' to a point; thence N81°31'47"W, 861.72' to a point; thence N81°28'50"W, 149.98' to a point; thence N81°33'25"W, 56.41' to a point; thence N81°44'30"W, 219.28' to a point; thence S19°51'42"W, 340.91' to a point; thence N70°08'18"W, 585.61' to a point; thence S03°40'12"W, 844.63' to a point; thence S03°03'45"W, 587.47' to a point; thence S89°39'02"E, 205.00' to a point; thence N00°17'07"E, 209.76' to a point; thence S89°42'53"E, 210.00' to a point; thence S00°17'07"W, 210.00' to a point; thence S85°26'31"E, 434.14' to a point; thence S56°32'07"W, 821.71' to a point; thence S02°53'36"W, 73.32' to a point; thence N77°53'40"W, 922.38' to a point; said Iron Pipe being the Point of Beginning.

Said Annexation contains 4,367,645 square feet / 100.267 acres, more or less.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

CLERK'S CERTIFICATION

I, Donna B. Hosch, MMC, NCCMC, Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Annexation Ordinance No. 2021-0413-25, adopted at a meeting of the Town Council, on the 13th day of April, 2021, 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 14th day of April 2021.

Donna B. Hosch, MMC, NCCMC
Town Clerk

(SEAL)