



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. 2021-0413-13
ANNEXATION PETITION NO. #709
MFW Investments, LLC, Trinity Apex North 100, LLC, and Horton Park MF, LLC

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 April 13, 2021, 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 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. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex, Bateman Civil Survey Company, dated March 24, 2020 " and recorded in Book of Maps book number 2021 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 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# 0034313

All that certain parcels of land, situated in Apex, Wake County, North Carolina, being known as REID# 0034313, Wake County Records, and being more particularly described as follows:

Commencing at a point on the South East property of Trinity Apex North, LLC (REID 0099938, DB 14735, PG 685), Wake County Records and North West corner of Jessie Drive, Wake County records and being 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.

Thence S24°31'49"E, 68.99' to a point; Said point being the point of beginning; thence S24°31'49"E, 26.92' to a point; thence S65°28'11"W, 172.84' to a point; thence a curve to the Right having a Radius of 990.00', a Length of 60.63' and a Direction of S67°13'27"W, 60.62' to a point; thence N01°32'07"E, 53.24' to a point; thence N71°50'18"E, 205.23' to a point; thence N65°26'28"E, 6.08' to a point;

said Point being the Point of Beginning.

Said Annexation contains 8,541 square feet / 0.196 acres, more or less.

Annexation Legal Description for REID# 0099938

All that certain parcels of land, situated in Apex, Wake County, North Carolina, being known as REID# 0099938, Wake County Records, and being more particularly described as follows:

Beginning at a point on the South East property of Trinity Apex North 100 LLC (REID 0099938, DB 14735, PG 685), Wake County Records and North West corner of Jessie Drive, Wake County records and being 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.

Thence S24°31'49"E, 68.99' to a point; thence S65°26'28"W, 6.08' to a point; thence S71°50'18"W, 205.23' to a point; thence N87°54'42"W, 189.55' to a point; thence a curve to the Left having a Radius of 880.00', a Length of 159.94' and a Direction of N73°50'42"E, 159.72' to a point; thence S87°54'41"E, 25.01' to a point; thence N66°41'16"E, 199.17' to a point;

said Point being the Point of Beginning.

Said Annexation contains 17,338 square feet / 0.398 acres, more or less.

Annexation Legal Description for REID# 0463860

All that certain parcels of land, situated in Apex, Wake County, North Carolina, being known as REID# 0463860, Wake County Records, and being more particularly described as follows:

Beginning at a point on the North East property of MFW Investments LLC (REID 0463860, DB 17279, PG 1698), Wake County Records and North West corner of MFW Investments LLC (REID 0012276, DB 17211, PG 2706), Wake County records and being 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.

Thence S03°12'43"W, 229.86' to a point; thence a curve to the Right having a Radius of 545.00', a Length of 2.83' and a Direction of N09°40'38"W, 2.83' to a point; thence N09°31'44"W, 39.04' to a point; thence a curve to the Left having a Radius of 20.00', a Length of 31.96' and a Direction of N55°18'05"W, 28.66' to a point; thence N17°01'28"W, 70.37' to a point; thence a curve to the Left having a Radius of 35.00', a Length of 57.08' and a Direction of N63°44'30"W, 50.96' to a point; thence a curve to the Left having a Radius of 900.00', a Length of 59.13' and a Direction of S67°39'31"W, 59.12' to a point; thence N24°13'25"W, 100.00' to a point; thence a curve to the Right having a Radius of 1,000.00', a Length of 48.98' and a Direction of N67°10'47"E, 48.98' to a point; thence S87°58'54"E, 49.66' to a point; thence S87°58'17"E, 110.69' to a point; said Point being the Point of Beginning.
Said Annexation contains 21,566 square feet / 0.495 acres, more or less.

Page 5

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. 2021-0413-13 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)