



PETITION FOR VOLUNTARY ANNEXATION

Application #: 805

Submittal Date: 7-1-2025

COMPLETE IF SIGNED BY INDIVIDUALS:

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

Linda Barker Barbour

Please Print

Linda Barker Barbour  
Signature

Please Print

Signature

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, William Riley Whitehead, a Notary Public for the above State and County,  
this the 27<sup>th</sup> day of MAY, 2025.

William Riley Whitehead  
Notary Public

SEAL



My Commission Expires: 6-11-2029

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: \_\_\_\_\_

**TOWN OF APEX UTILITIES OFFER AND AGREEMENT**

Application #: 805

Submittal Date: 7-1-2025

**Town of Apex  
73 Hunter Street  
P.O. Box 250 Apex, NC 27502  
919-249-3400**

WAKE COUNTY, NORTH CAROLINA CUSTOMER SELECTION AGREEMENT

\_\_\_\_\_  
\_\_\_\_\_  
(the "Premises")

The Town of Apex offers to provide you with electric utilities on the terms described in this Offer & Agreement. If you accept the Town's offer, please fill in the blanks on this form and sign and we will have an Agreement once signed by the Town.

Lennar Carolinas, LLC, the undersigned customer ("Customer") hereby irrevocably chooses and selects the Town of Apex (the "Town") as the permanent electric supplier for the Premises. Permanent service to the Premises will be preceded by temporary service if needed.

The sale, delivery, and use of electric power by Customer at the Premises shall be subject to, and in accordance with, all the terms and conditions of the Town's service regulations, policies, procedures and the Code of Ordinances of the Town.

Customer understands that the Town, based upon this Agreement, will take action and expend funds to provide the requested service. By signing this Agreement the undersigned signifies that he or she has the authority to select the electric service provider, for both permanent and temporary power, for the Premises identified above.

Any additional terms and conditions to this Agreement are attached as Appendix 1. If no appendix is attached this Agreement constitutes the entire agreement of the parties.

Acceptance of this Agreement by the Town constitutes a binding contract to purchase and sell electric power.

Please note that under North Carolina General Statute §160A-332, you may be entitled to choose another electric supplier for the Premises.

Upon acceptance of this Agreement, the Town of Apex Electric Utilities Division will be pleased to provide electric service to the Premises and looks forward to working with you and the owner(s).

ACCEPTED:

CUSTOMER: Lennar Carolinas, LLC TOWN OF APEX

BY: Tyler Wilson, PE  
Authorized Agent

BY: \_\_\_\_\_  
Authorized Agent

DATE: 5/28/25

DATE: \_\_\_\_\_

**AFFIDAVIT OF OWNERSHIP**

Application #: 805

Submittal Date: 7-1-2025

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

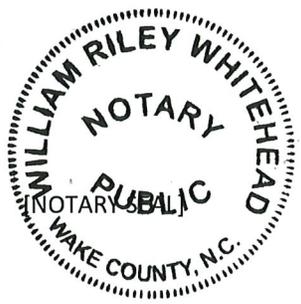
1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at 3204, 3216, 3312 Old US 1 Hwy and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "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 1/9/01 and 3/31/98 and recorded in the Wake County Register of Deeds Office on 04/06/01 and 6/24/98, in Book \_\_\_\_\_ Page DB 8868-2358 and DB 8088-258
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 1/9/01 and 3/31/98, 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 1/9/01 and 3/31/98, 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 6th day of June, 2025.

Linda Barker Barbour (seal)  
Linda Barker Barbour  
 Type or print name

STATE OF NORTH CAROLINA  
 COUNTY OF WAKE

I, the undersigned, a Notary Public in and for the County of WAKE, hereby certify that LINDA BARKER BARBOUR Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's NCDL, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.



William Riley Whitehead  
 Notary Public  
 State of North Carolina  
 My Commission Expires: 6-11-2029  
WILLIAM RILEY WHITEHEAD

**AGENT AUTHORIZATION FORM**

Application #: 805

Submittal Date: 7-1-2025

Linda Barker Barbour 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: \_\_\_\_\_

The property address is: 3204, 3216, 3312 Old US 1 Hwy

The agent for this project is: Lennar Carolinas, LLC

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

Agent Name: Tyler Wilson, PE

Address: 1100 Perimeter Park Dr, Suite 112, Morrisville NC 27560

Telephone Number: 984-202-9179

E-Mail Address: tyler.wilson@lennar.com

Signature(s) of Owner(s)\*

Linda Barker Barbour  
Type or print name

06/06/2025  
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.

**AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION**

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Insert legal description below.

**BARBOUR TRACT LEGAL DESCRIPTION**

BEGINNING AT A POINT ON THE NORTHERN RIGHT OF WAY OF OLD US HIGHWAY 1, SAID POINT HAVING NC GRID NAD 83(2011) COORDINATES N:703,786.17, E:2,020,960.81, THE POINT OF BEGINNING; THENCE WITH THE LINE OF BOREK NORTH 06°37'47" EAST A DISTANCE OF 2.29 FEET TO AN IRON PIPE; THENCE WITH THE LINES OF BOREK AND RAYMER NORTH 89°20'27" WEST A DISTANCE OF 1318.92 FEET TO AN IRON PIPE THE COMMON CORNER OF THE 5.475 ACRE TRACT SHOWN ON BOOK OF MAPS 1988, PAGE 1364 OF THE WAKE COUNTY REGISTRY; THENCE WITH SAID COMMON LINE NORTH 89°45'43" WEST A DISTANCE OF 320.48 FEET TO AN IRON PIPE THE COMMON CORNER OF LOT 1 AS SHOWN ON BOOK OF MAPS 1984, PAGE 716; THENCE WITH SAID COMMON LINE NORTH 04°32'22" EAST A DISTANCE OF 551.25 FEET TO AN IRON PIPE THE SOUTHEAST CORNER OF LOT 3 AS SHOWN ON THE AFORE SAID BOOK OF MAPS; THENCE WITH SAID COMMON LINE NORTH 04°29'51" EAST A DISTANCE OF 44.78 FEET TO AN IRON PIPE THE SOUTHWEST CORNER OF OS 6, AS SHOWN ON BOOK OF MAPS 2018, PAGE 326; THENCE WITH SAID LOT AND THE SOUTHERN LINE OF WOODBURY SUBDIVISION AS SHOWN ON BOOK OF MAPS 2018, PAGE 2237 NORTH 88°43'19" EAST A DISTANCE OF 1990.29 FEET TO AN IRON PIPE; THENCE CONTINUING WITH THE COMMON LINE OF WOODBURY SUBDIVISION AS SHOWN ON BOOK OF MAPS 2019, PAGE 1464, BOOK OF MAPS 2020, PAGE 459, AND BOOK OF MAPS 2020, PAGE 1240 NORTH 02°51'36" EAST A DISTANCE OF 2406.89 FEET TO A REBAR ON THE SOUTHERN LINE OF THE FRIENDSHIP STATION SUBDIVISION AS SHOWN ON BOOK OF MAPS 2024, PAGE 1354; THENCE WITH SAID COMMON LINE SOUTH 88°13'14" EAST A DISTANCE OF 849.35 FEET TO AN IRON PIPE THE NORTHWEST CORNER OF THE GREENVALE SUBDIVISION AS SHOWN ON BOOK OF MAPS 1994, PAGE 1637; THENCE WITH THE WESTERN LINE OF SAID SUBDIVISION SOUTH 00°29'22" EAST A DISTANCE OF 1241.74 FEET TO AN IRON PIPE THE NORTHWEST CORNER OF LOT 7 AS SHOWN ON BOOK OF MAPS 2003, PAGE 874; THENCE WITH SAID COMMON LINE SOUTH 01°33'46" EAST A DISTANCE OF 334.52 FEET TO AN IRON PIPE THE NORTHWEST CORNER OF LOT 1-B AS SHOWN ON BOOK OF MAPS 1999, PAGE 965; THENCE WITH SAID COMMON LINE SOUTH 00°47'59" EAST A DISTANCE OF 711.34 FEET TO AN IRON PIPE ON THE NORTHERN RIGHT OF WAY OF CSX TRANSPORTATION RAILROAD AS SHOWN ON BOOK OF MAPS 2016, PAGE 1010; THENCE WITH SAID RIGHT OF WAY SOUTH 56°44'52" WEST A DISTANCE OF 977.97 FEET TO A POINT THE NORTHEAST CORNER OF THE SMALL PARCEL, WHICH IS PART OF LOT A, AS SHOWN ON BOOK OF MAPS 1986, PAGE 992; THENCE WITH THE NORTHERN LINE OF SAID PARCEL SOUTH 89°17'58" WEST A DISTANCE OF 163.20 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY OF OLD US HIGHWAY 1; THENCE CROSSING SAID RIGHT OF WAY NORTH 41°02'54" WEST A DISTANCE OF 60.44 FEET TO A POINT ON THE NORTHERN RIGHT OF WAY OF SAID HIGHWAY; THENCE WITH SAID RIGHT OF WAY SOUTH 55°51'45" WEST A DISTANCE OF 454.13 FEET TO THE POINT OF BEGINNING; CONTAINING 3,638,704 SQUARE FEET OR 83.53 ACRES.