



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. 2021-0223-06  
ANNEXATION PETITION NO. #705  
Joseph D. Cusumano and Reagan L. Cusumano (2609 New Hill Olive Chapel  
Road)

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 February 23, 2021, 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 February 23, 2021. The survey plat that describes the annexed territory is that certain survey plat entitled "Satellite Annexation Map for the Town of Apex Lands of Joseph Cusumano, MSS Land Consultants, dated December 22, 2020" and recorded in Book of Maps book number 2021 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 23<sup>rd</sup> day of February 2021.

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Jacques K. Gilbert  
Mayor

ATTEST:

\_\_\_\_\_  
Donna B. Hosch, MMC, NCCMC  
Town Clerk

APPROVED AS TO FORM:

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Laurie L. Hohe  
Town Attorney

Legal Description

That certain tract or parcel of land lying and being in Buckhorn Township, Wake County, North Carolina and being more particularly described as follows:

Beginning at a point in the centerline of New Hill Olive Chapel Road, (State Road 1141); said point lying at the Southwest Corner of the property now or formerly owned by Laura B. Atkins, as described in Deed Book 3574, Page 493, Wake County Registry; thence run S 84°00'03"E along the southerly boundary line of said Laura B. Atkins property a distance of 309.00 feet to a point; said point marked by an "X" on a sanitary sewer manhole; thence S06°07'25"W a distance of 395.75 feet to an existing iron pipe; thence N85°08'54"W a distance of 110.60' to a point in the centerline of aforesaid New Hill Olive Chapel Road, (State Road 1141); thence run N20°24'09"W along said centerline a distance of 444.30 feet to the point or place of beginning. Containing 1.914 Acres more or less.

Above parcel also being that same land described in a deed from Apex First Investments, LLC to Joseph David Cusumano and Reagan Layne Cusumano as recorded in Deed Book 018175, Page 00052, Wake County Registry, North Carolina.

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. 2021-0223-06, adopted at a meeting of the Town Council, on the 23<sup>rd</sup> day of February, 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 24<sup>th</sup> day of February 2021.

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Donna B. Hosch, MMC, NCCMC  
Town Clerk

(SEAL)