



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. 2020-0107-02
ANNEXATION PETITION NO. #680
The Courtyards on Holt

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 January 7, 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 January 7, 2020. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex, Holt Road, Advanced Civil Design, dated 11/26/2019" and recorded in Book of Maps book number 2020 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 7th day of January 2020.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

Situated in the State of North Carolina, County of Wake, Town of Apex, and consisting of a 1.578 acre tract conveyed to Jennifer Davis of record in Deed Book 16696, Page 205, a 1.497 acre tract conveyed to Jennifer Davis of record in Deed Book 9853, Page 528, a 18.475 acre remainder tract conveyed to Martha B. Catlette Revocable Trust of record in Deed Book 11630, Page 1220, a 1.769 acre tract conveyed to Martha B. Catlette Revocable Trust of record in Deed Book 11630, Page 1220, a 1.781 acre tract conveyed to Charles Catlette Jr. of record in Deed Book 8517, Page 1219, and a 1.730 acre tract conveyed to James and Jennifer Davis of record in Deed Book 16569, Page 883, and being more particularly bounded and described as follows:

Beginning at an iron pipe found at the northeast corner of said 1.578 acre Davis tract; said point also being on the southerly right-of-way of Holt Road (S.R. 1612), having North Carolina State Plane Coordinates (NAD 83—2011 Adjustment): Northing 734135.474, Easting 2042751.8500;

Thence along the southern right-of-way of said Holt Road, the northerly line of said 1.578 acre Davis tract the following two (2) courses;

S 75° 40' 50" E, a distance of **20.05 feet** to an iron pipe set;

S 74° 33' 14" E, a distance of **109.20 feet** to an iron pipe set;

Thence, with a curve to the right, having a chord bearing and distance of **S 66° 24' 11" E**, **155.71 feet**, a radius of **549.14 feet**, a central angle of **16° 18' 06"**, and an arc length of **156.24 feet** along the southern right-of-way of said Holt Road, the northerly line of said 1.578 acre Davis tract, the northerly line of said 1.497 Davis Tract to an iron pipe found;

Thence, with a curve to the right, having a chord bearing and distance of **S 30° 31' 37" E**, **510.96 feet**, a radius of **549.14 feet**, a central angle of **55° 27' 02"**, and an arc length of **531.46 feet** along the southern right-of-way of said Holt Road, the northeasterly line of said 18.475 acre Catlette tract to an iron pipe found at the northeast corner of a 2.009 acre tract conveyed to James and Jennifer Davis of record in Deed Book 16569, Page 887;

Thence, along the northern and western line of said 2.009 acre Davis tract, the eastern line of said 18.475 Catlette tract, and the western and southern line of a 4.93 acre tract conveyed to Kenneth Grimley of record in Deed Book 2225, Page 693 the following eight (8) courses:

S 89° 07' 06" W, a distance of **421.89 feet** to an iron pipe found;

S 05° 34' 45" E, a distance of **147.91 feet** to an iron pipe set;

S 60° 44' 16" W, a distance of **183.49 feet** to an iron pipe found;

S 37° 08' 50" E, a distance of **321.30 feet** to an iron pipe found;

S 10° 25' 20" E, a distance of **174.93 feet** to an iron pipe found;

S 79° 09' 20" E, a distance of **104.65 feet** to an iron pipe set;

S 47° 25' 20" E, a distance of **173.95 feet** to an iron pipe set;

N 86° 18' 10" E, a distance of **73.52 feet** to an iron pipe set in the westerly right-of-way of said Holt Road;

Thence, across said Holt Road right-of-way the following three (3) courses;

N 86° 18' 10" E, a distance of **11.73 feet** to a point;

S 04° 01' 55" W, a distance of **181.48 feet** to a point;

N 89° 17' 25" W, a distance of **24.88 feet** to an iron pipe set in the westerly right-of-way of said Holt Road, also being the northeast corner of Open Space 1 of the Subdivision titled Middleton Phase 1A of record in Book of Maps 2016, Page 1755, also being the southeast corner of said 1.73 acre Davis tract;

Thence, **N 89° 17' 25" W**, a distance of **1243.68 feet** along the northerly line of said Open Space 1, the northerly line of Open Space 1 of the Subdivision titled Middleton Remainder of Phase 1B of record in Book of Maps 2017, Page 2170, the southerly line of said 1.730 acre Davis tract, the southerly line of said 1.781 acre Catlette Jr. tract, the southerly line of said 1.769 acre Catlette tract to an iron pipe set;

Thence, **N 03° 07' 58" E**, a distance of **204.30 feet** along the westerly line of said 1.769 acre Catlette tract, the easterly line of a 4.0 acre tract conveyed to Charles and Shirly Hamlett in Deed Book 3293, Page 697, to an iron pipe set at the southwest corner of said 18.475 acre Catlette tract;

Thence, **N 03° 11' 00" E**, a distance of **387.01 feet** along the westerly line of said 18.475 acre Catlette tract, the easterly line of said 4.0 acre Hamlett tract, and the easterly line of a 1.75 acre tract conveyed to Wayne Riddle in Deed Book 2317, Page 394 to an iron pipe found at the northeast corner of said 1.75 acre Riddle Tract and the southeast corner of a 3.32 acre tract conveyed to Dennis and Cathy Rae Bixby in Deed Book 15822, Page 2205;

Thence, **N 03° 09' 27" E**, a distance of **213.94 feet** along the westerly line of said 18.475 acre Catlette tract and the easterly line of said 3.32 acre Bixby tract to an iron pipe found at the southwest corner of a 5.89 acre tract conveyed to Deloris Gibson in Deed Book 12602, Page 846;

Thence, along the northerly and westerly lines of said 18.475 acre Catlette tract and the southerly and easterly lines of said 5.89 acre Gibson tract the following two courses:

S 88° 00' 05" E, a distance of **455.89 feet** to an iron pipe found;

N 02° 00' 55" E, a distance of **188.48 feet** to an iron pipe found at the southwest corner of said 1.497 acre Davis tract;

Thence, along the westerly line of said 1.497 acre Davis tract, the westerly line of said 1.578 acre Davis, the easterly line of said 5.89 acre Gibson tract and the easterly line of a 3.6 acre tract conveyed to Rosa Jackyra in Deed Book 8720 Page 1827 the following two (2) courses;

N 07° 40' 26" E, a distance of **331.37 feet** to an iron pipe set;

N 48° 51' 17" E, a distance of **304.52 feet** to the **Point of Beginning**, and containing **26.897 acres** of land, more or less, as calculated by the above courses.

All deed references contained herein can be found at the Wake County Register of Deeds. The above description was prepared by James D. Whitacre, P.L.S. L-5273 on November 14, 2019.

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. 2020-0107-02, adopted at a meeting of the Town Council, on the 7th day of January 2020, 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 7th day of January 2020.

Donna B. Hosch, MMC, NCCMC
Town Clerk

(SEAL)