



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. 2020-1006-26  
ANNEXATION PETITION NO. #651  
MFW Investments, LLC (Colby Crossings)

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 October 6, 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 October 6, 2020. The survey plat 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 26, 2020" 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 6th day of October 2020.

\_\_\_\_\_  
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 PIN: 0750264926

All that certain parcel of land, situated in Apex, Wake County, North Carolina, being on the lands of MFW Investments LLC as described in Deed Book 16554 at Page 2295, Wake County Records, and being more particularly described as follows:

Beginning at a Iron Pipe found at the North West property corner of MFW Investments LLC (DB 16554, PG 2295), Wake County Records and North East property corner of Pemberly Property Owners' Association (DB 16533, PG 1996), Wake County records and being designated as the Point of Beginning as shown on map entitled "Annexation Map for the Town of Apex" Apex, NC, Wake County, White Oak Township, REID# 0332044, having State Plane Coordinates N:707394.514, E:2052194.260; thence S77°55'01"E, 487.60' to an Iron Pipe set; thence S02°58'15"W, 730.66' to a Iron Pipe set; thence N82°42'02"W, 330.00' to an Iron Pipe set; thence N17°06'50"W, 433.66' to an Iron Pipe found; thence N02°26'33"E, 375.70' to an Iron Pipe found; said Iron Pipe being the Point of Beginning. Said Annexation contains 330,079 square feet / 7.578 acres, more or less.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

CLERK'S CERTIFICATION

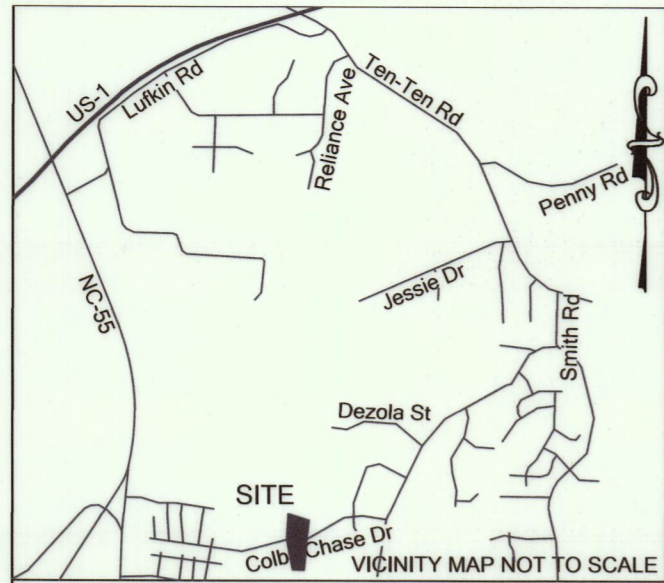
I, Donna B. Hosch, MMC, NCCMC, Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Annexation Ordinance No. 2020-1006-26, adopted at a meeting of the Town Council, on the 6<sup>th</sup> day of October 2020, the original of which will be on file in the 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 7<sup>th</sup> day of October 2020.

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

(SEAL)





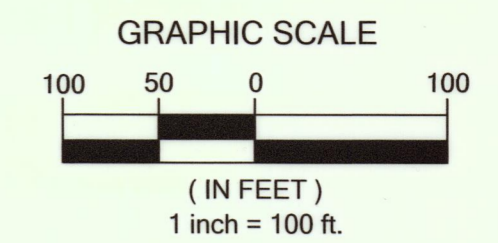
**SITE LOCATION:**  
0 E Williams Street, Apex, NC, 27539

**REFERENCES**

- Book Map 2006 Page 172
- Deed Book 16554 Page 2295

ANNEXATION # \_\_\_\_\_ I Donna B. Hosch, MMC,  
NCCMC, Town Clerk, Apex, North Carolina certify this is a true and exact map  
of annexation adopted the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by the Town  
Council. I set my hand and seal of the Town of Apex, \_\_\_\_\_  
Day / Month / Year

Donna B. Hosch, MMC, NCCMC, Town Clerk



**LEGEND**

- IRON PIPE SET
- IRON REBAR FOUND
- ⊙ IRON PIPE FOUND
- ⊗ COMPUTED POINT
- ⊠ R/W MARKER FOUND
- BOUNDARY LINE
- - - EXISTING PROPERTY LINE
- - - EXISTING EASEMENT

**NOTES:**

- This survey was prepared by Bateman Civil Survey Co., under the supervision of Jeffrey W. Baker, PLS.
- This plan has been prepared for layout and permitting purposes only.
- Property lines shown were taken from existing field evidence, existing deeds and/or plats of public record, and information supplied to the surveyor by the client
- All distances are horizontal ground distances and all bearings are North Carolina State Plane Coordinate System unless otherwise shown.
- No investigation into the existence of jurisdictional wetlands or riparian buffers performed by this firm.
- Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts that an accurate and current title search may disclose.
- No Grid Monuments found within 2000'.
- Tied to the National CORS Network through NC VRS.

**Required Base Information:**

Project Information: MFW Investment LLC  
0 E Williams Street, Apex, NC 27539 (Reid 0332044)

Owner Information: MFW Investment LLC (Reid 0203125)  
Mike Whitehead  
114 Birklands Drive, Cary, NC, 27518  
mwhitehead@macgregordev.com

Surveyor Information: Jeffrey W. Baker  
North Carolina  
L-4412

Date of Survey & Plat Preparation: 11/13/2018

Zoning District & Zoning Case #: MD-CZ

Setbacks: PUD-CZ  
Single Family: Front: 25'  
Side: 6' minimum 16' total  
Corner: 15'  
Rear: 20'  
Minimum Lot Width: 50'

Township, County, State: White Oak, Wake, North Carolina

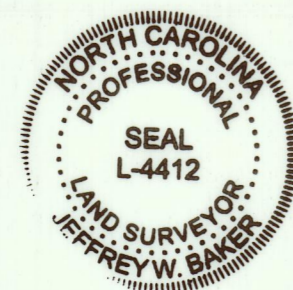
Primary or Secondary Watershed: Secondary - Middle Creek Basin

FEMA designated floodplain: 'X' per F.I.R.M #3720075000J dated 05/02/2006

Class of Survey: D  
Positional Accuracy: 0.02'  
Date of Survey: July, 2017  
Datum/Epoch: NAD83/NSRS2011  
Geoid Model: 12B  
Combined Grid Factors: 0.99988461  
Units: US Survey Feet

"I, Jeffrey W. Baker, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 5861, page 59, Book 10551, page 648); that the boundaries not surveyed are clearly indicated as drawn from information found in Book 1988, page 754, Book 1998, Page 1820; that the ratio of precision or positional accuracy as calculated is 1:10000+; that this plat was prepared in accordance with G.S. 47-30 as amended. witness my original signature, license number and seal this 14th day of April, A.D. 2020."

*Jeffrey W. Baker*  
Professional Land Surveyor  
License Number-4412

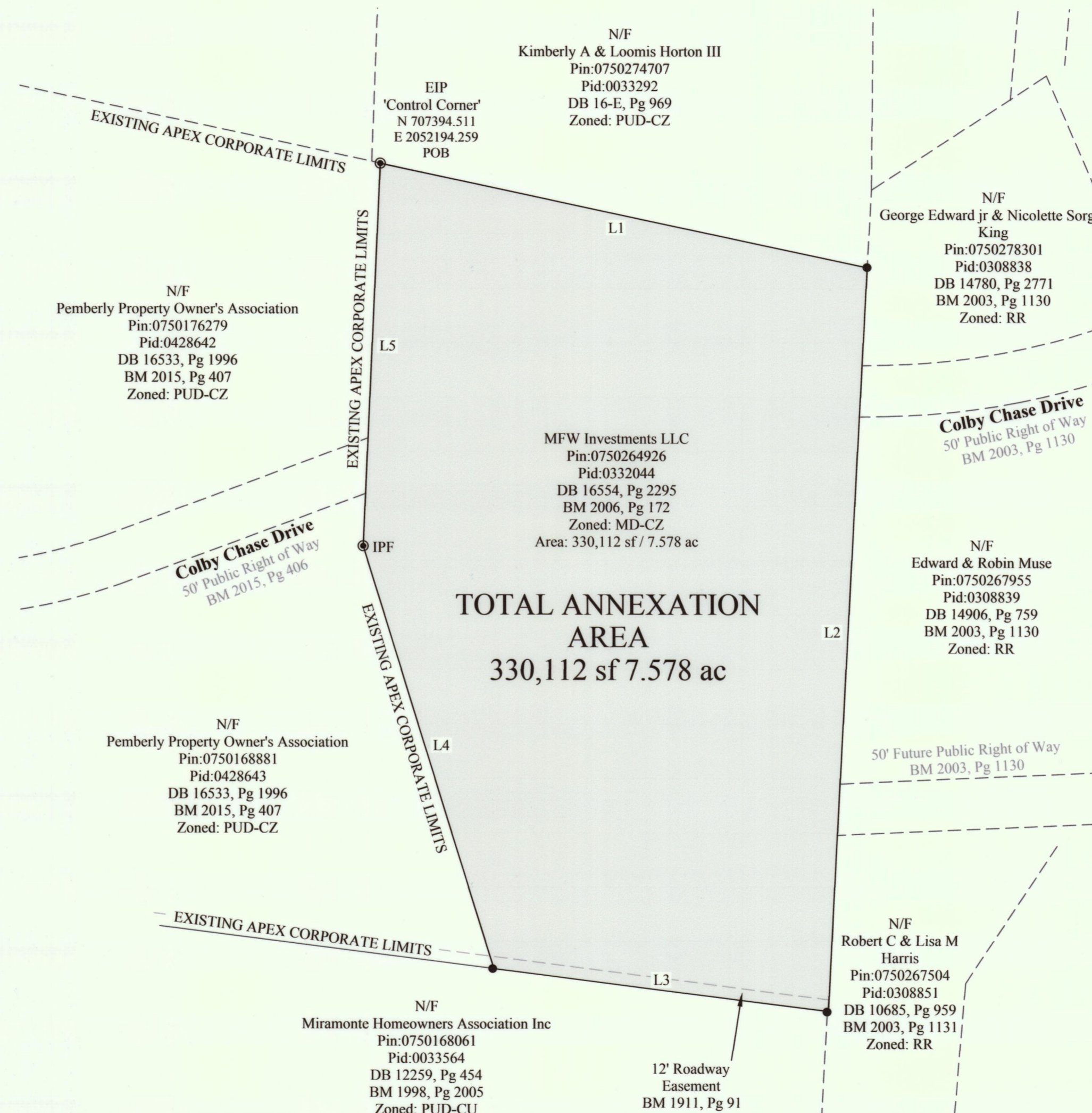


I, Jeffrey W. Baker, Professional Land Surveyor No. L-4412 certify  
D. That the survey is of another category, such as the  
recombination of existing parcels, a court-ordered survey,  
or other exceptions to the definition of subdivision.  
*Jeffrey W. Baker* 4/14/2020  
Jeffrey W. Baker, PLS L-4412 date

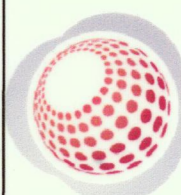
**Annexation Legal Description for PIN: 0750264926**

All that certain parcel of land, situated in Apex, Wake County, North Carolina, being on the lands of MFW Investments LLC as described in Deed Book 16554 at Page 2295, Wake County Records, and being more particularly described as follows:

Beginning at an Iron Pipe found at the North West property corner of MFW Investments LLC (DB 16554, PG 2295), Wake County Records and North East property corner of Pemberly Property Owners' Association (DB 16533, PG 1996), Wake County records and being designated as the Point of Beginning as shown on map made by Bateman Civil Survey Company, dated 3/26/2020 and entitled "Annexation Map for the Town of Apex" Apex, NC, Wake County, White Oak Township, REID# 0332044, having State Plane Coordinates N:707394.511, E:2052194.259; thence S77°53'40"E, 487.73' to an Iron Pipe set; thence S02°53'36"W, 729.80' to an Iron Pipe set; thence N82°46'39"W, 330.00' to an Iron Pipe set; thence N17°15'52"W, 434.04' to an Iron Pipe found; thence N02°27'54"E, 375.53' to an Iron Pipe found; said Iron Pipe being the Point of Beginning. Said Annexation contains 330,112 square feet / 7.578 acres, more or less.



Line Table Field		
Line #	Direction	Length
L1	S77°53'40"E	487.73
L2	S02°53'36"W	729.80
L3	N82°46'39"W	330.00
L4	N17°15'52"W	434.04
L5	N02°27'54"E	375.53



**Bateman Civil Survey Company**  
Engineers • Surveyors • Planners  
2524 Reliance Ave., Apex, NC 27539  
Phone: 919.877.1080 Fax: 919.877.1081  
NCBELS FIRM No. C-2378

OWNER  
MFW INVESTMENTS LLC  
114 BIRKLANDS DRIVE  
CARY, NORTH CAROLINA, 27518

ANNEXATION MAP  
FOR THE TOWN OF APEX  
APEX, NC, WAKE COUNTY, WHITE OAK TOWNSHIP  
REID# 0332044

Designed By: N/A  
Drawn By: JCH  
Checked By: JWV  
Scale: 1"=100'  
Date: 3/26/2020  
Project #: 180585