



TOWN OF APEX, NORTH CAROLINA

Municipality No. 333

After recording, please return to: Town Clerk, Town of Apex, P.O. Box 250, Apex, NC 27502

ORDINANCE NO. 2023-
SATELLITE ANNEXATION PETITION NO. 747
APEX LIGHT INDUSTRIAL – 21.246 ACRES

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-58.1, 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 March 28, 2023, 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 finds that the area described therein meets the standards of G.S.§160A-58.1(b), to wit:

- a) The nearest point on the proposed satellite corporate limits is not more than three (3) miles from the corporate limits of the Town;
- b) No point on the proposed satellite corporate limits is closer to another municipality than to the Town;
- c) The area described is so situated that the Town will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits;

- d) No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

WHEREAS, the Apex Town Council further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the Apex Town Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the Town and the area proposed for annexation will be best served by annexing the area described;

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-58.2, as amended, the described non-contiguous territory is hereby annexed and 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 March 28, 2023. The survey plat entitled Satellite Annexation Map Set for the Town of Apex, Wake County, North Carolina, White Oak Township, (REID#s: 0124220 and 0076962), Land Surveyor Map dated September 23, 2022 and Revised December 12, 2022" and recorded in Book of Maps book number 2023 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 28th day of March, 2023.

Jacques K. Gilbert
Mayor

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

Annexation Legal Description for REID# 0124220 & 0076962

All that certain parcels of land, situated in Apex, Wake County, North Carolina, being known as REID# 0124220 & 0076962, Wake County Records, and being more particularly described as follows:

Beginning at an Iron Pipe found at the South East property corner of Steven B & Kathryn J Wilkins (REID 0124220, DB 18392, PG 2618), Wake County Records and South West property corner of Jon Brian & Dena Liggett Wilkins (REID 0076963, DB 18840, PG 2794), Wake County records and being designated as the Point of Beginning as shown on map made by Bateman Civil Survey Company, dated 9/23/2022 and entitled "Annexation Map for the Town of Apex" Apex, NC, Wake County, White Oak Township, REID# 0124220 & 0076962", having State Plane Coordinates N:725891.43, E:2023615.69;

Thence S83°05'34"W, 60.51' to an Iron Pipe found; thence N00°33'05"E, 611.51' to an Iron Pipe found; thence S89°26'41"W, 86.36' to an Iron Pipe found; thence S89°32'43"W, 196.84' to an Iron Pipe found; thence N00°25'31"W, 1106.72' to an Iron Pipe found; thence N89°31'03"E, 196.62' to an Iron Pipe found; thence N89°45'15"E, 624.92' to an Iron Pipe found; thence S01°22'07"W, 378.11' to an Iron Pipe found; thence S01°24'13"W, 179.82' to an Iron Pipe found; thence S01°24'13"W, 546.04' to an Iron Pipe found; thence S89°25'59"W, 443.33' to an Iron Pipe found; thence S00°33'05"W, 604.83' to an Iron Pipe found. Said Iron Pipe being the Point of Beginning. Said Annexation contains 925,464 square feet / 21.246 acres, more or less.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

CLERK'S CERTIFICATION

I, Allen L. Coleman, Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Satellite Annexation Ordinance No. 2023-_____, adopted at a meeting of the Town Council, on the 28th day of March, 2023, 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 28th day of March, 2023.

Allen L. Coleman, CMC, NCCCC
Town Clerk

(SEAL)