



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. 2020-0204-09
ANNEXATION PETITION NO. #675
Roberts Crossing

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 February 4, 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-58.1, 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-58.1, 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 4, 2020. The survey plat that describes the annexed territory is that certain survey plat entitled "Satellite Annexation Map for the Town of Apex of the Lands of DRP NC 4, LLC, MSS Land Consultants, dated January 13, 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 4th day of February 2020.

Jacques K. Gilbert
Mayor

ATTEST:

Donna B. Hosch, MMC, NCCMC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

All that tract, piece or parcel of land lying and being situated in the Township of White Oak, Town of Apex, County of Wake, and State of North Carolina; being more particularly bounded and described as follows: BEGINNING at a point marked by an iron pipe set on the southeastern right-of way margin of NC 540 (an existing variable-width public right-of-way (NCDOT Project Reference: R-2635C; Deed Book 13838, pg 2632; Deed Book 14286, page 137)); said point also located on a southern line of lands of, now or formerly, NC Department of Transportation (Deed Book 7188, page 214; Book of Maps 1982, page 504); said point also being the POINT OR PLACE OF BEGINNING and having an North Carolina state plane coordinate of N 732,865.86'; E 2,033,172.29' (NAD 83 (2011)); thence; from said point of beginning, along said lands of NC Department of Transportation, and along lands of, now or formerly, Melanie J. Yelvington and Brian J.D. Enaman (Deed Book 6446, page 78), and along lands of, now or formerly, Don T. Poitras (Deed Book 8152, page 884), S 89°-46'-16" E 800.40' to an existing iron pipe; thence, continuing along said lands of Poitras, the following two courses: 1) S 89°-46'-16" E 294.29' to an existing concrete marker; 2) N 01° 04'-10" E 92.00' to an existing iron pipe marking a southwestern corner of lands of, now or formerly, Dorothy P. Thorpe and Evelyn P. Moss; thence, along said lands of Thorpe and Moss, S 85°-20'-04" E 101.34' to an existing iron pipe with cap and tack located on the southwestern right-of-way margin of Roberts Road (NCSR 1608) (an existing variable width public right-of-way (Deed Book 1930, page 234; Deed Book 1930, page 237)); thence, along the southwestern right-of-way margin of Roberts Road, the following seven courses: 1) S 21°-51'-59" E 87.02' to a point; 2) S 20°-02'-54" E 79.67' to an existing bent iron pipe; 3) S 19°-06'-54" E 488.97' to a point; 4) S 19°-45'-28" E 116.38' to a point; 5) S 21° 56'-12" E 96.73' to a point marked by an iron pipe set; 6) S 27°-16'-20" E 96.84' to a point; 7) S 33°-46'-22" E 105.74' to a point; said point being a northeastern corner of lands of, now or formerly, Haley S. Hoffler (Deed Book 16229, page 1989; Book of Maps 2002, page 561); thence, along said lands of Hoffler, and along lands of, now or formerly, Jeanne S. Collier and spouse, Matthew G. Collier (Deed Book 9665, page 1585), S 89°-59'-35" W 515.70' to an existing leaning iron pipe located in an eastern line of lands of, now or formerly, Peter Beal and wife, Penny Beal (Deed Book 11882, page 2654; Book of Maps 1982, page 595); thence, along said lands of Beal, N 00°-51'-35" E 22.67' to a nail at the base of an existing iron pipe; thence, continuing along said lands of Beal, and along lands of, now or formerly, Joseph Mack Jones and wife, Carrie Anne Morton Jones (Deed Book 13825, page 905; Book of Maps 1988, page 415), and along lands of, now or formerly, Harold W. Meder and wife, N. Janis Meder (Deed Book 4264, page 659), N 86°-26'-25" W 657.48' to an iron pipe set; said point lying on an easterly line of lands of, now or formerly, Francis Fuller Heirs (Deed Book 0167, page 131), thence along said lands of, now or formerly, Francis Fuller Heirs, the following four courses: 1) N00°-13'-34" E 579.91' to an existing iron pipe; 2) N89°-46'-26" W 384.75' to an existing iron pipe; 3) S 00°-13'-34" W 263.99' to an existing bent iron pipe ; 4) N 87°-35'-26" W 69.89' to

an existing iron pipe marking the northeastern corner of lands of Pine Top, LLC (Deed Book 13003, page 1155; Book of Maps 2008, page 303); thence, along said lands of Pine Top, S 88°-36'-02" W 174.81' to an existing iron bar marking a southeastern corner of lands of, now or formerly, North Carolina Turnpike Authority (NCTA) & North Carolina Department of Transportation (NCDOT) (Deed Book 13870, page 2185; Book of Maps 1998, page 900); thence along said lands of NCTA and NCDOT, N 02°-03'-56" W 115.65' to an iron pipe set on the southeastern right-of-way margin of NC 540; thence, along the southeastern right of-way margin of NC 540, the following four courses: 1) N 33°-02'-47" E 91.05' to an existing right-of-way disk; 2) N 27°-11'-44" E 51.94' to an existing right-of-way disk; 3) N 19°-56'-13" E 245.05' to an existing right-of-way disk; 4) N 38°-47'-08" E 81.42' to the point or place of beginning; containing 1,053,445 square feet, or 24.184 acres of land, more or less, as shown on a survey titled "SATELLITE ANNEXATION FOR THE TOWN OF APEX of the Lands of DRP NC 4, LLC", dated January 13, 2020, and prepared by MSS Land Consultants, PC. Together With that part of NC 540 Variable Width Public Right of Way more particularly described as follows: BEGINNING at a point marked by an iron pipe set on the southeastern right-of way margin of NC 540 (an existing variable-width public right-of-way (NCDOT Project Reference: R-2635C; Deed Book 13838, pg 2632; Deed Book 14286, page 137)); said point also located on a southern line of lands of, now or formerly, NC Department of Transportation (Deed Book 7188, page 214; Book of Maps 1982, page 504); said point also being the POINT OR PLACE OF BEGINNING and having an North Carolina state plane coordinate of N 732,865.86'; E 2,033,172.29' (NAD 83 (2011)); thence; from said point of beginning, along said southeastern right-of-way margin of NC 540 the following four (4) courses; 1) S 38°-47'-08" W 81.42' to an existing right-of-way disk; 2) S 19°-56'-13" W 245.05' to an existing right-of-way disk; 3) S 27°-11'-44" W 51.94' to an existing right-of way disk; 4) S 33°-02'-47" W 91.05' to an iron pipe set marking the northernmost corner of lands of, now or formerly, North Carolina Turnpike Authority (NCTA) & North Carolina Department of Transportation (NCDOT) (Deed Book 13870, page 2185; Book of Maps 1998, page 900); thence departing said southeastern margin of NC 540 N 65°-42'51" W 325.39' to a point on the northwestern right-of-way margin of said NC 540; thence along said northwestern margin N 24°17'09" E 465.04'; thence S 65°42'51" E 343.70' to the point or place of beginning. Containing 155,135 square feet, or 3.56 acres of land, more or less, as shown on a survey titled "SATELLITE ANNEXATION FOR THE TOWN OF APEX of the Lands of DRP NC 4, LLC", dated January 13, 2020, and prepared by MSS Land Consultants, PC.

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. 2020-0204-09, adopted at a meeting of the Town Council, on the 4th day of February 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 5th day of February 2020.

Donna B. Hosch, MMC, NCCMC
Town Clerk

(SEAL)