



TOWN OF APEX  
OFFICE OF THE TOWN CLERK

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## PUBLIC NOTICE

The Town Council of Apex, North Carolina has scheduled a Public Hearing to be held at 7:00 p.m. at Apex Town Hall, 73 Hunter Street, on the 10th day of May 2022 on the question of annexation of the following property requested by petition filed pursuant to G.S. 160A-31:

Annexation Petition #731  
0 Kelly Road



Julie Reid  
Interim Town Clerk

Post dates April 27, 2022 through May 10, 2022

Attachment: Legal Description



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. 2022-0510-12  
ANNEXATION PETITION NO. # 731  
0 Kelly 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-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 7:00 p.m. on May 10, 2022, 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 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 May 10, 2022. The survey plat that describes the annexed territory is that certain survey plat entitled "Satellite Annexation Map for the Town of Apex (property of Tony C. Sears and Judy T. Sears), dated May 5, 2021" and recorded in Book of Maps book number 2022 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 10th day of May, 2022.

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Jacques K. Gilbert  
Mayor

ATTEST:

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Julie Reid  
Interim Town Clerk

APPROVED AS TO FORM:

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Laurie L. Hohe  
Town Attorney

Legal Description

**AREA 1 PROPERTY DESCRIPTION:**

COMMENCING FROM AN EXISTING IRON PIPE, SAID PIPE BEING A NORTHEASTERN PROPERTY CORNER OF LANDS NOW OR FORMERLY OWNED BY SM RALEIGH, LLC AS RECORDED IN DEED BOOK 16983, PAGE 2335, WAKE COUNTY REGISTRY AND SHOWN IN BOOK OF MAPS 2018, PAGES 176-178, WAKE COUNTY REGISTRY AND HAVING NC GRID (NAO 83'/2011) COORDINATES OF N = 711681.7505 FEET AND E = 2033307.6379 FEET; THENCE ALONG AND WITH SAID NORTHERN PROPERTY LINES 88°58'16" EA DISTANCE OF 243.48 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 275.29 FEET, SAID CURVE HAVING A RADIUS OF 751.50 FEET, A CHORD BEARING OF N 34°43'31" E AND A CHORD DISTANCE OF 273.76 FEET TO A POINT; THENCE N 45°13'11" EA DISTANCE OF 120.83 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 107.02 FEET, SAID CURVE HAVING A RADIUS OF 576.50 FEET, A CHORD BEARING OF N 50°32'17" E AND A CHORD DISTANCE OF 106.87 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 47°55'37" EA DISTANCE OF 243.05 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 12.33 FEET, SAID CURVE HAVING A

RADIUS OF 99.00 FEET, A CHORD BEARING OF N 44°21'33" E AND A CHORD DISTANCE OF 12.32 FEET TO A POINT; THENCE N 40°47'28" EA DISTANCE OF 55.37 FEET; THENCE ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 57.66 FEET, SAID CURVE HAVING A RADIUS OF 87.50 FEET, A CHORD BEARING OF N 21°54'48" E AND A CHORD DISTANCE OF 56.62 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 270.29 FEET, SAID CURVE HAVING A RADIUS OF 83.25 FEET, A CHORD BEARING OF S 83°57'09" E AND A CHORD DISTANCE OF 166.27 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 70.33 FEET, SAID CURVE HAVING A RADIUS OF 87.50 FEET, A CHORD BEARING OF S 13°58'00" E AND A CHORD DISTANCE OF 68.45 FEET TO A POINT; THENCE S 36°59'35" EA DISTANCE OF 11.50 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 197.41 FEET, SAID CURVE HAVING A RADIUS OF 581.00 FEET, A CHORD BEARING OF S 27°15'32" E AND A CHORD DISTANCE OF 196.47 FEET TO A POINT; THENCE S 17°31'30" EA DISTANCE 100.00 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 171.82 FEET, SAID CURVE HAVING A RADIUS OF 519.00 FEET, A CHORD BEARING OF S 27°00'33" E AND A CHORD DISTANCE OF 171.04 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 18.30 FEET, SAID CURVE HAVING A RADIUS OF 37.50 FEET, A CHORD BEARING OF S 50°28'14" E AND A CHORD DISTANCE OF 18.11 FEET TO A POINT ON THE WESTERN RIGHT OF WAY LINE OF OLD U.S. 1 HIGHWAY; THENCE ALONG AND WITH SAID RIGHT OF WAYS 38°31'18" WA DISTANCE OF 43.17 FEET TO A POINT; THENCE LEAVING SAID RIGHT OF WAY N 50°09'57" WA DISTANCE OF 13.19 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 107.66 FEET, SAID CURVE HAVING A RADIUS OF 519.00 FEET, A CHORD BEARING OF N 44°13'23" W AND A CHORD DISTANCE OF 107.47 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 211.09 FEET, SAID CURVE HAVING A RADIUS OF 519.00 FEET, A CHORD BEARING OF N 26°37'42" W AND A CHORD DISTANCE OF 209.64 FEET TO A POINT; THENCE N 14°58'35" WA DISTANCE OF 16.08 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 11.84 FEET, SAID CURVE HAVING A RADIUS OF 87.50 FEET, A CHORD BEARING OF N 11°05'54" W AND A CHORD DISTANCE OF 11.84 FEET TO A POINT; THENCE N 07°13'14" WA DISTANCE OF 8.57 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 38.61 FEET, SAID CURVE HAVING A RADIUS OF 87.50 FEET, A CHORD BEARING OF N 05°25'16" E AND A CHORD DISTANCE OF 38.30 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 19.05 FEET, SAID CURVE HAVING A RADIUS OF 87.50 FEET, A CHORD BEARING OF N 24°17'56" E AND A CHORD DISTANCE OF 19.01 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 229.41 FEET, SAID CURVE HAVING A RADIUS OF 83.25 FEET, A CHORD BEARING OF N 48°24'32" W AND A CHORD DISTANCE OF 163.41 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 35.07 FEET, SAID CURVE HAVING A RADIUS OF 83.25 FEET, A CHORD BEARING OF S 40°34'43" W AND A CHORD DISTANCE OF 34.81 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 57.66 FEET, SAID CURVE HAVING A RADIUS OF 87.50 FEET, A CHORD BEARING OF S 47°23'17" W AND A CHORD DISTANCE OF 56.62 FEET TO A POINT; THENCE S 66°15'57" WA DISTANCE OF 55.37 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 12.33 FEET, SAID CURVE HAVING A RADIUS OF 99.00 FEET, A CHORD BEARING OF S 69°50'01" W AND A CHORD DISTANCE OF 12.32 FEET TO A POINT; THENCE S 73°24'06" WA DISTANCE OF 38.80 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 176.54 FEET, SAID CURVE HAVING A RADIUS OF 576.50 FEET, A CHORD BEARING OF S 64°37'44" W

AND A CHORD DISTANCE OF 175.85 FEET TO THE POINT OF BEGINNING, CONTAINING 1.6055 ACRES.

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**AREA 2 PROPERTY DESCRIPTION:**

COMMENCING FROM AN EXISTING IRON PIPE, SAID PIPE BEING A NORTHEASTERN PROPERTY CORNER OF LANDS NOW OR FORMERLY OWNED BY SM RALEIGH, LLC AS RECORDED IN DEED BOOK 16983, PAGE 2335, WAKE COUNTY REGISTRY AND SHOWN IN BOOK OF MAPS 2018, PAGES 176-178, WAKE COUNTY REGISTRY AND HAVING NC GRID (NAD 83'/2011) COORDINATES OF N= 711681.7505 FEET AND E= 2033307.6379 FEET; THENCE ALONG AND WITH SAID NORTHERN PROPERTY LINES 88°58'16" EA DISTANCE OF 301.55 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 232.99 FEET, SAID CURVE HAVING A RADIUS OF 698.50 FEET, A CHORD BEARING OF N 35°39'50" E AND A CHORD DISTANCE OF 231.92 FEET TO THE POINT OF BEGINNING; THENCE N 45°13'11" EA DISTANCE OF 120.83 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT AN ARC DISTANCE OF 100.77 FEET, SAID CURVE HAVING A RADIUS OF 523.50 FEET, A CHORD BEARING OF N 50°44'03" E AND A CHORD DISTANCE OF 100.61 FEET TO A POINT; THENCE S 47°55'37" WA DISTANCE OF 188.19 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT AN ARC DISTANCE OF 33.00 FEET, SAID CURVE HAVING A RADIUS OF 698.50 FEET, A CHORD BEARING OF S 46°34'24" W AND A CHORD DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.0154 ACRES.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

CLERK'S CERTIFICATION

I, Julie Reid, Interim Town Clerk, Town of Apex, North Carolina, do hereby certify the foregoing is a true and correct copy of Annexation Ordinance No. 2022-0510-12, adopted at a meeting of the Town Council, on the 10th day of May, 2022, 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 10<sup>th</sup> day of May 2022.

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Julie Reid  
Interim Town Clerk

(SEAL)