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## TOWN OF APEX, NORTH CAROLINA

Municipality No. 333

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

ORDINANCE NO. 2022-130  
ANNEXATION PETITION NO. 742  
3075 Lufkin Road - 4.733 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-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 November 29, 2022, 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 November 29, 2022. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex, White Oak Township, Wake County, North Carolina (PIN#0751-27-7986), dated August 15, 2022" 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 29<sup>th</sup> day of November, 2022.

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Jacques K. Gilbert  
Mayor

ATTEST:

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Allen L. Coleman, CMC, NCCCC  
Town Clerk

APPROVED AS TO FORM:

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Laurie L. Hohe  
Town Attorney

Legal Description

*LEGAL DESCRIPTION for annexation is based on a "revised" map drawn by Eric S. Smith, PLS NC #L-5259 and labeled "Annexation Plat for the Town of Apex" dated September 2022.*

*Lying and being in the Town of Apex, White Oak Township, Wake County, North Carolina and being more particularly described as follows:*

*COMMENCING at N.C.G.S. monument "PETE" having NC Grid Coordinates: Northing 718,272.71, Easting 2,052,655.05, thence South 46° 30' 22" East 239.52 feet to an existing concrete right of way monument in the southern controlled access line of US Highway 1 and along the northern line of the property described hereinafter, THE POINT OF BEGINNING; thence along the southern controlled access line of US Highway 1 North 87° 47' 49" East 101.68 feet to an existing rebar in the southern boundary line*

of Ten-Ten Road (S.R. 1010 being variable width public right of way); thence following the southern boundary line of Ten-Ten Road the following two (2) courses and distances: (1) South  $65^{\circ} 21' 10''$  East 86.77 feet to an existing rebar; (2) a curve to the right having a radius of 931.65 feet, an arc length of 125.49 feet, and a chord bearing and distance of South  $61^{\circ} 33' 04''$  East 125.40 feet to an existing rebar; thence crossing the existing right of way of Lufkin Road (S.R. 1444; being a variable width public right of way and recorded in the Wake County Register of Deeds, DB.14479, PG.1588) and Ten-Ten Road the following two (2) courses and distances: (1) a curve to the right having a radius of 931.65 feet, an arc length of 142.66 feet, and a chord bearing and distance of South  $53^{\circ} 18' 19''$  East 142.52 feet to a point; (2) South  $54^{\circ} 32' 38''$  West 35.17 feet to a computed point at the intersection of the southern controlled access line of Ten-Ten Road and the southern controlled access line of Lufkin Road; thence along the said southern controlled access line of Lufkin Road South  $54^{\circ} 32' 38''$  West 47.30 to a computed point along the southern boundary line of Lufkin Road; thence along the southern boundary line of Lufkin Road the following eight (7) courses and distances: (1) South  $54^{\circ} 32' 38''$  West 36.42 feet to a computed point; (2) a curve to the right having a radius of 582.50 feet, an arc length of 133.00 feet, and a chord bearing and distance of South  $61^{\circ} 06' 32''$  West 132.71 feet to a computed point; (3) a curve to the right having a radius of 594.50 feet, an arc length of 94.08 feet, and a chord bearing and distance of South  $78^{\circ} 44' 58''$  West 93.98 feet to a computed point; (4) a curve to the right having a radius of 582.50 feet, an arc length of 78.47 feet, and a chord bearing and distance of South  $80^{\circ} 27' 41''$  West 78.41 feet to a computed point; (5) a curve to the right having a radius of 582.50 feet, an arc length of 385.29 feet, and a chord bearing and distance of North  $76^{\circ} 44' 57''$  West 378.30 feet to a computed point; (6) North  $57^{\circ} 45' 22''$  West 191.41 feet to a computed point; (7) a curve to the left having a radius of 452.50 feet, an arc length of 58.21 feet, and a chord bearing and distance of North  $61^{\circ} 26' 38''$  West 58.17 feet to a computed point; thence leaving the southern boundary line of Lufkin Road and crossing the Lufkin Road right of way North  $24^{\circ} 52' 06''$  East 65.01 feet to an existing rebar in the northern boundary line of Lufkin Road, existing rebar also being in the southern controlled access line of US Highway 1; thence along the southern controlled access line of US Highway 1 the following three (3) courses and distances: (1) a curve to the right having a radius of 4099.04 feet, an arc length of 54.67 feet, and a chord bearing and distance of South  $88^{\circ} 18' 39''$  East 54.67 feet to an existing 1" iron pipe; (2) South  $86^{\circ} 23' 42''$  East 218.38 feet to an existing iron pipe; (3) a curve to the left having a radius of 378.55 feet, an arc length of 277.64 feet, and a chord bearing and distance of North  $72^{\circ} 28' 15''$  East 271.46 feet to THE POINT OF BEGINNING, and containing 4.733 acres more or less; as depicted on a "revised" map drawn by Eric S. Smith, PLS NC #L-5259 and labeled "Annexation Plat for the Town of Apex" dated September 2022.

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 Annexation Ordinance No. 2022-130, adopted at a meeting of the Town Council, on the 29th day of November, 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 29th day of November, 2022.

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Allen L. Coleman, CMC, NCCCC  
Town Clerk

(SEAL)