



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. 2024-
SATELLITE ANNEXATION PETITION NO. 779
Apex YMCA – New Hill Holleman Road – 25.68 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 May 28, 2024, 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 April 09, 2024. The survey plat that describes the annexed territory is that certain survey plat entitled "Satellite Annexation Map for the Town of Apex, New Hill Holleman Road, Buckhorn Township, Wake County, North Carolina", the survey plat print dated January 24, 2024 and Land Surveyor dated April 24, 2024 and recorded in Book of Maps book number 2024 and page number _____, 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 May, 2024.

Jacques K. Gilbert
Mayor

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

APEX YMCA - NEW HILL HOLLEMAN ROAD

TRACT 1 OF 3

BEING A PORTION OF TRACT 3 AS DESCRIBED IN DEED BOOK 1944, PAGE 319 OF THE WAKE COUNTY REGISTRY. MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT AN IRON PIPE ON THE NORTHERN RIGHT OF WAY OF US HIGHWAY 1, THE SOUTHEAST CORNER OF TRACT 1, AS SHOWN ON BOOK OF MAPS 2011, PAGE 412 OF THE WAKE COUNTY REGISTRY, THE POINT OF BEGINNING; THENCE WITH SAID COMMON LINE NORTH 03°14'00" EAST A DISTANCE OF 844.16 FEET TO AN IRON PIPE, THE SOUTHEAST CORNER OF THE LOT SHOWN ON BOOK OF MAPS 2020, PAGE 2221; THENCE WITH SAID COMMON LINE NORTH 01°06'11" WEST A DISTANCE OF 323.18 FEET TO AN IRON PIPE; THENCE NORTH 01°07'36" WEST A DISTANCE OF 165.72 FEET TO AN IRON PIPE ON THE SOUTHERN RIGHT OF WAY OF CHURCH ROAD; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE LEFT, A RADIUS OF 5,079.54 FEET, AN ARC LENGTH OF 204.82 FEET, A CHORD BEARING OF NORTH 58°22'44" EAST, A CHORD LENGTH OF 204.80 FEET TO AN IRON PIPE; THENCE A CURVE TO THE LEFT, A RADIUS OF 670.49 FEET, AN ARC LENGTH OF 47.80 FEET, A CHORD BEARING OF NORTH 55°18'20" EAST, A CHORD LENGTH OF 47.79 FEET TO AN IRON PIPE; THENCE A CURVE TO THE LEFT, A RADIUS OF 303.13 FEET, AN ARC LENGTH OF 20.81 FEET, A CHORD BEARING OF NORTH 53°54'36" EAST, A CHORD LENGTH OF 20.81 FEET TO AN IRON PIPE, THE SOUTHWEST CORNER OF MARK MALETTA; THENCE WITH SAID COMMON LINE NORTH 87°20'28" EAST A DISTANCE OF 220.84 FEET TO AN IRON PIPE, THE SOUTHWEST CORNER OF LOT 1 AS SHOWN ON BOOK OF MAPS 2017, PAGE 488; THENCE WITH SAID COMMON LINE NORTH 87°01'51" EAST A DISTANCE OF 309.05 FEET TO AN IRON PIPE, THE NORTHWEST CORNER OF LOT 2 AS SHOWN ON BOOK OF MAPS 2017, PAGE 488; THENCE WITH SAID COMMON LINE SOUTH 13°59'07" EAST A DISTANCE OF 425.04 FEET TO AN IRON PIPE; THENCE NORTH 86°56'19" EAST A DISTANCE OF 374.70 FEET TO AN IRON PIPE, ON THE WESTERN RIGHT OF WAY OF NEW HILL HOLLEMAN ROAD; THENCE WITH SAID RIGHT OF WAY NORTH 86°56'01" EAST A DISTANCE OF 10.47 FEET TO AN IRON PIPE; THENCE SOUTH 13°13'14" EAST A DISTANCE OF 60.84 FEET TO AN IRON PIPE, ON THE NORTHERN RIGHT OF WAY OF US HIGHWAY 1; THENCE WITH SAID RIGHT OF WAY SOUTH 14°23'36" WEST A DISTANCE OF 11.25 FEET TO AN IRON PIPE; THENCE SOUTH 42°00'25" WEST A DISTANCE OF 445.50 FEET TO A CONCRETE MONUMENT; THENCE A CURVE TO

THE RIGHT, A RADIUS OF 2,164.19 FEET, AN ARC LENGTH OF 370.44 FEET, A CHORD BEARING OF SOUTH 45°47'33" WEST, A CHORD LENGTH OF 369.99 FEET TO A CONCRETE MONUMENT; THENCE NORTH 25°45'50" WEST A DISTANCE OF 10.30 FEET TO A CONCRETE MONUMENT; THENCE A CURVE TO THE LEFT, A RADIUS OF 11,597.71 FEET, AN ARC LENGTH OF 565.72 FEET, A CHORD BEARING OF SOUTH 58°42'27" WEST, A CHORD LENGTH OF 565.66 FEET TO AN IRON PIPE; THENCE SOUTH 57°18'36" WEST A DISTANCE OF 40.99 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 32°41'24" EAST A DISTANCE OF 10.00 FEET TO AN IRON PIPE; THENCE SOUTH 57°18'52" WEST A DISTANCE OF 256.68 FEET TO THE POINT OF BEGINNING. CONTAINING 1,101,934 SQUARE FEET OR 25.30 ACRES.

TRACT 2 OF 3

BEING A PORTION OF TRACT 3 AS DESCRIBED IN DEED BOOK 1944, PAGE 319 OF THE WAKE COUNTY REGISTRY. MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT AN IRON PIPE ON THE NORTHERN RIGHT OF WAY OF US HIGHWAY 1, THE SOUTHEAST CORNER OF TRACT 1, AS SHOWN ON BOOK OF MAPS 2011, PAGE 412 OF THE WAKE COUNTY REGISTRY, THE POINT OF COMMENCEMENT; THENCE WITH SAID COMMON LINE NORTH 03°14'00" EAST A DISTANCE OF 844.16 FEET TO AN IRON PIPE, THE SOUTHEAST CORNER OF THE LOT SHOWN ON BOOK OF MAPS 2020, PAGE 2221; THENCE WITH SAID COMMON LINE NORTH 01°06'11" WEST A DISTANCE OF 323.18 FEET TO AN IRON PIPE; THENCE NORTH 01°07'36" WEST A DISTANCE OF 234.68 FEET TO AN IRON PIPE ON THE NORTHERN RIGHT OF WAY OF CHURCH ROAD, THE POINT OF BEGINNING; THENCE NORTH 01°07'36" WEST A DISTANCE OF 67.07 FEET TO AN IRON PIPE, THE SOUTHWEST CORNER OF MARK MALETTA; THENCE WITH SAID COMMON LINE NORTH 87°20'28" EAST A DISTANCE OF 119.26 FEET TO AN IRON PIPE ON THE NORTHERN RIGHT OF WAY OF CHURCH ROAD; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE RIGHT A RADIUS OF 5,019.54 FEET, AN ARC LENGTH OF 138.39 FEET, A CHORD BEARING OF SOUTH 58°21'31" WEST, A CHORD LENGTH OF 138.38 FEET TO THE POINT OF BEGINNING. CONTAINING 4,042 SQUARE FEET OR 0.09 ACRES.

TRACT 3 OF 3

BEING A PORTION OF CHURCH ROAD AS DESCRIBED IN DEED BOOK 8097, PAGE 182 OF THE WAKE COUNTY REGISTRY. MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT AN IRON PIPE ON THE NORTHERN RIGHT OF WAY OF US HIGHWAY 1, THE SOUTHEAST CORNER OF TRACT 1, AS SHOWN ON BOOK OF MAPS 2011, PAGE 412 OF THE WAKE COUNTY REGISTRY, THE POINT OF COMMENCEMENT; THENCE WITH SAID COMMON LINE NORTH 03°14'00" EAST A DISTANCE OF 844.16 FEET TO AN IRON PIPE, THE SOUTHEAST CORNER OF THE LOT SHOWN ON BOOK OF MAPS 2020, PAGE 2221; THENCE WITH SAID COMMON LINE NORTH 01°06'11" WEST A DISTANCE OF 323.18 FEET TO AN IRON PIPE; THENCE NORTH 01°07'36" WEST A DISTANCE OF 165.72 FEET TO AN IRON PIPE ON THE SOUTHERN RIGHT OF WAY OF CHURCH ROAD, THE POINT OF BEGINNING; THENCE NORTH 01°07'36" WEST A DISTANCE OF 68.96 FEET TO A POINT ON THE NORTHERN

RIGHT OF WAY OF CHURCH ROAD; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE LEFT A RADIUS OF 5,019.54 FEET, AN ARC LENGTH OF 138.39 FEET, A CHORD BEARING OF NORTH 58°21'31" EAST, A CHORD LENGTH OF 138.38 FEET TO A POINT; THENCE NORTH 87°20'28" EAST A DISTANCE OF 114.17 FEET TO A POINT ON THE SOUTHERN RIGHT OF WAY OF CHURCH ROAD; THENCE WITH SAID RIGHT OF WAY, A CURVE TO THE RIGHT, A RADIUS OF 303.13 FEET, AN ARC LENGTH OF 20.81 FEET, A CHORD BEARING OF SOUTH 53°54'36" WEST, A CHORD LENGTH OF 20.81 FEET TO A POINT; THENCE A CURVE TO THE RIGHT, A RADIUS OF 670.49 FEET, AN ARC LENGTH OF 47.80 FEET, A CHORD BEARING OF SOUTH 55°18'20" WEST, A CHORD LENGTH OF 47.79 FEET TO A POINT; THENCE A CURVE TO THE RIGHT, A RADIUS OF 5,079.54 FEET, AN ARC LENGTH OF 204.82 FEET, A CHORD BEARING OF SOUTH 58°22'44" WEST, A CHORD LENGTH OF 204.80 FEET TO THE POINT OF BEGINNING; CONTAINING 12,427 SQUARE FEET OR 0.29 ACRES.

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. 2024-_____, adopted at a meeting of the Town Council, on the 28th day of May, 2024, 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 May, 2024.

Allen L. Coleman, CMC, NCCCC
Town Clerk

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