



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-
ANNEXATION PETITION NO. 765
ALDERWOOD - TWO REMAINING PARCELS - 5.226 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 28, 2023, 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 28, 2023. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex, White Oak, Township (PIN#: 0722-68-9065 and PIN#: 0722-68-7241 (4.145 acres), and 1.081 Acre Right-of-Way (ROW) see survey map), Land Surveyor dated October 23, 2023" 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 November, 2023.

Jacques K. Gilbert
Mayor

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

Legal Description of a 4.145 Acre Area

To Be Annexed into the Town of Apex PINs: 0722-68-9065 & 0722-68-7241

DB 19165, PG 2155 & DB 19165, PG 2160

Subject area being located in Wake County, North Carolina:

BEGINNING at an iron pipe found, said iron pipe being along the northerly right-of-way of Jenks Road, thence with the northerly right-of-way of Jenks Road, S 75° 56' 34" W 291.94' to an iron pipe found, said iron pipe being along the northeastern intersection of Jenks Road and Wimberly Road;

Thence with the easterly right-of-way of Wimberly Road the following courses and distances: N 39° 21' 54" W 21.52' to an iron pipe set;

N 34° 18' 40" W 40.74' to an iron pipe set;

N 34° 18' 40" W 48.45' to an iron pipe set;

N 25° 39' 20" W 57.64' to an iron pipe set;

N 24° 20' 12" W 78.57' to an iron pipe set;

N 23° 50' 28" W 74.50' to an iron pipe set;

N 23° 59' 14" W 87.67' to an iron pipe set;

N 23° 48' 42" W 58.44' to an iron pipe set;

N 22° 46' 50" W 22.70' to an iron pipe set;

N 23° 34' 47" W 71.73' to an iron pipe set;

N 24° 33' 56" W 83.70' to an iron pipe set;

Thence leaving the easterly right-of-way of Wimberly Road, N 88° 00' 39" E 244.98' to an iron pipe found;

Thence N 88° 00' 38" E 195.61' to an iron pipe found;

Thence S 09° 41' 58" E 21.06' to a computed point;

Thence S 86° 06' 28" W 61.68' to a computed point;

Thence S 47° 45' 30" W 36.06' to a computed point;

Thence N 66° 40' 13" W 9.19' to a computed point;

Thence S 04° 08' 37" W 10.30' to a computed point;

Thence S 31° 29' 19" E 2.05' to a computed point;

Thence S 62° 21' 21" E 10.07' to a computed point;

Thence S 09° 49' 58" E 187.40' to a computed point;

Thence S 04° 38' 25" E 93.33' to a computed point;

Thence N 79° 51' 43" E 100.96' to a computed point;

Thence S 09° 41' 58" E 7.79' to an iron pipe set;

Thence S 10° 37' 25" E 17.37' to an iron pipe set;

Thence S 53° 07' 45" E 32.93' to an iron pipe set;

Thence S 14° 19' 08" E 161.07' to an iron pipe found, said iron pipe also being THE POINT AND PLACE OF BEGINNING and containing 180,551 square feet or 4.145 acres, more or less.

The property described hereon is subject to all easements, rights-of-way and restrictions of record.

Legal Description of a

1.081 Acre Right-of-Way

To Be Annexed into the Town of Apex Jenks Road & Wimberly Road

Subject area being located in Wake County, North Carolina:

BEGINNING at an iron pipe found, said iron pipe being along the northerly right-of-way of Jenks Road, thence through the right-of-way of Jenks Road, S 14° 19' 08" E 63.31' to a computed point, said computed point being along the southerly right-of-way of Jenks Road;

Thence with the southerly right-of-way of Jenks Road S 75° 23' 49" W 231.09' to an iron pipe found; Thence through the intersection of Jenks Road and Wimberly Road, S 75° 23' 49" W 115.22' to a computed point, said computed point being with the intersection of Jenks Road and Wimberly Road; Thence N 00° 09' 11" W 65.10' to a computed point;

Thence continuing within the right-of-way of Wimberly road and with the westerly line described in Deed Book 19165, Page 2160 the following courses and distances:

N 31° 59' 37" W 51.05' to a computed point;

N 31° 59' 37" W 179.43' to a computed point;

N 22° 04' 06" W 425.44' to a computed point;

N 88° 00' 39" E 35.55' to an iron pipe set, said iron pipe being along the easterly right-of-way of Wimberly Road;

Thence with the easterly right-of-way of Wimberly Road the following courses and distances: S 24° 33' 56" E 83.70' to an iron pipe set;

S 23° 34' 47" E 71.73' to an iron pipe set;

S 22° 46' 50" E 22.70' to an iron pipe set;

S 23° 48' 42" E 58.44' to an iron pipe set;

S 23° 59' 14" E 87.67' to an iron pipe set;

S 23° 50' 28" E 74.50' to an iron pipe set;

S 24° 20' 12" E 78.57' to an iron pipe set;

S 25° 39' 20" E 57.64' to an iron pipe set;

S 34° 18' 40" E 48.45' to an iron pipe set;

S 34° 18' 40" E 40.74' to an iron pipe set;

S 39° 21' 54" E 21.52' to an iron pipe found, said iron pipe being along the northeastern intersection of Wimberly Road and Jenks Road; N 75° 56' 34" E 291.94' to an iron pipe found, said iron pipe also being THE POINT AND PLACE OF BEGINNING and containing 47,095 square feet or 1.081 acres, more or less.

The property described hereon is subject to all easements, rights-of-way and restrictions of record.

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. 2023-_____, adopted at a meeting of the Town Council, on the 28th day of November, 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 November, 2023.

Allen L. Coleman, CMC, NCCCC
Town Clerk

(SEAL)