

PETITION FOR VOLUNTARY ANNEXATION

This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

Application #: 693 Submittal Date: 6/22/2020
Fee Paid: \$ 200.00 Check #: 3056

TO THE TOWN COUNCIL APEX, NORTH CAROLINA

1. We, the undersigned owners of real property, respectfully request that the area described in Part 4 below be annexed to the Town of Apex, Wake County, North Carolina.
2. The area to be annexed is contiguous, non-contiguous (satellite) to the Town of Apex, North Carolina and the boundaries are as contained in the metes and bounds description attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.

Owner Information

Atwater, Lector Marie Owner Name (Please Print)	0721-43-2558 (DB1758 Pg00143) Property PIN or Deed Book & Page #
Phone	E-mail Address
Atwater, Lector Marie Owner Name (Please Print)	0721-42-4940 (DB3621 Pg855) Property PIN or Deed Book & Page #
Phone	E-mail Address
Atwater, Jerome Kenneth HEIRS Owner Name (Please Print)	0721-43-5444, 0721-43-5322, 0721-43-4156 Property PIN or Deed Book & Page #
Phone	E-mail Address

Surveyor Information

Surveyor: Robinson & Plante (attn: Kevin Wheeler)
Phone: (919) 859-6030 Fax: (919) 859-6032
E-mail Address: kevin@robinsonplante.com

Annexation Summary Chart

Property Information	Reason(s) for annexation (select all that apply)
Total Acreage to be annexed: <u>11.275 acres</u>	Need water service due to well failure <input type="checkbox"/>
Population of acreage to be annexed: <u>2</u>	Need sewer service due to septic system failure <input type="checkbox"/>
Existing # of housing units: <u>1</u>	Water service (new construction) <input checked="" type="checkbox"/>
Proposed # of housing units: <u>44 lots</u>	Sewer service (new construction) <input checked="" type="checkbox"/>
Zoning District*: <u>PUD-CZ</u>	Receive Town Services <input checked="" type="checkbox"/>

*If the property to be annexed is not within the Town of Apex's Extraterritorial Jurisdiction, the applicant must also submit a rezoning application with the petition for voluntary annexation to establish an Apex zoning designation. Please contact the Planning Department at 919-249-3426 for questions.

PETITION FOR VOLUNTARY ANNEXATION

Application #: 693

Submittal Date: 6/22/2020

COMPLETE IF SIGNED BY INDIVIDUALS:

All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

Douglas Brown POA for
Lector Marie Atwater
Please Print

Douglas Brown, POA
Signature

*
*

Please Print

Signature

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, Walter J. McClamb Notary Public for the above State and County,
this the 10 day of September, 2020

Walter J. McClamb
Notary Public

SEAL

Walter J McClamb
NOTARY PUBLIC
WAKE COUNTY, NC
My Commission Expires 12-11-2023

My Commission Expires: 12-11-2023

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the ____ day of _____, 20____.

Corporate Name _____

SEAL

By: _____

Attest:

President (Signature)

Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County,
this the _____ day of _____, 20____.

Notary Public

SEAL

My Commission Expires: _____

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<u>Atwater, Lector Marie</u> Owner Name (Please Print)	<u>0721-43-2558 (DB1758 Pg00143)</u> Property PIN or Deed Book & Page #
_____ Phone	_____ E-mail Address
<u>Atwater, Lector Marie</u> Owner Name (Please Print)	<u>0721-42-4940 (DB3621 Pg855)</u> Property PIN or Deed Book & Page #
_____ Phone	_____ E-mail Address
<u>Atwater, Jerome Kenneth HEIRS</u> Owner Name (Please Print)	<u>0721-43-3444, 0721-43-5322, 0721-43-4156</u> Property PIN or Deed Book & Page #
<u>DONNA M. ATWATER</u> Phone	<u>dawatere52@yahoo.com</u> E-mail Address

Surveyor Information

Surveyor: Robinson & Plante (attn: Kevin Wheeler)
 Phone: (919) 859-6030 Fax: (919) 859-6032
 E-mail Address: kevin@robinsonplante.com

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Submittal Date: 6/22/2020

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All individual owners must sign. (If additional signatures are necessary, please attach an additional sheet.)

DONNA M. ARWATER

Please Print

Donna M. Arwater
Signature

*

Please Print

Signature

*

Please Print

Signature

Please Print

Signature

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, JOHN M. LILLIS, a Notary Public for the above State and County,
this the 29 day of Sept, 2020.

John M. Lillis
Notary Public

SEAL

JOHN M. LILLIS
NOTARY PUBLIC OF NEW JERSEY
ID# 2108262

My Commission Expires March 11, 2023

3/11/23

COMPLETE IF A CORPORATION:

In witness whereof, said corporation has caused this instrument to be executed by its President and attested by its Secretary by order of its Board of Directors, this the ____ day of _____, 20____.

Corporate Name _____

SEAL

By: _____

President (Signature)

Attest: _____

Secretary (Signature)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

Sworn and subscribed before me, _____, a Notary Public for the above State and County,
this the ____ day of _____, 20____.

Notary Public

SEAL

My Commission Expires: _____

CONTIGUOUS ANNEXATION FOR THE TOWN OF APEX

Beginning at an Iron Pipe on the Eastern Right of Way of Mt. Zion Church Road (SR 1146) (Variable Width Public Right of Way), said Iron Pipe being the following two calls from N.C.G.S. Grid Monument "Staley", said Monument having N.C. Grid Coordinates (NAD83/2011) of N=727,821.36, E=2,043,644.97; South 52°56'03" West 23,560.45' (Grid Distance) to an Existing Iron Pipe on the Eastern Right of Way of Mt. Zion Church Road (SR 1146) (Variable Width Public Right of Way), thence with said Right of Way North 89°01'46" West 4.61' to the Point of Beginning, thence from said point of beginning along the Eastern Right of Way of Mt. Zion Church Road (SR 1146) (Variable Width Public Right of Way) South 16°18'37" West 380.93' to an Existing Iron Pipe, thence leaving said Eastern Right of Way North 88°52'48" West 32.69' to a Nail Found near the Centerline of Mt. Zion Church Road (SR 1146) (Variable Width Public Right of Way), thence continuing along the Eastern Property Line, running in the Right of Way and near the centerline of Mt. Zion Church Road (SR 1146) (Variable Width Public Right of Way) South 17°07'51" West 90.26' to a point, thence South 15°07'08" West 53.75' to a Nail Found, thence South 15°07'08" West 34.17' to a point, thence South 09°29'10" West 85.23' to a point, thence South 01°19'41" West 86.25' to a point, thence South 05°12'53" East 85.11' to a point, thence South 08°16'16" East 50.41' to an Existing Mag-Nail, thence South 08°16'16" East 233.68' to an Existing Mag-Nail near the centerline of Mt. Zion Church Road (SR 1146) (Variable Width Public Right of Way), thence North 89°01'53" West 35.85' to an Existing Rebar on the Western Right of Way of Mt. Zion Church Road (SR 1146) (Variable Width Public Right of Way), thence leaving said Right of Way North 89°01'53" West 214.59' to an Existing Iron Pipe with Cap, thence North 27°36'16" West 434.95' to an Existing Iron Pipe with Cap, thence North 01°10'51" East 187.96' to an Existing Iron Pipe with Cap, thence North 01°04'46" East 138.93' to an Existing Iron Pipe with Cap, thence South 88°48'49" East 125.06' to an Existing Iron Pipe with Cap, thence North 02°28'59" East 243.52' to an Existing Iron Pipe with Cap, thence North 88°56'15" West 625.10' to a point, thence North 02°27'05" East 122.00' to an Existing Rebar, thence South 89°01'46" East 1,024.21' to an Existing Rebar on the Western Right of Way of Mt. Zion Church Road (SR 1146) (Variable Width Public Right of Way), thence leaving said Right of Way South 89°01'46" East 62.21' to the point and place of Beginning containing 11.275 Acres more or less.

POWER OF ATTORNEY

COUNTY OF WAKE

KNOW ALL MEN BY THESE PRESENTS, that I, LECTOR MARIE ATWATER, the undersigned, of 2504 Mt. Zion Church Road, Apex, County of Wake, State of North Carolina 27502, hereby make, constitute, and appoint DOUGLAS BROWN of the County of Wake, State of North Carolina, as my true and lawful attorney-in-fact for me and in my name, place, and stead, giving unto said attorney-in-fact full power to act in my name, place and stead in any way which I myself could do if I were personally present, with respect to the following matters as each of them is defined in Chapter 32A of the North Carolina General Statutes, to the extent that I am permitted by law to act through an agent. The powers granted are:

1. Real property transactions;
2. Personal property transactions;
3. Banking transactions;
4. Safe deposits;
5. Insurance transactions;
6. Estate transactions;
7. Personal relationships and affairs;
8. Tax, Social Security and unemployment;
9. Tax Matters;
10. Employment of Agents;
11. Medical care as defined below:

To make any and all decisions for me concerning my personal care, medical treatment, hospitalization and health care and to require, withhold or withdraw any type of medical treatment or procedure, even though my death may ensue, provided this does not authorize the withdrawal of nutrition, hydration or pain medication.

I also hereby grant my attorney-in-fact full power of substitution and revocation, hereby ratifying and affirming that which my attorney-in-fact or substitute attorney-in-fact shall lawfully do or cause to be done by said attorney-in-fact (or the substitute lawfully designated by virtue of the power herein conferred upon said attorney-in-fact). This power of attorney shall not be affected by my subsequent incapacity or mental incompetence. Should my first named attorney-in-fact be unable to perform all the matters and things herein set out to be done and performed and if I have appointed an alternate attorney-in-fact hereinabove, then and in that even the alternate attorney-in-fact hereinabove designated shall be my true and lawful attorney-in-fact to do and perform in my name and in my stead all matters and things herein authorized to be done and performed by my attorney-in-fact with all the powers and authority herein given.

My attorney-in-fact shall keep full and accurate records of all transactions for me as my agent, of all my property and the disposition thereof, and shall render to me, if competent, or to my nearest living relative if I shall be incompetent or incapacitated, at least annually, inventories and accounts of all transactions of my attorney-in-fact done in my behalf; and to the extent that I am able to do so, I hereby relieve my attorney-in-fact of the responsibility and duty of filing any reports with the court.

Dated: Sept 25, 2014.

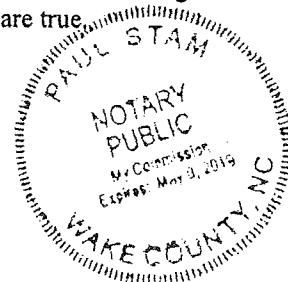
Lector Marie Atwater (SEAL)
LECTOR MARIE ATWATER

STATE OF NORTH CAROLINA
COUNTY OF WAKE

On this 25 day of September, 2014 personally appeared before me the said named LECTOR MARIE ATWATER, known to me to be the person subscribed hereinabove and who executed the foregoing instrument, and she acknowledged that she executed the same and being duly sworn by me, made oath that the statements in the foregoing instrument are true.

My Commission Expires: May 8, 2019

Paul Stam
Notary Public



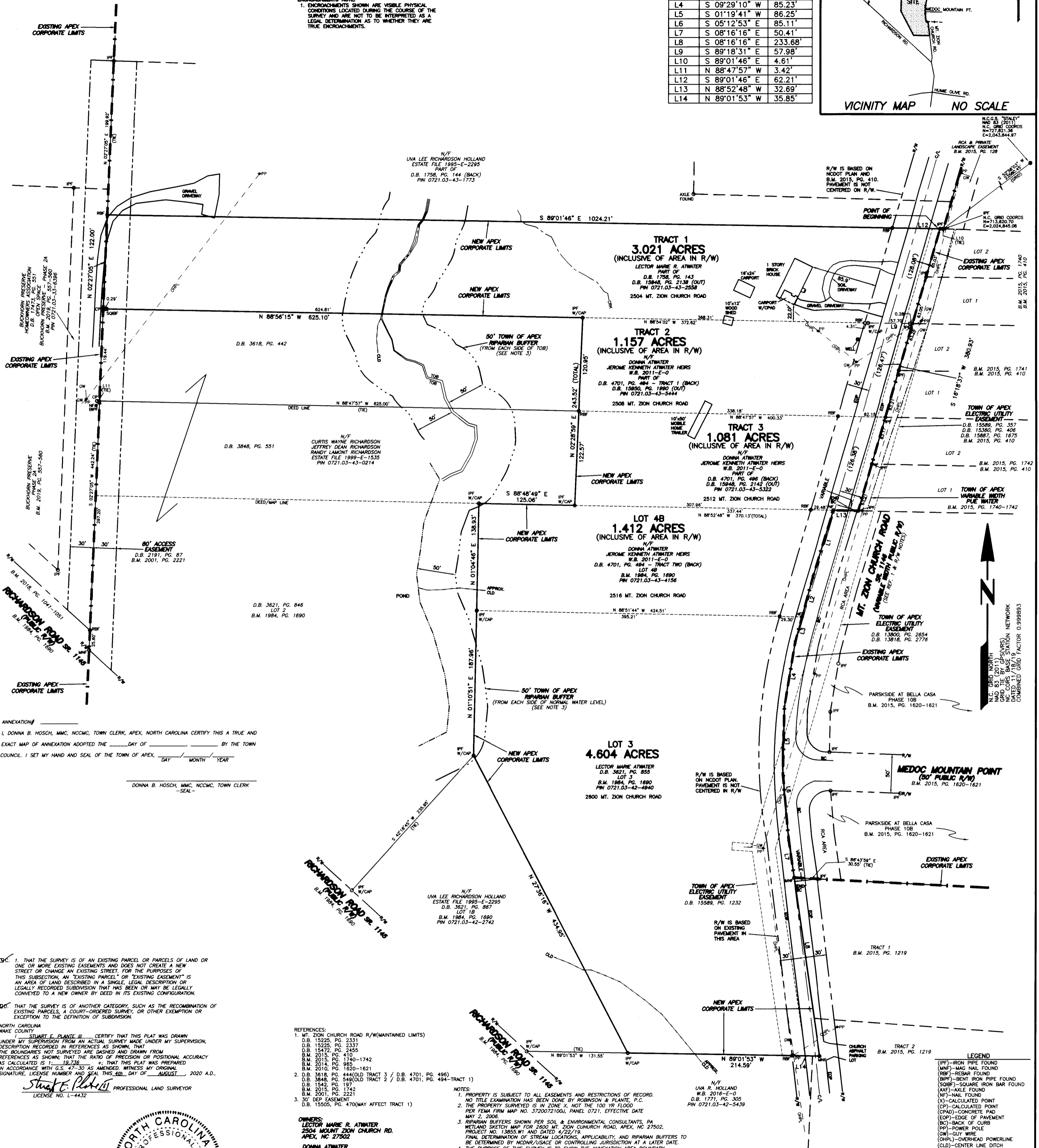
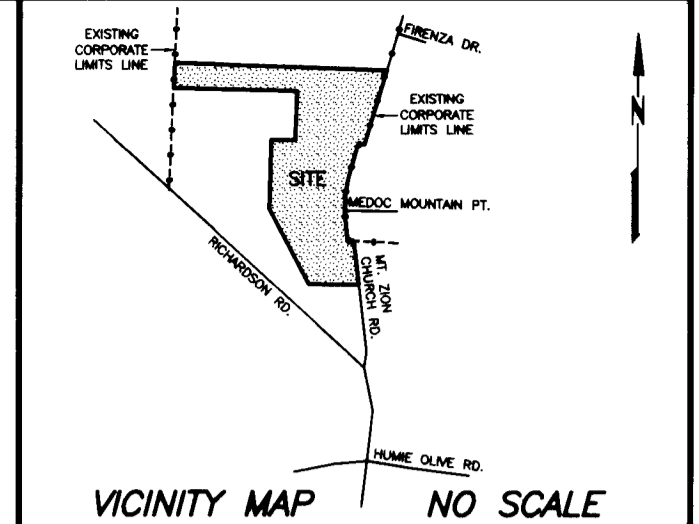
ANNEXATION AREA

11.275 ACRES (TOTAL AREA TO BE ANNEXED INCLUDING AREA IN R/W)

MT. ZION CHURCH ROAD RIGHT OF WAY NOTE:
 1. RIGHT OF WAY SETUP FROM EXISTING PAVEMENT AND NCDOT PLAN FOR WBS ELEMENT SC.062026 SECONDARY RD. 1144-MT. ZION CHURCH RD. AS SHOWN ON LISTED RIGHT OF WAY DEEDS, RIGHT OF WAY AS SHOWN IN B.M. 2015, PG. 410, AND RIGHT OF WAY IN B.M. 2015, PG. 1620-1621.
 DEED BOOKS LISTED IN REFERENCE 1 CALL FOR A 90' NCDOT R/W EASEMENT CENTERED ON ROAD AS BUILT. RIGHT OF WAY SHOWN AND SETUP BY OTHERS IN REFERENCES AS SHOWN IS NOT CENTERED OVER THE PAVEMENT IN PLACES.

ENCROACHMENTS NOTE:
 1. ENCROACHMENTS SHOWN ARE VISIBLE PHYSICAL CONDITIONS LOCATED DURING THE COURSE OF THE SURVEY AND ARE NOT TO BE INTERPRETED AS A LEGAL DETERMINATION AS TO WHETHER THEY ARE TRUE ENCROACHMENTS.

LINE	BEARING	DISTANCE
L1	S 17°07'51" W	90.26'
L2	S 15°07'08" W	53.75'
L3	S 15°07'08" W	34.17'
L4	S 09°29'10" W	85.23'
L5	S 01°19'41" W	86.25'
L6	S 05°12'53" E	85.11'
L7	S 08°16'16" E	50.41'
L8	S 08°16'16" E	233.68'
L9	S 89°18'31" E	57.98'
L10	S 89°01'46" E	4.61'
L11	N 88°47'57" W	3.42'
L12	S 89°01'46" E	62.21'
L13	N 88°52'48" W	32.69'
L14	N 89°01'53" W	35.85'



ANNEXATION# _____
 I, DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK, APEX, NORTH CAROLINA CERTIFY THIS A TRUE AND EXACT MAP OF ANNEXATION ADOPTED THE _____ DAY OF _____ BY THE TOWN COUNCIL. I SET MY HAND AND SEAL OF THE TOWN OF APEX, _____ DAY _____ MONTH _____ YEAR

 DONNA B. HOSCH, MMC, NCCMC, TOWN CLERK
 SEAL

1. THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET, FOR THE PURPOSES OF THIS SUBSECTION, AN "EXISTING PARCEL" OR "EXISTING EASEMENT" IS AN AREA OF LAND DESCRIBED IN A SINGLE LEGAL DESCRIPTION OR LEGALLY RECORDED SUBDIVISION THAT HAS BEEN OR MAY BE LEGALLY CONVEYED TO A NEW OWNER BY DEED IN ITS EXISTING CONFIGURATION.

2. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

NORTH CAROLINA
 WAKE COUNTY
 I, STUART E. PLANTE III, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DESCRIPTION RECORDED IN REFERENCES AS SHOWN, THAT THE BOUNDARIES NOT SURVEYED ARE DASHED AND DRAWN FROM REFERENCES AS SHOWN; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1:19,236 ±; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 4TH DAY OF AUGUST, 2020 A.D.

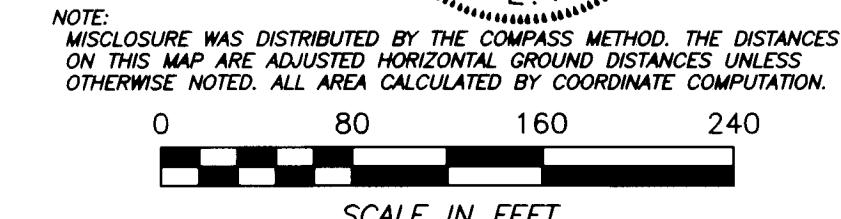
Stuart E. Plante III
 PROFESSIONAL LAND SURVEYOR
 LICENSE NO. L-4432

- REFERENCES:
- MT. ZION CHURCH ROAD R/W(MAINTAINED LIMITS)
 D.B. 15225, PG. 2331
 D.B. 15225, PG. 2337
 D.B. 15472, PG. 2455
 B.M. 2015, PG. 1740-1742
 B.M. 2015, PG. 865
 B.M. 2010, PG. 1620-1621
 - D.B. 3618, PG. 444(OLD TRACT 3 / D.B. 4701, PG. 496)
 D.B. 3848, PG. 549(OLD TRACT 2 / D.B. 4701, PG. 494-TRACT 1)
 D.B. 1542, PG. 197
 B.M. 2015, PG. 1742
 B.M. 2001, PG. 2221
 - 30' DEED EASEMENT
 D.B. 15505, PG. 470(MAY AFFECT TRACT 1)

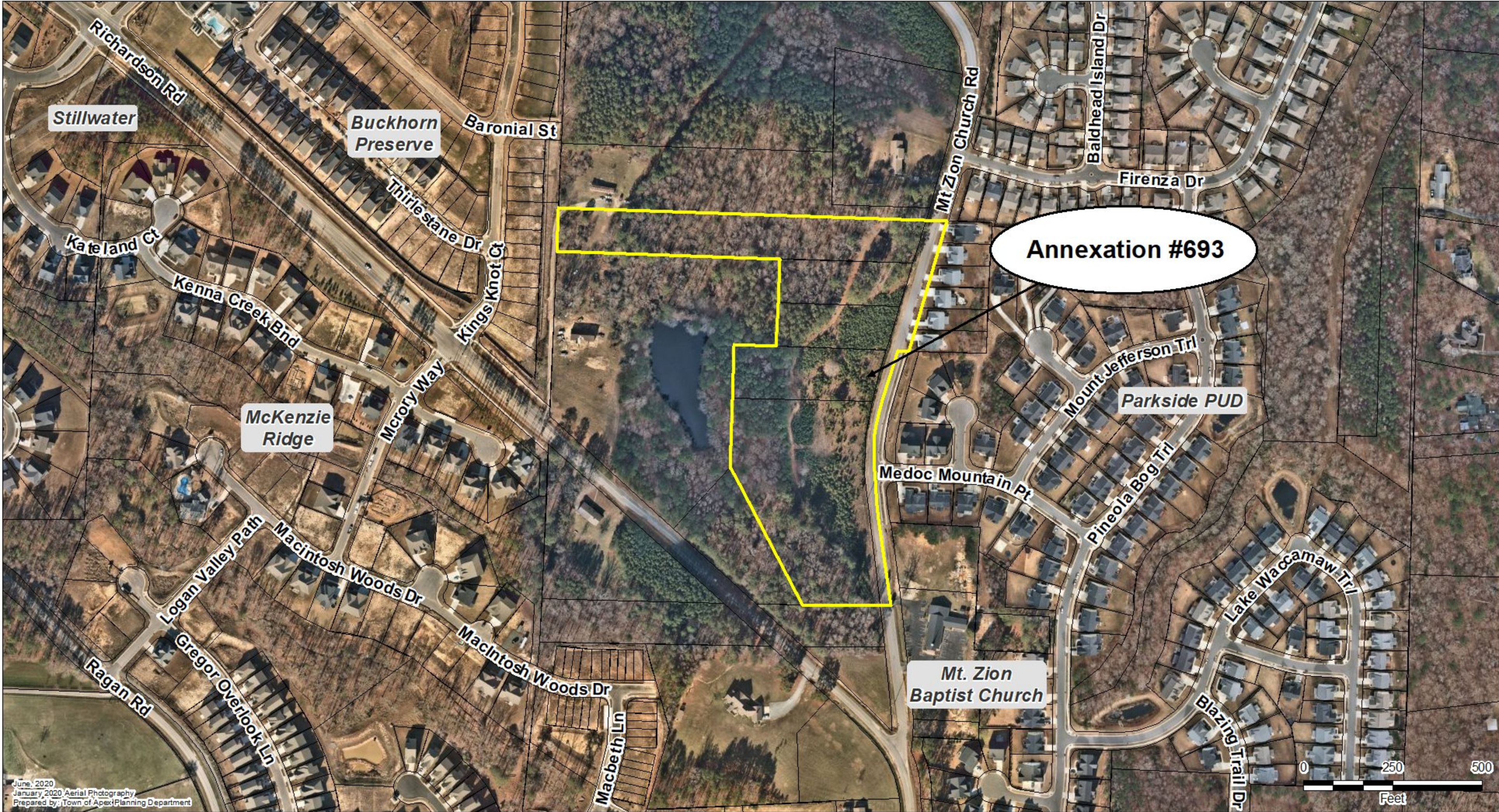
- NOTES:
- PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. NO TITLE EXAMINATION HAS BEEN DONE BY ROBINSON & PLANTE, P.C.
 - THE PROPERTY SURVEYED IS IN ZONE X, NOT THE 100 YR FLOOD PER FEMA FIRM MAP NO. 3720072100I, PANEL 0721, EFFECTIVE DATE MAY 2, 2006.
 - RIPARIAN BUFFERS SHOWN PER SOIL & ENVIRONMENTAL CONSULTANTS, PA WETLAND SKETCH MAP FOR 2600 MT. ZION CHURCH ROAD, APEX, NC 27502, PROJECT NO. 13855.W1 AND DATED 4/22/19. FINAL DETERMINATION OF STREAM LOCATIONS, APPLICABILITY, AND RIPARIAN BUFFERS TO BE DETERMINED BY NCDNR/USACE OR CONTROLLING JURISDICTION AT A LATER DATE.
 - THE PURPOSE OF THIS SURVEY IS TO SHOW THE ANNEXATION AREA BOUNDARY. NOT ALL IMPROVEMENTS AND RESTRICTIONS MAY BE SHOWN.
 - PROPERTY IS CURRENTLY IN THE TOWN OF APEX ETJ AND THE TOWN OF APEX PLANNING JURISDICTION.

OWNERS:
 LECTOR MARIE R. ATWATER
 2504 MOUNT ZION CHURCH RD.
 APEX, NC 27502

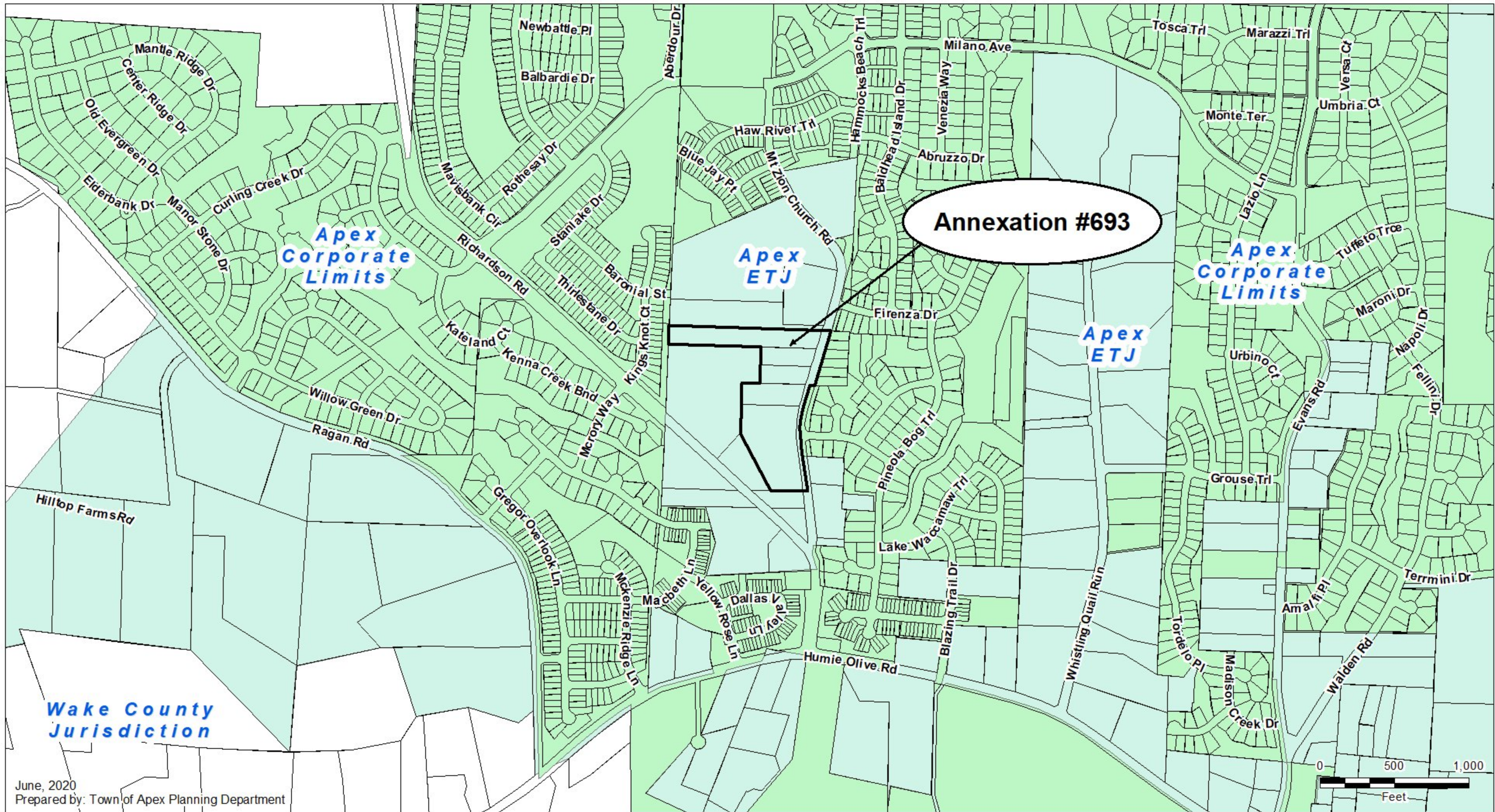
DONNA ATWATER
 JEROME KENNETH ATWATER HIERS
 178 ARLINGTON AVE.
 JERSEY CITY, NJ 07305



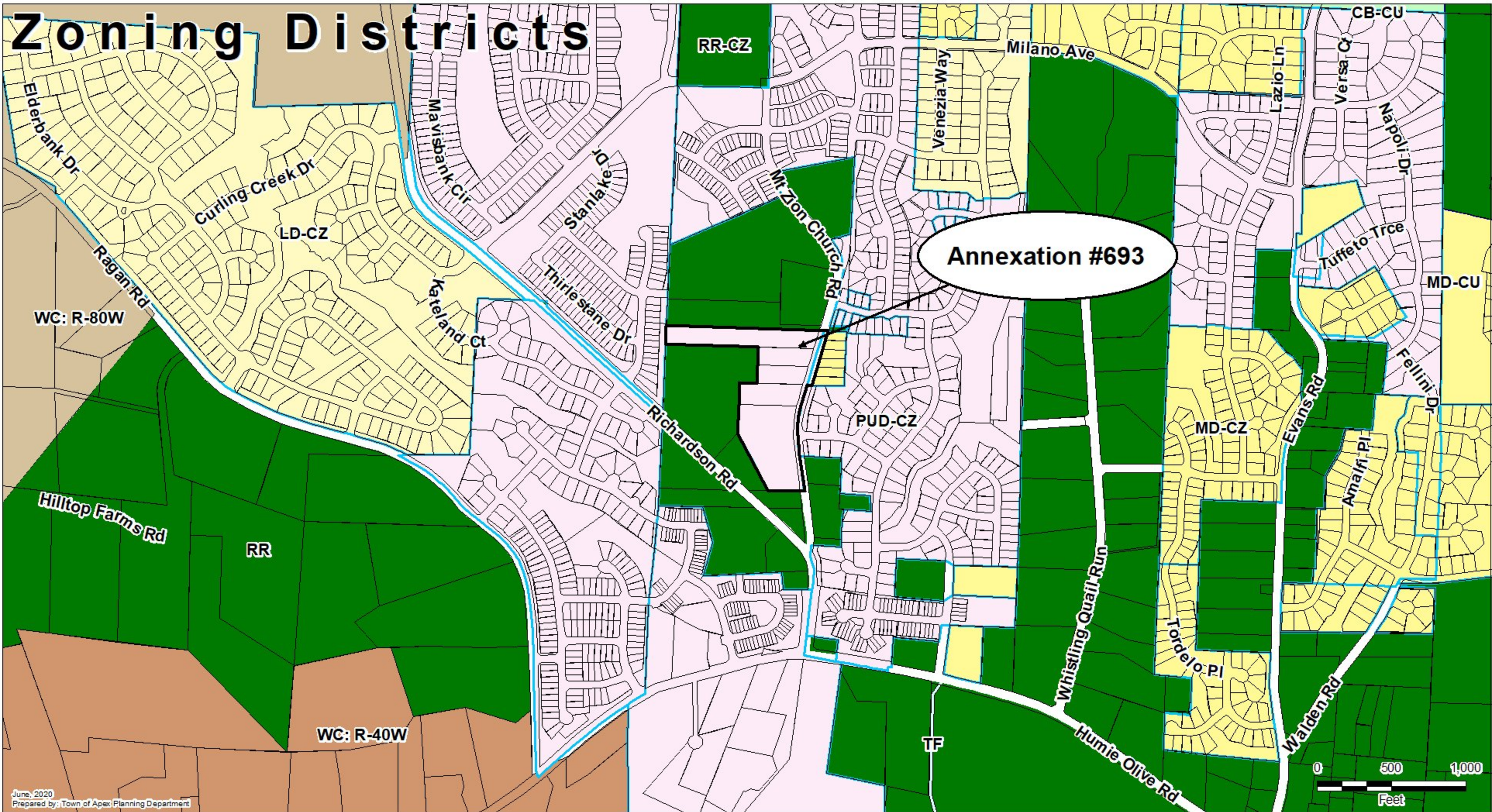
REVISIONS	CONTIGUOUS ANNEXATION MAP FOR THE TOWN OF APEX		ROBINSON & PLANTE, P.C. LAND SURVEYING C-2687 970 TRINITY ROAD RALEIGH, NC 27607 PHONE: (919)859.6030 FAX: (919)859-6032	
TOWNSHIP: BUCKHORN	COUNTY: WAKE	SURVEY DATE: 12-18-19	SURVEYED BY: TB	
STATE: NORTH CAROLINA	P.I.N.: SEE ABOVE	SCALE: 1"=80'	DRAWN BY: HS	
ZONE: PUD-CZ	CHECKED & CLOSURE BY: SEP	FILE: MTZIONANNEX		



Annexation #693



Zoning Districts



Annexation #693