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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. 2022-121  
ANNEXATION PETITION NO. 734  
Utley Farms PUD - 56.59 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 08, 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 08, 2022. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex - Buckhorn Township, Wake County, North Carolina (PIN#0710714834 and #0710736732), dated March 29, 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 8<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

*BEING THE OUTER BOUNDARY OF 2 PARCELS, ONE NOW OR FORMERLY OF HELON J. WELLONS AND RAY E. JOHNSON (PIN 0710-73-6732) AND THE OTHER NOW OR FORMERLY OF MYRTLE H. HORTON (PIN 0710-71-4834), EXCLUDING THAT PORTION OF THE MYRTLE H. HORTON PARCEL LYING TO THE SOUTH OF OLD U.S. HIGHWAY 1, LOCATED IN THE TOWN OF NEW HILL, BUCKHORN TOWNSHIP, WAKE COUNTY, NORTH CAROLINA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A 3/4" IRON PIPE FOUND ON THE NORTHEASTERN CORNER OF THE PROPERTY NOW OR FORMERLY OF HELON J. WELLONS AND RAY E. JOHNSON AND THE WESTERN RIGHT OF WAY OF NEW HILL OLIVE CHAPEL ROAD, SAID IRON BEING THE TRUE POINT OF BEGINNING AND HAVING NORTH CAROLINA STATE PLAIN COORDINATES OF N= 703,604.52' AND E= 2,018,799.66'; THENCE, FROM THE POINT OF BEGINNING AND WITH THE WESTERN RIGHT OF WAY OF NEW HILL OLIVE CHAPEL ROAD, S14°25'18"E A DISTANCE OF 66.83 FEET TO A 5/8" IRON REBAR*

FOUND; THENCE, LEAVING SAID RIGHT OF WAY, N88°11'18"W A DISTANCE OF 188.21 FEET TO A 5/8" IRON REBAR FOUND; THENCE N88°11'18"W A DISTANCE OF 25.93 FEET TO A 3/4" IRON PIPE SET; THENCE, N62°24'56"W A DISTANCE OF 207.03 FEET TO A 3/4" IRON PIPE FOUND; THENCE, N87°31'49"W A DISTANCE OF 1,326.61 FEET TO A 3/4" IRON PIPE FOUND; THENCE, S00°29'51"W A DISTANCE OF 657.49 FEET TO A 3/4" CAPPED IRON PIPE FOUND; THENCE, S00°28'07"W A DISTANCE OF 459.96 FEET TO A 1" CAPPED IRON PIPE FOUND; THENCE, S88°54'39"E A DISTANCE OF 376.22 FEET TO A 1" CAPPED IRON PIPE FOUND; THENCE S88°54'39"E A DISTANCE OF 760.21 FEET TO A 1" IRON PIPE FOUND; THENCE, S04°27'54"W A DISTANCE OF 193.23 FEET TO A 2" IRON PIPE FOUND; THENCE S40°29'33"W A DISTANCE OF 39.06 FEET TO A 3/4" IRON PIPE SET; THENCE, S20°02'10"W A DISTANCE OF 148.77 FEET TO A 1" IRON PIPE FOUND; THENCE, S04°26'24"W A DISTANCE OF 74.66 FEET TO A 1" IRON PIPE FOUND; THENCE, S21°56'17"E A DISTANCE OF 90.03 FEET TO A 3/4" IRON PIPE SET; THENCE, S21°56'17"E A DISTANCE OF 82.07 FEET TO A 1/2" IRON PIPE FOUND ON THE NORTHERN RIGHT OF WAY OF OLD US HIGHWAY 1; THENCE, WITH SAID RIGHT OF WAY, S44°08'00"W A DISTANCE OF 57.11 FEET TO A 3/4" IRON PIPE SET; THENCE S04°26'41"W A DISTANCE OF 47.21 FEET TO A COMPUTED POINT IN THE CENTERLINE OF OLD US HIGHWAY 1; THENCE, WITH SAID CENTERLINE, S44°45'01"W A DISTANCE OF 117.34 FEET TO A COMPUTED POINT; THENCE, CONTINUING WITH SAID CENTERLINE, S46°50'07"W A DISTANCE OF 75.89 FEET TO A COMPUTED POINT; THENCE, CONTINUING WITH SAID CENTERLINE, S51°00'53"W A DISTANCE OF 86.92 FEET TO A COMPUTED POINT; THENCE, CONTINUING WITH SAID CENTERLINE, S54°38'28"W A DISTANCE OF 187.44 FEET TO A COMPUTED POINT; THENCE, CONTINUING WITH SAID CENTERLINE, S54°43'11"W A DISTANCE OF 166.66 FEET TO A COMPUTED POINT; THENCE, CONTINUING WITH SAID CENTERLINE, S55°37'49"W A DISTANCE OF 181.50 FEET TO A COMPUTED POINT; THENCE, CONTINUING WITH SAID CENTERLINE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,538.08 FEET AND A CHORD OF 222.64 FEET BEARING S62°15'39"W, A DISTANCE OF 222.83 FEET TO A COMPUTED POINT; THENCE, CONTINUING WITH SAID CENTERLINE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,502.64 FEET AND A CHORD OF 205.36 FEET BEARING S70°54'26"W, A DISTANCE OF 205.52 FEET TO A COMPUTED POINT; THENCE, CONTINUING WITH SAID RIGHT OF WAY, S74°32'21"W A DISTANCE OF 335.97 FEET TO A COMPUTED POINT; THENCE, CONTINUING WITH SAID CENTERLINE, S76°14'37"W A DISTANCE OF 79.04 FEET TO A COMPUTED POINT; THENCE, LEAVING SAID CENTERLINE, N01°40'52"E A DISTANCE OF 31.15 FEET TO A 1" IRON PIPE FOUND ON THE NORTHERN RIGHT OF WAY OF OLD US HIGHWAY 1; THENCE, LEAVING SAID RIGHT OF WAY, N01°40'52"E A DISTANCE OF 525.44 FEET TO A 1" IRON PIPE FOUND; THENCE, N01°40'52"E A DISTANCE OF 164.11 FEET TO A 3/4" CAPPED IRON PIPE FOUND; THENCE, N01°40'52"E A DISTANCE OF 87.06 FEET TO A 3/4" CAPPED IRON PIPE FOUND; THENCE, N01°40'52"E A DISTANCE OF 296.27 FEET TO A 3/4" CAPPED IRON PIPE FOUND; THENCE, N01°43'27"E A DISTANCE OF 154.39 FEET TO A 3/4" CAPPED IRON PIPE FOUND; THENCE, N01°45'10"E A DISTANCE OF 230.39 FEET TO A 3/4" CAPPED IRON PIPE FOUND; THENCE, 88°57'38"W A DISTANCE OF 226.32 FEET TO A 1.5" CAPPED IRON PIPE FOUND; THENCE, N00°29'37"E A DISTANCE OF 1,013.85 FEET TO A 1" CAPPED IRON PIPE FOUND THENCE, N27°07'07"E A DISTANCE OF 180.77 FEET TO A 3/4" PINCHED IRON PIPE FOUND; THENCE, S89°14'14"E A DISTANCE OF 677.99 FEET TO A 3/4" IRON PIPE SET; THENCE, S89°12'15"E A DISTANCE OF 1,126.48 FEET TO A 3/4" IRON PIPE FOUND; THENCE, S01°21'26"W A DISTANCE OF 33.00 FEET TO A 3/4" BENT

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*IRON PIPE FOUND; THENCE, S62°23'27"E A DISTANCE OF 222.99 FEET TO A 1" BENT IRON PIPE FOUND; THENCE, S89°31'44"E A DISTANCE OF 181.71 FEET TO THE POINT OF BEGINNING.*

*SAID BOUNDARY CONTAINING 2,465,206 SQUARE FEET (56.59 ACRES), MORE OR LESS.*

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. 2022-121, adopted at a meeting of the Town Council, on the 8th 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 8th day of November, 2022.

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Allen L. Coleman, CMC, NCCCC  
Town Clerk

(SEAL)