



RESOLUTION DIRECTING THE TOWN CLERK  
TO INVESTIGATE PETITION RECEIVED UNDER G.S. § 160A-31

Annexation Petition #686  
JS Development Company, LLC

WHEREAS, G.S. § 160-A 31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Apex deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, that the Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify to the Town Council the result of her investigation.

This the 21st day of July 2020.

---

Jacques K. Gilbert  
Mayor

ATTEST:

---

Donna B. Hosch, MMC, NCCMC  
Town Clerk



CERTIFICATE OF SUFFICIENCY BY THE TOWN CLERK

Annexation Petition #686  
JS Development Company, LLC

**To: The Town Council of the Town of Apex, North Carolina**

I, Donna B. Hosch, Town Clerk, do hereby certify that I have investigated the annexation petition attached hereto, and have found, as a fact, that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. § 160A-31, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Apex, North Carolina this 21st day of July 2020.

---

Donna B. Hosch, MMC, NCCMC  
Town Clerk

(Seal)



[Home](#)

# Wake County Real Estate Data Account Summary

[iMaps](#)  
[Tax Bills](#)

Real Estate ID **0115090**

PIN # **0733839147**

Account Search

Location Address  
**1745 HOLT RD**

Property Description  
**PROP C W HERNDON EST NORTH TRACT TRH**

[Pin/Parcel History](#) [Search Results](#) [New Search](#)



[Account](#) | [Buildings](#) | [Land](#) | [Deeds](#) | [Notes](#) | [Sales](#) | [Photos](#) | [Tax Bill](#) | [Map](#)

Property Owner <b>HERNDON, J DALLAS HEIRS</b> (Use the Deeds link to view any additional owners)	Owner's Mailing Address <b>LOU DOVE HERNDON</b> <b>EXECUTRIX</b> <b>1010 N SALEM ST</b> <b>APEX NC 27502-2922</b>	Property Location Address <b>1745 HOLT RD</b> <b>APEX NC 27523-9434</b>
--	---	---

Administrative Data	Transfer Information	Assessed Value
Old Map # <b>569-00000-0122</b> Map/Scale <b>0733 04</b> VCS <b>20AP900</b> City Fire District <b>23</b> Township <b>WHITE OAK</b> Land Class <b>VACANT</b> ETJ <b>AP</b> Spec Dist(s) Zoning <b>PUD-CZ</b> History ID 1 History ID 2 Acreage <b>9.13</b> Permit Date Permit #	Deed Date <b>11/5/2008</b> Book & Page <b>08-E- 3122</b> Revenue Stamps Pkg Sale Date Pkg Sale Price Land Sale Date Land Sale Price  <b>Improvement Summary</b> Total Units <b>0</b> Recycle Units <b>0</b> Apt/SC Sqft Heated Area	Land Value Assessed <b>\$624,325</b> Bldg. Value Assessed  Tax Relief  Land Use Value Use Value Deferment Historic Deferment Total Deferred Value  Use/Hist/Tax Relief Assessed Total Value Assessed* <b>\$624,325</b>

\*Wake County assessed building and land values reflect the market value as of January 1, 2020, which is the date of the last county-wide revaluation. Any inflation, deflation or other economic changes occurring after this date does not affect the assessed value of the property and cannot be lawfully considered when reviewing the value for adjustment.

The January 1, 2020 values will remain in effect until the next county-wide revaluation. Until that time, any real estate accounts created or new construction built is assessed according to the 2020 Schedule of Values.

For questions regarding the information displayed on this site, please contact the Department of Tax Administration at [Taxhelp@wakegov.com](mailto:Taxhelp@wakegov.com) or call 919-856-5400.

## 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 #: 686 Submittal Date: 4/9/2020  
Fee Paid: \$ 200.00 Check #: 2261

### 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

JS Development Company, LLC

Owner Name (Please Print)

919-389-7595

Phone

J. Dallas Herndon Heirs - Lou D Herndon, Executrix

Owner Name (Please Print)

Phone

Owner Name (Please Print)

Phone

Charles & Annette Herndon

0733-83-7691

Property PIN or Deed Book & Page #

josh@envisionhomesnc.com

E-mail Address

0733-83-9147

Property PIN or Deed Book & Page #

E-mail Address

Property PIN or Deed Book & Page #

E-mail Address

0733-83-5369

### Surveyor Information

Surveyor: Smith & Smith Surveyors

Phone: 919-362-7111

Fax: \_\_\_\_\_

E-mail Address: staley@smithandsmithsurveyors.net

### Annexation Summary Chart

Property Information	Reason(s) for annexation (select all that apply)
Total Acreage to be annexed: <u>10.1869</u>	Need water service due to well failure <input type="checkbox"/>
Population of acreage to be annexed: <u>--</u>	Need sewer service due to septic system failure <input type="checkbox"/>
Existing # of housing units: <u>0</u>	Water service (new construction) <input checked="" type="checkbox"/>
Proposed # of housing units: <u>35</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 #: 686

Submittal Date: 4/9/2020

COMPLETE IF IN A LIMITED LIABILITY COMPANY

In witness whereof, JS DEVELOPMENT COMPANY, LLC a limited liability company, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the 31 day of MARCH, 2020.

Name of Limited Liability Company JS Development Company, LLC

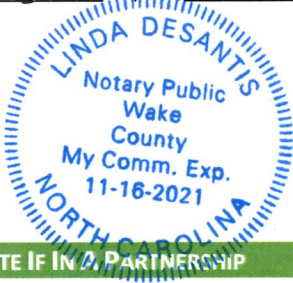
By: [Signature]  
Signature of Member/Manager

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

Sworn and subscribed before me, Linda DeSantis a Notary Public for the above State and County, this the 31 day of March, 2020.

[Signature]  
Notary Public

SEAL



My Commission Expires: \_\_\_\_\_

COMPLETE IF IN A PARTNERSHIP

In witness whereof, \_\_\_\_\_, a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Name of Partnership \_\_\_\_\_

By: \_\_\_\_\_  
Signature of General Partner

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: \_\_\_\_\_



PETITION FOR VOLUNTARY ANNEXATION

Application #: 686

Submittal Date: 4/9/2020

COMPLETE IF SIGNED BY INDIVIDUALS:

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

Charles Herndon  
Please Print

Charles Herndon  
Signature

Annette Herndon  
Please Print

Annette Herndon  
Signature

J Dallas Herndon Heirs  
Please Print

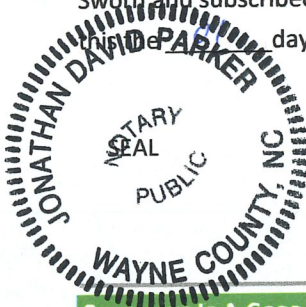
J. Dallas Herndon Heirs  
Signature Charles Herndon

\_\_\_\_\_  
Please Print

\_\_\_\_\_  
Signature

STATE OF NORTH CAROLINA  
COUNTY OF ~~WAKE~~ Wayne

Sworn and subscribed before me, Jonathan David Parker, a Notary Public for the above State and County,  
this April day of 2020.



Jonathan David Parker  
Notary Public

My Commission Expires: 01/24/2022

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

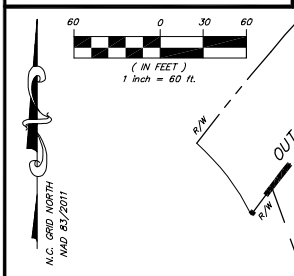
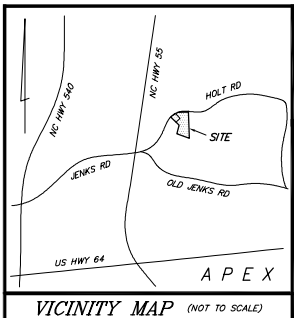
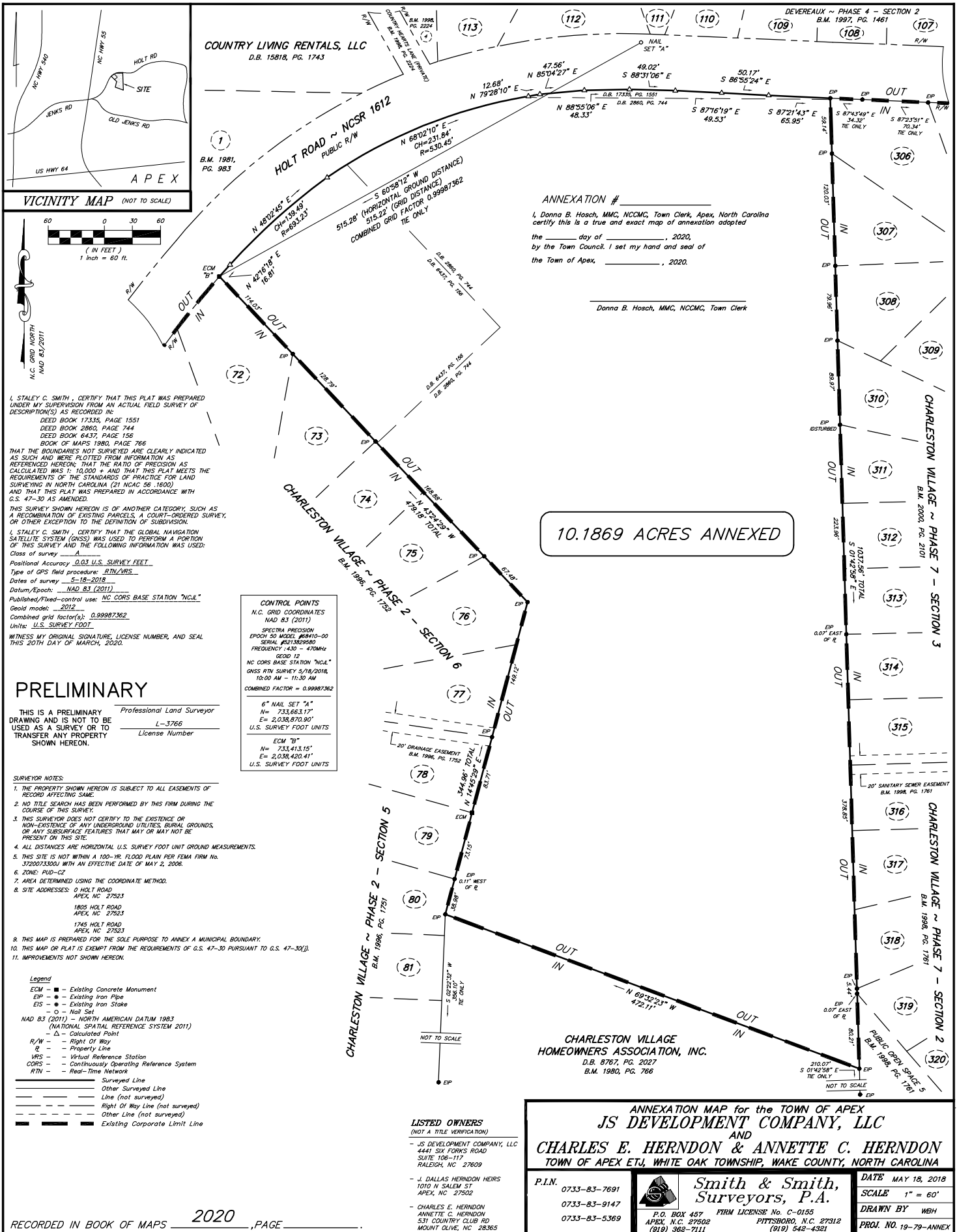
My Commission Expires: \_\_\_\_\_

Smith & Smith Surveyors, P.A.  
P.O. Box 457  
Apex, N.C. 27502  
(919) 362-7111  
Firm License No. C-0155

Lying and being in Town of Apex ETJ, White Oak Township, Wake County, North Carolina and described more fully as follows to wit:

BEGINNING at an existing concrete control monument being the northernmost corner of Lot 72 as shown in B.M. 1996, PG. 1752 bearing NAD (83/2011) N.C. grid coordinate values of N= 733,413.15 U.S. Survey Feet, E= 2,038,420.41 U.S. Survey Feet; thence with the southern right of way of Holt Road ~ NCSR 1612 North 42° 16' 18" East, 16.81 feet to a calculated point; thence a curve to the right North 48° 02' 45" East, 139.49 feet (chord), 693.23 feet (radius) to a calculated point; thence a curve to the right North 68° 02' 10" East, 231.84 feet (chord), 530.45 feet (radius) to a calculated point; thence North 79° 28' 10" East, 12.68 feet to a calculated point; thence North 85° 04' 27" East, 47.56 feet to a calculated point; thence North 88° 55' 06" East, 48.33 feet to a calculated point; thence South 88° 31' 06" East, 49.02 feet to a calculated point; thence South 87° 16' 19" East, 49.53 feet to a calculated point; thence South 86° 55' 24" East, 50.17 feet to a calculated point; thence South 87° 21' 43" East, 65.95 feet to an existing iron pipe on the southern right of way of Holt Road ~ NCSR 1612; thence South 01° 42' 58" East, 1037.56 feet to an existing iron pipe; thence North 69° 32' 23" West, 472.11 feet to an existing iron pipe; thence North 14° 45' 29" East, 344.96 feet to an existing iron pipe; thence North 43° 24' 29" West, 479.18 feet to the BEGINNING containing 10.1869 total acres more or less.

The above-described area is recorded in:  
D.B. 17335, PG. 1551 ~ PIN 0733-83-7691  
D.B. 2860, PG. 744 ~ PIN 0733-83-9147  
D.B. 6437, PG. 156 ~ PIN 0733-83-5369



I, STALEY C. SMITH, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY OF DESCRIPTION(S) AS RECORDED IN:

- DEED BOOK 17335, PAGE 1551
- DEED BOOK 2860, PAGE 744
- DEED BOOK 6437, PAGE 156
- BOOK OF MAPS 1980, PAGE 766

THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS SUCH AND WERE PLOTTED FROM INFORMATION AS REFERENCED HEREON, THAT THE RATIO OF PRECISION AS CALCULATED WAS 1:10,000+ AND THAT THIS PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56 1600) AND THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

THIS SURVEY SHOWN HEREON IS OF ANOTHER CATEGORY, SUCH AS A RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

I, STALEY C. SMITH, CERTIFY THAT THE GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) WAS USED TO PERFORM A PORTION OF THIS SURVEY AND THE FOLLOWING INFORMATION WAS USED:

Class of survey: A

Positional Accuracy: 0.03 U.S. SURVEY FEET

Type of GPS field procedure: RTN/VRS

Dates of survey: 5-18-2018

Datum/Epoch: NAD 83 (2011)

Published/Fixed-control use: NC CORS BASE STATION "NICA"

Geoid model: 2012

Combined grid factor(s): 0.99987362

Units: U.S. SURVEY FOOT

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER, AND SEAL THIS 20TH DAY OF MARCH, 2020.

**PRELIMINARY**

THIS IS A PRELIMINARY DRAWING AND IS NOT TO BE USED AS A SURVEY OR TO TRANSFER ANY PROPERTY SHOWN HEREON.

Professional Land Surveyor  
L-3766  
License Number

CONTROL POINTS	
N.C. GRID COORDINATES	NAD 83 (2011)
SPECTRA PRECISION	EPOCH 50 MODEL: 86810-00
SERIAL	821300000
FREQUENCY	430 - 470MHz
NC CORS BASE STATION "NICA"	6200.12
GNSS RTN SURVEY 5/18/2018	10:00 AM - 11:30 AM
COMBINED FACTOR =	0.99987362
6" NAIL SET "A"	
N=	733,663.17'
E=	2,038,870.90'
U.S. SURVEY FOOT UNITS	
ECM "B"	
N=	733,413.15'
E=	2,038,420.41'
U.S. SURVEY FOOT UNITS	

- SURVEYOR NOTES:**
1. THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS OF RECORD AFFECTING SAME.
  2. NO TITLE SEARCH HAS BEEN PERFORMED BY THIS FIRM DURING THE COURSE OF THIS SURVEY.
  3. THIS SURVEYOR DOES NOT CERTIFY TO THE EXISTENCE OR NON-EXISTENCE OF ANY UNDERGROUND UTILITIES, BURIAL GROUNDS, OR ANY SUBSURFACE FEATURES THAT MAY OR MAY NOT BE PRESENT ON THIS SITE.
  4. ALL DISTANCES ARE HORIZONTAL U.S. SURVEY FOOT UNIT GROUND MEASUREMENTS.
  5. THIS SITE IS NOT WITHIN A 100-YR. FLOOD PLAIN PER FEMA FIRM NO. 3720013300 WITH AN EFFECTIVE DATE OF MAY 2, 2006.
  6. ZONE: PUD-C2
  7. AREA DETERMINED USING THE COORDINATE METHOD.
  8. SITE ADDRESSES: 0 HOLT ROAD APEX, NC 27523  
1805 HOLT ROAD APEX, NC 27523  
1745 HOLT ROAD APEX, NC 27523
  9. THIS MAP IS PREPARED FOR THE SOLE PURPOSE TO ANNEX A MUNICIPAL BOUNDARY.
  10. THIS MAP OR PLAT IS EXEMPT FROM THE REQUIREMENTS OF G.S. 47-30 PURSUANT TO G.S. 47-30(d).
  11. IMPROVEMENTS NOT SHOWN HEREON.

- Legend**
- ECM - Existing Concrete Monument
  - EP - Existing Iron Pipe
  - EIS - Existing Iron Stake
  - o - Nail Set
  - NAD 83 (2011) - NORTH AMERICAN DATUM 1983 (NATIONAL SPATIAL REFERENCE SYSTEM 2011)
  - Δ - Calculated Point
  - R/W - Right Of Way
  - - Property Line
  - VRS - Virtual Reference Station
  - CORS - Continuously Operating Reference System
  - RTN - Real-Time Network
  - - Surveyed Line
  - - Other Surveyed Line
  - - Line (not surveyed)
  - - Right Of Way Line (not surveyed)
  - - Other Line (not surveyed)
  - - Existing Corporate Limit Line

RECORDED IN BOOK OF MAPS 2020, PAGE \_\_\_\_\_.

ANNEXATION # \_\_\_\_\_

I, Donna B. Hosch, MMC, NCCMC, Town Clerk, Apex, North Carolina certify this is a true and exact map of annexation adopted the \_\_\_\_\_ day of \_\_\_\_\_, 2020, by the Town Council. I set my hand and seal of the Town of Apex, \_\_\_\_\_, 2020.

Donna B. Hosch, MMC, NCCMC, Town Clerk

10.1869 ACRES ANNEXED

- LISTED OWNERS**  
(NOT A TITLE VERIFICATION)
- JS DEVELOPMENT COMPANY, LLC  
4441 SIX FORKS ROAD  
SUITE 106-117  
RALEIGH, NC 27609
  - J. DALLAS HERNDON HEIRS  
1010 N SALEM ST  
APEX, NC 27502
  - CHARLES E. HERNDON  
ANNETTE C. HERNDON  
531 COUNTRY CLUB RD  
MOUNT OLIVE, NC 28365

ANNEXATION MAP for the TOWN OF APEX  
**JS DEVELOPMENT COMPANY, LLC**  
AND  
**CHARLES E. HERNDON & ANNETTE C. HERNDON**  
TOWN OF APEX ETJ, WHITE OAK TOWNSHIP, WAKE COUNTY, NORTH CAROLINA

P.I.N. 0733-83-7691 0733-83-9147 0733-83-5369		DATE MAY 18, 2018 SCALE 1" = 60' DRAWN BY WHB PROJ. NO. 19-79-ANNEX
--	--	--

P.O. BOX 457  
APEX, N.C. 27502  
(919) 382-7111

FIRM LICENSE No. C-0155  
PITTSBORO, N.C. 27312  
(919) 542-4321





RESOLUTION SETTING DATE OF PUBLIC HEARING  
ON THE QUESTION OF ANNEXATION PURSUANT TO G.S. § 160A-31 AS AMENDED

Annexation Petition ##686  
JS Development Company, LLC

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, the Town Council of Apex, North Carolina has by Resolution directed the Town Clerk to investigate the sufficiency thereof; and

WHEREAS, Certification by the Town Clerk as to the sufficiency of said petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apex, North Carolina that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Apex Town Hall at 6 o'clock p.m. on the 4th day of August 2020.

Section 2. The area proposed for annexation is described as attached.

Section 3. Notice of said public hearing shall be published on the Town of Apex Website, [www.apexnc.org](http://www.apexnc.org), Public Notice, at least ten (10) days prior to the date of said public hearing.

This the 21st day of July 2020.

---

Jacques K. Gilbert, Mayor

ATTEST:

---

Donna B. Hosch, MMC, NCCMC, Town Clerk