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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. 2023-  
SATELLITE ANNEXATION PETITION NO. 770  
Legacy Station – 26.63 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 November 14, 2023, 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 November 14, 2023. The survey plat that describes the annexed territory is that certain survey plat entitled "Satellite Annexation Map for the Town of Apex, Wake County, North Carolina, White Oak Township (PINs No. 0712-94-9922 and 0722-04-1522, Land Surveyor dated October 11, 2023" and recorded in Book of Maps book number 2023 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 14th day of November, 2023.

\_\_\_\_\_  
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

Tract 1 Legal Description (PIN No. 0712949922)

Beginning at a New Iron Pipe Located on the Southern Right of Way of US Hwy 64 and having North Carolina Grid Coordinates (NAD83, 2011), N: 725,205.14', E: 2,019,726.21'; said Iron Pipe also being the Northwest corner of that parcel of land owned by Legacy Apex, LLC, Deed Book 19401, Page 999 and Book of Maps 2004, Page 1409, Wake County Registry. Thence leaving said Right of Way, South 43°21'40" East, 185.73' to an Existing Iron Pipe, said pipe being the True Point and Place of Beginning,

Thence North 82°57'52" East, 200.03' to an Existing Iron Pipe, Thence South 00°42'10" West, 199.45' to an Existing Iron Pipe, Thence South 82°49'09" West, 199.93' to an Existing Iron Pipe, Thence North 00°39'15" East, 199.94' to an Existing Iron Pipe, the True Point and Place of Beginning and containing an area of 0.908 Acres (39,567 sf), more or less.

Tract 2 Legal Description (PIN No. 0722041522)

Beginning at a New Iron Pipe Located on the Southern Right of Way of US Hwy 64 and having North Carolina Grid Coordinates (NAD83, 2011), N: 725,205.14', E: 2,019,726.21'; said Iron Pipe also being the Northwest corner of that parcel of land owned by Legacy Apex 2, LLC, Deed Book 19401, Page 999 and Book of Maps 2004, Page 1409, Wake County Registry. Thence North 82°58'49" East, 828.63' to a New Iron Pipe, Thence South 01°36'41" West, 79.80' to an Existing Iron Pipe, Thence South 01°36'41" West, 893.94' to an Existing Iron Pipe, Thence South 01°57'07" West, 417.11' to an Existing Iron Pipe, Thence South 76°25'00" West, 820.35' to an Existing Iron Pipe, Thence North 00°38'28" East, 465.54' to an Existing Iron Pipe, Thence North 00°35'23" East, 74.24' to an Existing Iron Pipe, Thence North 00°39'29" East, 186.13' to an Existing Iron Pipe, Thence North 00°38'23" East, 755.82' to a New Iron Pipe, being the Point and Place of Beginning and containing an area of 26.627 Acres (1,159,991 sf), more or less.

Save and Except the following area:

Beginning at a New Iron Pipe Located on the Southern Right of Way of US Hwy 64 and having North Carolina Grid Coordinates (NAD83, 2011), N: 725,205.14', E: 2,019,726.21'; said Iron Pipe also being the Northwest corner of that parcel of land

owned by Legacy Apex 2, LLC, Deed Book 19401, Page 999 and Book of Maps 2004, Page 1409, Wake County Registry. Thence leaving said Right of Way, South 43°21'40" East, 185.73' to an Existing Iron Pipe, said pipe being the True Point and Place of Beginning,

Thence North 82°57'52" East, 200.03' to an Existing Iron Pipe, Thence South 00°42'10" West, 199.45' to an Existing Iron Pipe, Thence South 82°49'09" West, 199.93' to an Existing Iron Pipe, Thence North 00°39'15" East, 199.94' to an Existing Iron Pipe, the True Point and Place of Beginning and containing an area of 0.908 Acres (39,567 sf), 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 Satellite Annexation Ordinance No. 2023-\_\_\_\_\_, adopted at a meeting of the Town Council, on the 14th 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 14th day of November, 2023.

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Allen L. Coleman, CMC, NCCCC  
Town Clerk

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