



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. 2024-
SATELLITE ANNEXATION PETITION NO. 785
ELEVATE 64 WEST – 35.15 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 August 27, 2024, 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 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 April 09, 2024. The survey plat that describes the annexed territory is that certain survey plat entitled "Satellite Annexation Map for the Town of Apex, White Oak Township, Wake County, North Carolina". The survey plat print dated March 28, 2024 and Land Surveyor dated May 25, 2024, PIN No. 0723-21-6874 and recorded in Book of Maps book number 2024 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 27th day of August, 2024.

Edward Gray
Mayor Pro-Tempore

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

Being Wake County PIN numbers 0712842430 and 0712719870, properties of Louvenia Ann S. Goodwin (L. Goodwin), and located at 3805 & 3809 US 64 HWY W Apex North Carolina 27523

Being all of that certain 28.13 +/- acres and 7.02 +/- acres tracts of land lying in Wake County, North Carolina; and bounded by natural boundaries and/or lands owned by and/or in possession of persons, as follows: on the north by U.S. HWY 64 and on the east by Clara's Legacy, LLC and Gaylene W. Goodwin (G. Goodwin), on the south by Seagroves Family, LLC, on the west by Deer Creek Owners Association, Inc. and Mabopane Foundation; said tract being particularly described by courses (according to the North Carolina Grid system) and distances according to an annexation map titled "Annexation Map for the Town of Apex dated 05/10/2024, job reference number 19008.004 prepared by FEI under the license of Tommy Wright professional land surveyor L-5262, to which reference is hereby made, as follows:

Commencing at NGS monument "BORDER" said monument having North Carolina state plane grid coordinates NAD83(2011) of northing: 724821.30, easting: 2016464.34; thence N84°01'27"E a distance of 1069.77' to THE POINT OF BEGINNING, said point being a 1/2" found iron pipe at the northeast corner of Mabopane Foundation as described in deed book (D.B.) 17693 page (Pg.) 551 and on the southern margin of the 200' public right of way (R/W) of US HWY 64 thence along the US HWY 64 R/W N82°56'01"E a distance of 696.33' to a set iron rebar at the northwest corner of Louvenia Ann S. Goodwin as described in D.B. 18884 Pg.1101; thence N82°56'01"E a distance of 735.79' to a set iron rebar at the northwest corner of Clara's Legacy, LLC as described in D.B. 18483 Pg. 1288; thence leaving the US HWY 64 R/W S00°38'48"W a distance of 528.04' to a 1" found iron pipe at a common corner of said Clara's Legacy, LLC and Gaylene W. Goodwin as described in D.B. 12-E, PG. 3228, thence along said Gaylene W. western line S00°38'48"W a distance of 337.23' to a 1/2" found iron rebar, thence leaving said Gaylene W. Goodwin and following said Clara's Legacy, LLC western line S00°38'48"W a distance of 458.09' to a 1" found iron pipe on the western line of said Clara's Legacy, LLC and at the northeast corner of Seagroves Family, LLC as described in D.B. 14213 Pg. 2028; thence N89°57'28"W a distance of 412.72' to a 1/2" found iron pipe, thence N89°57'28"W a distance of 274.59' to a 1/2" found iron pipe, thence N89°57'28"W a distance of 314.75' to a 1/2" found iron pipe at the northwest corner of said Seagroves Family, LLC and on the eastern line of Deer Creek Owners Association, INC as described in D.B. 19016 Pg. 2557; thence along the lines of said Deer Creek Owners Association, INC for the following courses and distances N03°21'09"E a distance of 195.23' to a 1/2" found iron pipe; thence N29°30'01"W a distance of 573.36' to a 1/2" found iron pipe; thence N86°51'40"W a distance of 149.09' to a 1/2" found iron pipe on the northern line of said Deer Creek Owners Association, INC, at the southeast corner of

said Mabopane Foundation and at the southwest corner of said Goodwin; thence along the lines of said; thence N02°00'16"E a distance of 444.55' to THE POINT OF BEGINNING.

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. 2024-_____, adopted at a meeting of the Town Council, on the 27th day of August, 2024, 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 27th day of August, 2024.

Allen L. Coleman, CMC, NCCCC
Town Clerk

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