



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. 2023-
ANNEXATION PETITION NO. 764
PLESANT PLAINS ELEMENTARY SCHOOL - 30.047 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 September 12, 2023, 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 September 26, 2023. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex On Properties Of The Wake County Board of Education(PIN#s: 0731-64-0633 (28.823acres), 731-64-5370 (0.756acres), and Area within Seapond Public Drive Right-of-Way (ROW) (0.468)see survey map), Land Surveyor dated August 11, 2023" and recorded in Book of Maps book number 2023 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 26th day of September, 2023.

Jacques K. Gilbert
Mayor

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

Town of Apex Annexation Legal Description Pleasant Plains Elementary School (E-53)
(1525 South Salem Street, Apex, NC 27502)

AREA #1 TO BE ANNEXED - PIN 0731640633

BEGINNING AT A R/W MONUMENT AT THE INTERSECTION OF THE WESTERN RIGHT OF WAY OF SOUTH SALEM STREET AND THE EASTERN RIGHT OF WAY OF NC-540, AND BEING AT THE SOUTHERN MOST CORNER OF THE SUBJECT PROPERTY; THENCE, ALONG AND WITH THE R/W OF NC-540 N 39°03'04" W A DISTANCE OF 390.84' TO A R/W MONUMENT; THENCE, N 44°52'13" W A DISTANCE OF 172.42' TO

A R/W MONUMENT; THENCE, N 61°51'41" W A DISTANCE OF 203.40' TO AN IRON PIPE; THENCE, N 61°52'08" W A DISTANCE OF 98.24' TO A R/W MONUMENT; THENCE, N 45°07'01" W A DISTANCE OF 238.78' TO A R/W MONUMENT; THENCE, N 52°16'29" W A DISTANCE OF 341.83' TO AN IRON ROD IN THE CENTERLINE OF A CREEK; THENCE ALONG AND WITH THE CENTER OF SAID CREEK, WITNESSED BY A TRAVERSE LINE AS FOLLOWS N 57°22'07" E A DISTANCE OF 126.98' TO A POINT; THENCE N 77°52'52" E A DISTANCE OF 113.61' TO A POINT; THENCE N 54°47'22" E A DISTANCE OF 380.08' TO AN IRON ROD; THENCE S 86°29'22" E A DISTANCE OF 255.76' TO A POINT; THENCE N 65°59'47" E A DISTANCE OF 281.13' TO A POINT; THENCE N 49°31'01" E A DISTANCE OF 145.48' TO A POINT; THENCE N 59°32'01" E A DISTANCE OF 264.91' TO A POINT; THENCE N 09°00'41" E A DISTANCE OF 184.87' TO AN IRON ROD IN THE CENTERLINE OF A CREEK; THENCE, LEAVING SAID CREEK, S 00°18'17" W A DISTANCE OF 877.27' TO A BENT RIGHT OF WAY MONUMENT IN THE NORTHERN RIGHT OF WAY OF SEAPOND DRIVE; THENCE, S 00°18'17" W A DISTANCE OF 60.00' TO AND IRON PIPE WITH CAP & TACK IN THE SOUTHERN RIGHT OF WAY OF SEAPOND DRIVE; THENCE ALONG AND WITH SAID RIGHT OF WAY, S 89°15'34" E A DISTANCE OF 325.52' TO AN IRON PIPE AT THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY OF SEAPOND DRIVE AND THE WESTERN RIGHT OF WAY OF SOUTH SALEM STREET; THENCE, ALONG THE WESTERN RIGHT OF WAY OF SOUTH SALEM STREET, WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 256.55', WITH A RADIUS OF 2704.56', WITH A CHORD BEARING OF S 28°54'18" W, WITH A CHORD LENGTH OF 256.46' TO AND IRON PIPE WITH CAP & TACK; THENCE, LEAVING SAID RIGHT OF WAY, N 84°50'46" W A DISTANCE OF 203.80' TO A BENT IRON PIPE; THENCE S 00°18'01" W A DISTANCE OF

310.45' TO A BENT IRON PIPE IN THE WESTERN RIGHT OF WAY OF SOUTH SALEM STREET; THENCE, ALONG AND WITH SAID RIGHT OF WAY, S 38°46'26" W A DISTANCE OF 16.50' TO A POINT; THENCE S 39°23'46" W A DISTANCE OF 25.82' TO A POINT; THENCE S 37°48'48" W A DISTANCE OF 7.18' TO A R/W MONUMENT; THENCE N 50°18'09" W A DISTANCE OF 54.99' TO A R/W MONUMENT; THENCE S 39°41'24" W A DISTANCE OF 397.22' THE POINT OF BEGINNING HAVING AN AREA 28.823+/- ACRES MORE OR LESS.

AREA #2 TO BE ANNEXED - PIN 0731645370

BEGINNING AT AN IRON PIPE WITH CAP & TACK IN THE WESTERN RIGHT OF WAY OF SOUTH SALEM STREET AND BEING A COMMON CORNER WITH THE WAKE COUNTY BOARD OF EDUCATION (PIN 0731640633); THENCE, ALONG AND WITH SAID RIGHT OF WAY, WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 356.92', WITH A RADIUS OF 2704.56', WITH A CHORD BEARING OF S

35°00'19" W, WITH A CHORD LENGTH OF 356.66' TO A BENT IRON PIPE; THENCE, LEAVING SAID RIGHT OF WAY, N 00°18'01" E A DISTANCE OF 310.45' TO A BENT IRON PIPE; THENCE S 84°50'46" E A DISTANCE OF 203.80' TO THE POINT OF BEGINNING HAVING AN AREA 0.756 ACRES MORE OR LESS.

AREA #3 TO BE ANNEXED - Seapond Drive Public R/W

BEGINNING AT AN IRON PIPE WITH CAP & TACK AT THE SOUTH WEST CORNER OF SEAPOND DRIVE AND BEING A COMMON CORNER WITH THE WAKE COUNTY BOARD OF EDUCATION (PIN 0731640633); THENCE N 00°18'17" E A DISTANCE OF 60.00' TO A R/W MONUMENT ON THE NORTHERN R/W OF SEAPOND DRIVE; THENCE, ALONG AND WITH SAID RIGHT OF WAY, S 89°15'34" E A DISTANCE OF 353.62' TO A RIGHT OF WAY MONUMENT AT THE INTERSECTION OF THE NORTHERN RIGHT OF WAY OF SEAPOND DRIVE AND THE WESTERN RIGHT OF WAY OF SOUTH SALEM STREET; THENCE, ALONG S. SALEM STREET RIGHT OF WAY WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 66.06', WITH A RADIUS OF 2804.10', WITH A CHORD BEARING OF S 25°28'27" W, WITH A CHORD LENGTH OF 66.06' TO AN IRON PIPE AT THE INTERSECTION OF THE SOUTHERN RIGHT OF WAY OF SEAPOND DRIVE AND THE WESTERN RIGHT OF WAY OF SOUTH SALEM STREET; THENCE, ALONG THE SOUTHERN RIGHT OF WAY OF SEAPOND DRIVE, N 89°15'34" W A DISTANCE OF 325.52' TO THE POINT OF BEGINNING HAVING AN AREA OF 0.468 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. 2023-_____, adopted at a meeting of the Town Council, on the 26th day of September, 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 26th day of September, 2023.

Allen L. Coleman, CMC, NCCCC
Town Clerk

(SEAL)