



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. 746
FRIENDSHIP VILLAGE - 27.853 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 7:00 p.m. on February 28, 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 February 28, 2023. 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#: Various - Legal Description Section), dated February 9, 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 28th day of February, 2023.

Jacques K. Gilbert
Mayor

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

The area described herein is encompassing of the following PINs:
0721-80-1110, 0721-80-1336, 0721-80-2377, 0721-80-1553, 0721-80-3505, 0721-80-3619, 0721-81-3022, 0721-80-4836, 0721-81-4170, 0721-81-5061, 0721-80-7948, 0721-90-1910, 0721-80-9611, 0721-80-1975, 0721-81-0212, 0721-81-2581, 0721-81-6313 & 0721-81-6591

Subject area being located in Wake County, North Carolina:

BEGINNING at an iron pipe found (N=711,436.61', E=2,027,865.97'), said iron pipe being 10' inside the easterly right-of-way of Evans Road, and also being the northwesterly corner of the Now or Formerly Beazer Homes LLC property (DB 18701, PG 2105);

Thence with the northerly line of the Now or Formerly Beazer Homes, LLC property, S 88° 39' 09" E 10.71' to an iron pipe found, said iron pipe being along the easterly right-of-way of Evans Road; Thence leaving the easterly right-of-way of Evans Road, S 89° 36' 20" E 251.46' to an iron pipe found; Thence leaving the northerly line of the Now or Formerly Beazer Homes, LLC property (DB 18701, PG 2105), N 00° 56' 42" E 159.67' to an iron pipe found;

Thence S 89° 14' 15" E 320.31' to an iron pipe found, said iron being along the westerly right-of-way of Walden Road;

Thence through the right-of-way of Walden Road the following courses and distances:

S 89° 16' 10" E 37.71' to a computed point;

S 89° 17' 02" E 33.53' to an iron pipe found, said iron pipe being along the easterly right-of-way of Walden Road and also being along the northerly line of the Now or Formerly Beazer Homes, LLC property (DB 18702, PG 1097);

Thence S 89° 12' 03" E 388.26' to an iron pipe found, said iron pipe being along the westerly line of the Now or Formerly Michael D Stallings property (DB 3753, PG 456);

Thence with the westerly line of the Now or Formerly Michael D Stallings property the following courses and distances:

S 02° 13' 06" W 155.98' to an iron pipe found;

S 01° 56' 46" W 207.00' to an iron pipe found;

S 03° 10' 27" W 99.80' to an iron pipe found, said iron pipe being the northwest corner of the Now or Formerly Beazer Homes LLC property (DB 18702, PG 203);

Thence with the northerly line of the Now or Formerly Beazer Homes, LLC property, S 88° 28' 40" E 464.85' to an iron pipe found;

Thence with the easterly line of the Now or Formerly Beazer Homes, LLC property the following courses and distances:

S 03° 55' 51" W 75.11' to an iron pipe with cap found;

S 04° 01' 22" W 181.84' to an iron pipe set;

S 04° 02' 46" W 208.23' to an iron pipe found, said iron pipe being along the northerly line of the Now or Formerly Elizabeth G Clark property (DB 16788, PG 681);

Thence with the northerly line of the Now or Formerly Elizabeth G Clark property N 88° 25' 25" W 328.38' to an iron pipe found, said iron pipe being the northwest corner of the Now or Formerly Elizabeth G. Clark property;

Thence S 04° 14' 19" W 118.98' to an iron pipe found;

Thence N 88° 43' 41" W 135.61' to an iron pipe found, said iron pipe being along the easterly line of the Now or Formerly Jonathan M Peck property (DB 1420, PG 299);

Thence N 04° 13' 23" E 119.70' to an iron pipe found;

Thence N 04° 17' 58" E 62.78' to an iron pipe found, said iron pipe being the northeasterly corner of the Now or Formerly Jonathan M. Peck property;

Thence N 83° 32' 26" W 369.38' to an iron rebar found;

Thence N 83° 44' 30" W 99.48' to an iron pipe found, said iron pipe being the northwesterly corner of the Now or Formerly Jonathan M Peck property;

Thence S 04° 47' 12" W 165.25' to a found T-bar;

Thence S 04° 52' 26" W 136.86' to a found T-bar;

Thence S 04° 53' 59" W 208.94' to an iron pipe found, said iron pipe being the southwesterly corner of the Now or Formerly Jonathan M Peck property;

Thence N 85° 08' 51" W 158.87' to an iron pipe found;

Thence N 85° 12' 29" W 140.31' to an iron pipe found;

Thence N 04° 50' 52" E 156.36' to an iron pipe set;

Thence S 85° 15' 12" E 25.25' to an iron pipe found;

Thence N 04° 41' 00" E 189.55' to a found axel;
Thence S 85° 27' 52" E 114.95' to an iron pipe found;
Thence N 04° 48' 52" E 66.09' to a T-bar found;
Thence N 04° 40' 56" E 98.64' to an iron pipe found;
Thence N 05° 00' 04" E 29.64' to an iron pipe with cap found;
Thence N 04° 50' 15" E 42.42' to an iron pipe with cap found, said iron pipe being the northeast corner of the Now or Formerly Stewart Cemetery property;
Thence with the northerly line of the Now or Formerly Stewart Cemetery property, S 88° 03' 49" W 174.73' to an iron pipe found;
Thence S 21° 44' 13" W 153.11' to an iron pipe found, said iron being along the northerly line of the Now or Formerly Beazer Homes, LLC property (DB 18705, PG 1303);
Thence with the northerly line of the Now or Formerly Beazer Homes, LLC property the following courses and distances:
N 85° 13' 16" W 5.82' to an iron pipe with cap found;
N 84° 07' 06" W 74.04' to an iron pipe found, said iron pipe being along the easterly right-of-way of Evans Road; N 84° 14' 41" W 30.51' to a computed point, said computed point being along the centerline of Evans Road;

Thence N 08° 24' 38" W 347.44' to a computed point;
Thence with a curve to the right, said curve having an arc length of 165.46' and a radius of 954.93', having a chord bearing of N 03° 28' 26" W 165.25' to a computed point;
Thence leaving the centerline of Evans Road, S 89° 45' 18" W 30.48' to a computed point, said computed point being along the westerly right-of-way of Evans Road;
Thence with the westerly right-of-way of Evans Road the following courses and distances:
N 01° 34' 38" E 94.66' to a computed point; N 04° 27' 29" E 66.42' to a computed point;
Thence through the right-of-way of Evans road S 88° 39' 09" E 48.50 to an iron pipe found, said iron pipe also being THE POINT AND PLACE OF BEGINNING and containing 1,166,903 square feet or 26.788 acres, more or less.

TOGETHER WITH the Beazer Homes, LLC property (DB 18702, PG 101) and being more particularly described as follows:

COMMENCING at an iron pipe found, said iron pipe being the southwesterly corner of the Beazer Homes, LLC property (DB 18702, PG 1950), thence S 02° 02' 07" W 63.66' to an iron pipe found, said iron pipe also being the POINT AND PLACE OF BEGINNING;
Thence S 65° 15' 40" E 199.85' to an iron pipe found;
Thence S 25° 00' 57" W 187.72' to an iron pipe found said iron pipe being along the northerly right-of-way of Humie Olive Road;
Thence S 25° 00' 57" W 30.51' to a computed point, said computed point being along the centerline of Humie Olive Road;
Thence with the centerline of Humie Olive Road, N 65° 05' 56" W 114.12' to a computed point;
Thence S 04° 07' 21" W 32.45' to a computed point, said computed point being along the existing Town of Apex limits;
Thence N 65° 51' 11" W 97.80' to a computed point;
Thence N 25° 52' 22" E 31.63' to a computed point, said computed point being along the centerline of Humie Olive Road;
Thence leaving the centerline of Humie Olive Road N 25° 06' 03" E 29.48' to an iron pipe with cap found, said iron pipe also being along the northerly right-of-way of Humie Olive Road;

Thence leaving the northerly right-of-way of Humie Olive Road, N 25° 00' 25" E 188.18' to an iron pipe found, said iron pipe also being THE POINT AND PLACE OF BEGINNING and containing 46,401 square feet or 1.065 acres, more or less.

The property described hereon is subject to all easements, rights-of-way and restrictions of record.

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 28th day of February, 2023, the original of which will be on file in the Office of the Town Clerk of Apex, North Carolina.

IN WITNESS HEREOF, I have hereunto set my hand and affixed the official Seal of the Town of Apex, North Carolina, this the 28th day of February, 2023.

Allen L. Coleman, CMC, NCCCC
Town Clerk

(SEAL)