



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. 760
2633 WHISTLING QUAIL RUN - 3.806 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 August 22nd, 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 August 22nd, 2023. The survey plat that describes the annexed territory is that certain survey plat entitled "Annexation Map for the Town of Apex, Wake County, North Carolina, Buckhorn Township (PIN#: 0721-62-8940), Land Surveyor dated March 23, 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 22nd day of August, 2023.

Jacques K. Gilbert
Mayor

ATTEST:

Allen L. Coleman, CMC, NCCCC
Town Clerk

APPROVED AS TO FORM:

Laurie L. Hohe
Town Attorney

Legal Description

Beginning at an existing iron pipe in the northern right of way of Grouse Trail where it transitions from a 50' right of way to a 60' right of way; said iron pipe is standing North 03°16'54" East 5.00' from and existing iron pipe in the northern right of way of Grouse Trail and being the southwest corner of lot 201 in Phase 3E, Section 1 of The Traditions at Bella Casa Subdivision, as recorded in Book of Maps 2012 at Page 845 in the Wake County Registry, thence from said beginning point and running with the northern 60' right of way of Grouse Trail, which is unopened, South 89°58'50" West 392.31' to an existing iron pipe; thence with a curve to the right having a radius of 25.00', an arc length of 37.67' and a chord of North 46°59'59" West 34.21' to an existing iron pipe in the eastern right of way of Whistling Quail Run; thence with said right of way North 03°59'09" West 362.01' to an existing iron pipe being a common corner between lots 19 and 20 in Phase 2 of the Whistling Quail Subdivision, as recorded in Book of Maps 1987 at Page 572, for lot 19, and Book of Maps 1987 at Page 1615, for lot 20 in the Wake County

Registry; thence leaving said right of way and running the common lines between lots 19 and 20 for the following two (2) calls, North $84^{\circ}39'29''$ East 183.61' to an existing iron pipe; thence South $47^{\circ}46'54''$ East 359.75' to an existing iron pipe in the western line of resource conservation area of The Traditions at Bella Casa Subdivision; thence with the western lines of the resource conservation area, lot 203, lot 202 and lot 201, South $02^{\circ}25'16''$ West 159.83' to the point of beginning, being all of lot 19 in Phase 2 of the Whistling Quail Subdivision, containing 3.232 acres.

And,

Beginning at an existing iron pipe in the northern right of way of Grouse Trail where it transitions from a 50' right of way to a 60' right of way; said iron pipe is standing North $03^{\circ}16'54''$ East 5.00' from and existing iron pipe in the northern right of way of Grouse Trail and being the southwest corner of lot 201 in Phase 3E, Section 1 of The Traditions at Bella Casa Subdivision, as recorded in Book of Maps 2012 at Page 845 in the Wake County Registry, thence from said beginning point and crossing Grouse Trail South $02^{\circ}25'16''$ West 60.05' to a point on the southern 60' right of way of Grouse Trail, which is unopened; thence with said right of way South $89^{\circ}58'50''$ West 382.19' to a point; thence with a curve to the left having a radius of 25.00', an arc length of 41.00' and a chord of South $42^{\circ}59'51''$ West 36.56' to a point in the eastern right of way of Whistling Quail Run; thence with said right of way North $03^{\circ}59'09''$ West 110.33' to an existing iron pipe at a southwestern corner of lot 19 in the Whistling Quail Subdivision as recorded in Book of Maps 1987 at Page 1615, where the eastern right of way of Whistling Quail Run intersects the northern right of way of Grouse Trail; thence with said right of way following a curve to the left having a radius of 25.00', an arc length of 37.67' and a chord of South $46^{\circ}59'59''$ East 34.21' to an existing iron pipe; thence continuing with the northern 60' right of way of Grouse Trail North $89^{\circ}58'50''$ East 392.31' to the point of beginning, being the unimproved section of Grouse Trail having a 60' right of way and containing 0.574 acres.

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 22nd day of August, 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 22nd day of August, 2023.

Allen L. Coleman, CMC, NCCCC
Town Clerk

(SEAL)