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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. 759  
5925 Farmond Road – 2.747 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 22, 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 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 August 22, 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 (PIN#: 0743-52-6411), Land Surveyor dated March 23, 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 22nd day of August, 2023.

\_\_\_\_\_  
Jacques K. Gilbert  
Mayor

ATTEST:

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Allen L. Coleman, CMC, NCCCC  
Town Clerk  
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APPROVED AS TO FORM:

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Laurie L. Hohe  
Town Attorney

Legal Description

Beginning at an existing iron pipe in the southern right of way of Farmpond Road, said pipe being the northwestern corner of a tract now, or formally, owned by Mian Lin, thence leaving said right of way and running with the western line of the Lin tract South 04°54'04" East 241.47' to an existing iron pipe being the northwestern corner of a tract now, or formally, owned by Allen and Mary Kirk; thence running with the western line of the Kirk tract South 03°12'46" East 151.20' to an existing iron pipe; thence along a new line North 89°16'26" West 312.25' to an existing iron pipe being the southeastern corner of a tract now, or formally, owned by Gary and Kelly Lipscomb; thence running with the eastern lines of the Lipscomb tract the following two (2) calls, North 05°05'03" West 311.77' to an existing iron pipe; thence North 42°57'46" East 100.09' to an existing iron pipe in the southern right of way of Farmpond Road; thence with said right of way North 89°06'03" East 242.57' to the point of beginning, containing 2.747 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 Satellite 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.

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Allen L. Coleman, CMC, NCCCC  
Town Clerk

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