



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. 758
ESTATES AT WHITE OAK - 9.186 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, White Oak Township (PIN#: See Recorded Map), Land Surveyor dated April 06, 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

Annexation Legal Description for REID: 0046520 & 0046521

All that certain parcels of land, situated in Apex, Wake County, North Carolina, being known as REID: 0046520 & 0046521, Wake County Records, and being more particularly described as follows:

Beginning at an Iron Pipe found at the Southwest property corner of Estates at Whiteoak, LLC (REID: 0046520, DB 18779, Pg 2351), Wake County Records and Eastern property line of The Preserve at White Oak Creek Homeowners Association (REID: 0443654, DB 17584, Pg 2495), Wake County records and being designated as the Point of Beginning as shown on map made by Bateman Civil Survey Company, dated 4/06/2023 and entitled "Annexation Map for the Town of Apex" Apex, NC, Wake County, White Oak

Township, REID: 0046520 & 0046521", having State Plane Coordinates N:729397.42, E:2027854.86;

Thence N01°26'42"E, 600.47' to an Iron Pipe found at the Northwest Property Corner of REID:0046520; thence N89°03'09"E, 319.33' to an Iron Pipe found at the Northeast Property Corner of REID:0046520; thence S04°42'28"E, 59.90' to an Iron Pipe found at the Northwest Property Corner of REID:0046521; thence S79°00'06"E, 164.44' to a Point in the Western Right of Way of Old Ivey Road SR-1782; thence along the Western Right of Way of Old Ivey Road SR-1782 a Curve to the Left having a Radius of 1015.00', a Length of 339.28' and a Direction of S09°18'36"E, 337.70' to a Point; thence along the Western Right of Way of Old Ivey Road SR-1782 S18°53'06"E, 102.93' to a Point; thence along the Western Right of Way of Old Ivey Road SR-1782 a Curve to the Left having a Radius of 633.00', a Length of 573.65' and a Direction of S44°50'49"E, 554.22' to a Point being on the Northern Right of Way of Jenks Road SR-1601 and Western Right of Way of Old Ivey Road SR-1782; thence along the Northern Right of Way of Jenks Road SR-1601 S54°53'00"W, 0.49' to a Iron Pipe Found; thence N73°06'56"W, 262.85' to an Iron Pipe found; thence N59°58'16"W, 100.00' to an Iron Pipe found; thence N44°48'11"W, 141.48' to an Iron Pipe found; thence N74°51'17"W, 158.69' to an Iron Pipe found being the Southwest Property Corner of REID:0046521 & Southeast Property Corner of REID:0046520; thence N74°54'00"W, 141.20' to an Iron Pipe found; thence S85°37'00"W, 200.00' to an Iron Pipe found; thence N69°28'00"W, 56.00' to an Iron Pipe found. Said Iron Pipe being the Point of Beginning.

Said Annexation contains 352,894 square feet / 8.101 acres, more or less.

Annexation Legal Description for Old Ivey Road

All that certain parcels of land, situated in Apex, Wake County, North Carolina, being known as REID: 0046520 & 0046521, Wake County Records, and being more particularly described as follows:

Commencing at an Iron Pipe found at the Southwest property corner of Estates at Whiteoak, LLC (REID: 0046520, DB 18779, Pg 2351), Wake County Records and Eastern property line of The Preserve at White Oak Creek Homeowners Association (REID: 0443654, DB 17584, Pg 2495), Wake County records and being designated as the Point of Beginning as shown on map made by Bateman Civil Survey Company, dated 4/06/2023 and entitled "Annexation Map for the Town of Apex" Apex, NC, Wake County, White Oak Township, REID: 0046520 & 0046521", having State Plane Coordinates N:729397.42, E:2027854.86;

Thence N01°26'42"E, 600.47' to an Iron Pipe found at the Northwest Property Corner of REID:0046520; thence N89°03'09"E, 319.33' to an Iron Pipe found at the Northeast Property Corner of REID:0046520; thence S04°42'28"E, 59.90' to an Iron Pipe found at the Northwest Property Corner of REID:0046521; thence S79°00'06"E, 164.44' to a Point in the Western Right of Way of Old Ivey Road SR-1782;

Said Point being the Point of Beginning; thence to the Centerline of Old Ivey Road SR-1782 S79°00'06"E, 30.55' to a Point; thence along the Centerline of Old Ivey Road SR-1782 a Curve to the Left having a Radius of 985.00', a Length of 323.56' and a Direction of S09°28'32"E, 322.11' to a Point; thence along the Centerline of Old Ivey Road SR-1782 S18°53'06"E, 95.51' to a Point; thence leaving the Centerline of Old Ivey Road SR-1782 N85°00'54"E, 30.91' to a Point in the Eastern Right of Way of Old Ivey Road SR-1782; thence along the Eastern Right of Way of Old Ivey Road SR-1782 a Curve to the

Left having a Radius of 573.00', a Length of 557.66' and a Direction of S46°46'04"E, 535.91' to a Point; thence along the Eastern Right of Way of Old Ivey Road SR-1782 S74°11'06"E, 5.94' to a Point being on the Northern Right of Way of Jenks Road SR-1601 and Eastern Right of Way of Old Ivey Road SR-1782; thence across the Right of Way of Old Ivey Road SR-1782 S54°53'00"W, 75.91' to a Point in the Western Right of Way of Old Ivey Road SR-1782 and Northern Right of Way of Jenks Road SR-1601; thence along the Western Right of Way of Old Ivey Road SR-1782 a Curve to the Right having a Radius of 633.00', a Length of 573.65' and a Direction of N44°50'49"W, 554.22' to a Point; thence along the Western Right of Way of Old Ivey Road SR-1782 N18°53'06"W, 102.93' to a Point; thence along the Western Right of Way of Old Ivey Road SR-1782 a Curve to the Right having a Radius of 1015.00', a Length of 339.28' and a Direction of N09°18'36"W, 337.70' to a Point; Said Point being the Point of Beginning.

Said Annexation contains 47,252 square feet / 1.085 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 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)