



ORDINANCE

Annexing certain contiguous property to the Town of Hillsborough, NC
Waterstone South, a Planned Development

WHEREAS, a petition was received requesting the annexation of Parcel Identification Numbers 9873-42-2375; 9873-42-5271; 9873-42-5076; 9873-41-5972; 9873-41-6716; 9873-51-0737; 9873-50-2573; 9873-50-4152; 9872-49-0872; and a portion of 9873-41-0172, which are located south of Waterstone Drive, west of NC 86 S, north of E. Scarlett Mountain Road, and east of I-40 and together total 97.016 acres in area;

WHEREAS, the petition was signed by the owners of all the real property located within such area; and

WHEREAS, a public hearing on the annexation was held on August 15, 2024, following notice of said hearing being published in the *News of Orange County* in accordance with NC GS § 160A-31 (c).

Now, therefore, the Board of Commissioners for the Town of Hillsborough ordains:

- Section 1.** The petition requesting the annexation of the area described in Section 2 was properly signed by the owners of all the real property located within such area and that such area is contiguous to the boundaries of the Town of Hillsborough, as the term "contiguous" is defined in NC GS § 160A-31 (f).
- Section 2.** The area shown and described hereto in Exhibits A and B is hereby annexed and made part of the Town of Hillsborough.
- Section 3.** This ordinance shall become effective upon adoption.
- Section 4.** The Town Clerk shall cause an accurate map of the annexed territory described in Section 2 together with a duly certified copy of this ordinance to be recorded in the office of the Register of Deeds of Orange County. Such a map shall also be delivered to the Orange County Board of Elections as required by NC GS § 163-288.1.

The foregoing ordinance, having been submitted to a vote, received the following vote and was duly adopted this 9th day of September in the year 2024.

Ayes:

Noes:

Absent or excused:

Sarah E. Kimrey, Town Clerk

STATE OF NORTH CAROLINA

COUNTY OF ORANGE

I, _____, a Notary Public of the County and State aforesaid, certify that Sarah E. Kimrey personally appeared before me this day and acknowledged that she is the Town Clerk for the Town of Hillsborough, a North Carolina municipal corporation, and that she, as Town Clerk, being duly authorized to do so, executed the foregoing instrument to acknowledge that it is an Annexation Ordinance duly adopted by the Town of Hillsborough Board of Commissioners on the date indicated.

Witness my hand and official seal, this the ____ day of _____, 2024.

Notary Public Signature

(Official Seal)

My commission expires: _____

**EXHIBIT A
LEGAL DESCRIPTION**

**PARCEL DESCRIPTION - NORTH ANNEX
14.283 ACRES**

Situated in the State of North Carolina, County of Orange, Hillsborough Township and being all of that 4.451 acre tract conveyed to Capkov Ventures, Inc. of record in Deed Book 6653, Page 1382, all of that 3.980 acre tract conveyed to Capkov Ventures Inc. in Deed Book 6728, Page 908, all of that 4.013 acre tract conveyed to Capkov Ventures, Inc. in Deed Book 6728, Page 908, all of that 0.920 acre tract conveyed to Capkov Ventures, Inc. in Deed Book 6728, Page 231, and all of that 0.919 acre tract conveyed to Capkov Ventures, Inc. in Deed Book 6822, Page 565 in the Office of the Register of Deeds of Orange County, North Carolina, and being more particularly bounded and described as follows;

Beginning, at an iron pipe found at the southeastern corner of a 2.134 acre tract conveyed to Capkov Ventures Inc. of record in Deed Book 6718, Page 1700, being on the westerly line of a 15.8 acre tract conveyed to Crabtree Glenn, LLC of record in Deed Book 6009, Page 565, being the northeastern corner of said 4.451 acre tract and having State Plane Ground Coordinates (NAD 83 – 2011 Adjustment): Northing 832390.8190, Easting 1975249.9620;

Thence **S 01° 05' 37" E**, with the easterly line of said 4.451 acre tract, said 3.980 acre tract, said 4.013 acre tract and said 0.919 acre tract, and the westerly line of said 15.8 acre tract a distance of **635.30 feet** to an iron pipe found along the westerly line of said 15.8 acre tract, the northern right-of-way of Phoebe Drive and being the southeastern corner of said 0.919 acre tract;

Thence **S 85° 58' 04" W**, along the northern right-of-way of said Phoebe Drive a distance of **217.33 feet** to an iron pipe found at the southeastern corner of a 0.918 acre tract conveyed to Roger Stephens of record in Deed Book 4444, Page 274;

Thence along the common lines of said 0.919 acre tract, said 0.918 acre tract, said 4.013 acre tract and said 0.920 acre tract the following three (3) courses:

N 01° 09' 34" W, a distance of **186.96 feet** to an iron pipe found;

S 87° 21' 19" W, a distance of **210.98 feet** to an iron pipe found;

S 01° 09' 57" E, a distance of **192.08 feet** to an iron pipe found along the northern right-of-way of said Phoebe Drive and being the southwestern corner of said 0.918 acre tract;

Thence **S 85° 58' 04" W**, along said Phoebe Drive right-of-way a distance of **205.70 feet** to an iron pipe set at the southeastern corner of that 3.206 acre tract conveyed to Worth and Deanna Overman of record in Deed Book 664, Page 551;

Thence along the common lines of said 3.206 acre tract, said 0.920 acre tract and said 4.013 acre tract the following two (2) courses:

N 01° 14' 22" W, a distance of **197.87 feet** to an iron pipe found;

S 87° 19' 37" W, a distance of **598.88 feet** to an iron pipe found at the northeastern corner of said 3.206 acre tract, being on the easterly line of a 57.7 acre tract conveyed to the University of North Carolina Hospitals at Chapel Hill #319 in Deed Book 4832, Page 301 and being the southwestern corner of said 4.013 acre tract;

Thence **N 07° 36' 56" W**, along the common line of said 57.7 acre tract, said 4.013 acre tract, said 3.980 acre tract, and said 4.451 acre tract a distance of **410.56 feet** to an iron pipe set at the southwestern corner of said 2.134 acre tract and being the northwestern corner of said 4.451 acre tract;

Thence **N 85° 23' 33" E**, with the common line of said 2.134 acre tract and said 4.451 acre tract a distance of **1281.55 feet** to the **Point of Beginning**, and containing **14.283 acres** of land, more or less, as calculated by the above courses. Subject, to all legal restrictions, easements and/or right-of-way.

The above description was prepared by James D. Whitacre, P.L.S. L-5273 on July 2, 2024. This description is based on existing records from the Orange County Register of Deeds and an actual field survey by Advanced Civil Design, Inc. completed in September, 2023.

The **Basis of Bearings** used in this description is based upon monuments established by the National Geodetic Survey (NAD 83, 2011 Adjustment) and was determined using GPS equipment and procedures.

All references used in this description can be found at the Register of Deeds, Orange County, North Carolina.

PARCEL DESCRIPTION - SOUTHERN ANNEX
82.733 ACRES

Situated in the State of North Carolina, County of Orange, Hillsborough and Chapel Hill Townships and being all of that 13.697 acre tract conveyed to Capkov Ventures, Inc. of record in Deed Book 6820, Page 513, all of that 52.803 acre tract conveyed to Capkov Ventures, Inc. of record in Deed Book 6812, Page 98, a portion of that 16.409 acre tract conveyed to Capkov Ventures, Inc. of record in Deed Book 6540, Page 1 and a portion of that 48.313 (orig.) tract conveyed to Woodsedge Properties, LLC in Deed Book 1852, Page 224 in the Office of the Register of Deeds of Orange County, North Carolina, and being more particularly bounded and described as follows;

Beginning, at an iron pipe found in the westerly right-of-way of NC Highway 86, the southeasterly corner of said 13.697 acre tract, the northeasterly corner of said 52.803 acre tract and having State Plane Ground Coordinates (NAD 83 – 2011 Adjustment): Northing 829806.807, Easting 1976136.323;

Thence **S 09° 40' 00" E**, with the easterly line of said 52.803 acre tract and said right-of-way a distance of **118.52 feet** to an iron pipe set at the northeastern corner of a 5.108 acre tract conveyed to Advisory Board of the NC District Church of Nazarene of record in Deed Book 600, Page 329;

Thence with the common line of said 5.108 acre tract and said 52.803 acre tract the following two (2) courses:

S 88° 49' 38" W, a distance of **679.62 feet** to an iron pipe set;

S 09° 42' 51" E, a distance of **280.89 feet** to an iron pipe found at the southwestern corner of said 5.108 acre tract and being the northwestern corner of a 5.381 acre tract conveyed to Santos Guadalupe Mejia Reyes and Alicia Suyapa Mejia Vasquez of record in Deed Book 6637, Page 1403;

Thence **S 09° 35' 31" E**, with the common line of said 5.381 acre tract and said 52.803 acre tract a distance of **337.73 feet** to an iron pipe found at the northern right-of-way of Scarlette Mountain Road (private);

Thence **S 09° 35' 31" E**, across said right-of-way a distance of **29.05 feet** to a point on the center line of said Scarlette Mountain Road and being the southeasterly corner of said 52.803 acre tract;

Thence with the centerline of said Scarlette Mountain Road the following four (4) courses:

N 80° 27' 53" W, a distance of **449.66 feet** to a point;

N 87° 17' 53" W, a distance of **222.63 feet** to a point;

N 89° 46' 53" W, a distance of **199.58 feet** to a point;

N 73° 28' 04" W, a distance of **121.53 feet** to a point in the easterly line of a 7.87 acre tract conveyed to Karen Jordan of record in Deed Book 359, Page 169;

Thence with the common line of said 52.803 acre tract and said 7.87 acre tract the following two courses;

N 00° 28' 17" E, a distance of **36.71 feet** to an iron pipe found;

S 89° 39' 52" W, a distance of **942.40 feet** to a point on the easterly right of way of Interstate 40;

Thence with the westerly line of said 52.803 acre tract, the easterly right-of-way of said Interstate 40, the following six courses;

N 10°05' 55" W, a distance of **185.45 feet** to a concrete monument found;

N 13°40' 27" W, a distance of **305.71 feet** to a concrete monument found;

With a curve to the left, having a chord bearing and distance of N 16° 38' 15" W, **594.24 feet**, a radius of **3952.94 feet**, a central angle of **08° 37' 17"**, and an arc length of **594.80 feet** to a rebar found;

N 70°03' 27" E, a distance of **15.10 feet** to a concrete monument found;

N 12°43' 48" W, a distance of **154.12 feet** to a concrete monument found;

With a curve to the left, having a chord bearing and distance of N 24° 03' 34" W, **130.79 feet**, a radius of **3994.72 feet**, a central angle of **01° 52' 34"**, and an arc length of **130.80 feet** to a point in the centerline of a stream, the southwesterly corner of that 0.218 acre tract conveyed to North Carolina Department of Transportation of record in Deed Book 6814, Page 224;

Thence with the centerline of the stream, the common line of said 0.218 acre tract and said 52.803 acre tract the following seven (7) courses;

N 51°53' 36" E, a distance of **19.81 feet** to a point;

N 65°44' 56" E, a distance of **14.85 feet** to a point;

N 87°59' 35" E, a distance of **10.37 feet** to a point;

S 21°18' 06" E, a distance of **13.55 feet** to a point;

S 10°49' 00" E, a distance of **14.94 feet** to a point;

S 60°12' 19" E, a distance of **16.24 feet** to a point;

N 83°11' 17" E, a distance of **5.02 feet** to a point at the southeasterly corner of said 0.218 acre tract, southwesterly corner of said 48.313 (orig.) acre tract;

Thence with the common line of said 48.313 (orig.) acre tract and said 0.218 acre tract the following three courses;

N 09°42' 11" W, a distance of **6.91 feet** to a point;

N 24°51' 58" W, a distance of **53.01 feet** to a point;

N 37°12' 08" W, a distance of **329.50 feet** to a concrete monument found on the easterly right-of-way of said Interstate 40;

Thence with the westerly line of said 48.313 (orig.) acre tract, the easterly right-of-way of said Interstate 40 the following two (2) courses;

N 36°05' 34" W, a distance of **104.78 feet** to a concrete monument found;

With a curve to the left, having a chord bearing and distance of **N 36° 44' 37" W, 747.03 feet**, a radius of **3984.72 feet**, a central angle of **10° 45' 26"**, and an arc length of **748.12 feet** to a point at the northwesterly corner of said 48.313 (orig.) acre tract the southwesterly corner of that 57.7 acre tract conveyed to University of North Carolina Hospitals at Chapel Hill #319 of record in Deed Book 4832, Page 301;

Thence **S 89° 58' 08" E**, with the common line of said 48.313 (orig.) acre tract and said 57.7 acre tract a distance of **106.08 feet** to a point;

Thence **S 35° 32' 16" E**, across said 48.313 (orig.) acre tract, a distance of **1211.14 feet** to a point in the centerline of the creek, the southerly line of said 48.313 (orig.) acre tract, the northerly line of said 52.803 acre tract;

Thence with the centerline of said creek, the common line of said 48.313 (orig.) acre tract and said 52.803 acre tract the following twenty-two courses;

S 79°54' 09" E, a distance of **15.47 feet** to a point;

S 87°24' 39" E, a distance of **27.59 feet** to a point;

N 78°38' 06" E, a distance of **22.76 feet** to a point;

N 84°18' 24" E, a distance of **19.35 feet** to a point;

S 72°25' 59" E, a distance of **70.41 feet** to a point;

N 69°27' 22" E, a distance of **13.58 feet** to a point;

N 55°59' 25" E, a distance of **16.05 feet** to a point;

S 64°00' 12" E, a distance of **11.36 feet** to a point;

S 80°43' 27" E, a distance of **28.61 feet** to a point;

N 58°34' 08" E, a distance of **7.81 feet** to a point;

N 82°04' 36" E, a distance of **27.81 feet** to a point;

N 69°02' 05" E, a distance of **31.39 feet** to a point;

S 70°48' 35" E, a distance of **57.04 feet** to a point;

S 49°54' 40" E, a distance of **45.06 feet** to a point;

S 89°28' 32" E, a distance of **41.22 feet** to a point;

S 48°46' 48" E, a distance of **36.86 feet** to a point;

N 77°03' 15" E, a distance of **44.59 feet** to a point;

N 69°17' 26" E, a distance of **42.52 feet** to a point;

N 48°34' 08" E, a distance of **31.88 feet** to a point;

S 63°48' 18" E, a distance of **73.07 feet** to a point;

N 90°00' 00" E, a distance of **302.17 feet** to a point;

N 61°54' 05" E, a distance of **184.24 feet** to a point;

S 71°37' 17" E, a distance of **86.76 feet** to a point on the westerly line of said 16.409 acre tract, the southeasterly corner of said 48.313 (orig.) acre tract;

Thence N 00° 16' 18" E, with the common line of said 48.313 (orig.) acre tract and said 16.409 acre tract a distance of **174.79 feet** to an iron pipe set;

Thence across said 16.409 acre tract the following two courses;

S 89°23' 25" E, a distance of **626.12 feet** to an iron pipe set;

N 01°11' 36" E, a distance of **138.91 feet** to an iron pipe set at the southeasterly corner of that 3.77 acre tract conveyed to Roger Stephens of record in Deed Book 1638, Page 6, the southwesterly corner of that 8.35 acre tract conveyed to Lillie Mangum of record in Deed Book 232, Page 1392;

Thence S 89° 23' 25" E, with the common line of said 16.409 acre tract and said 8.35 acre tract a distance of **719.04 feet** to an iron pipe set on the westerly right-of-way of said State Route 86;

Thence with the westerly right-of-way of said State Route 86, the following two (2) courses:

S 08° 55' 32" E, with a distance of **506.04 feet** to a rebar found at the southeasterly corner of said 16.409 acre tract, the northeasterly corner of said 13.697 acre tract;

S 10° 28' 14" E, with a distance of **518.50 feet** to the **Point of Beginning**, and containing **82.733 acres** of land, more or less, as calculated by the above courses. Subject, to all legal restrictions, easements and/or right-of-way.

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ADVANCED CIVIL DESIGN, INC.

