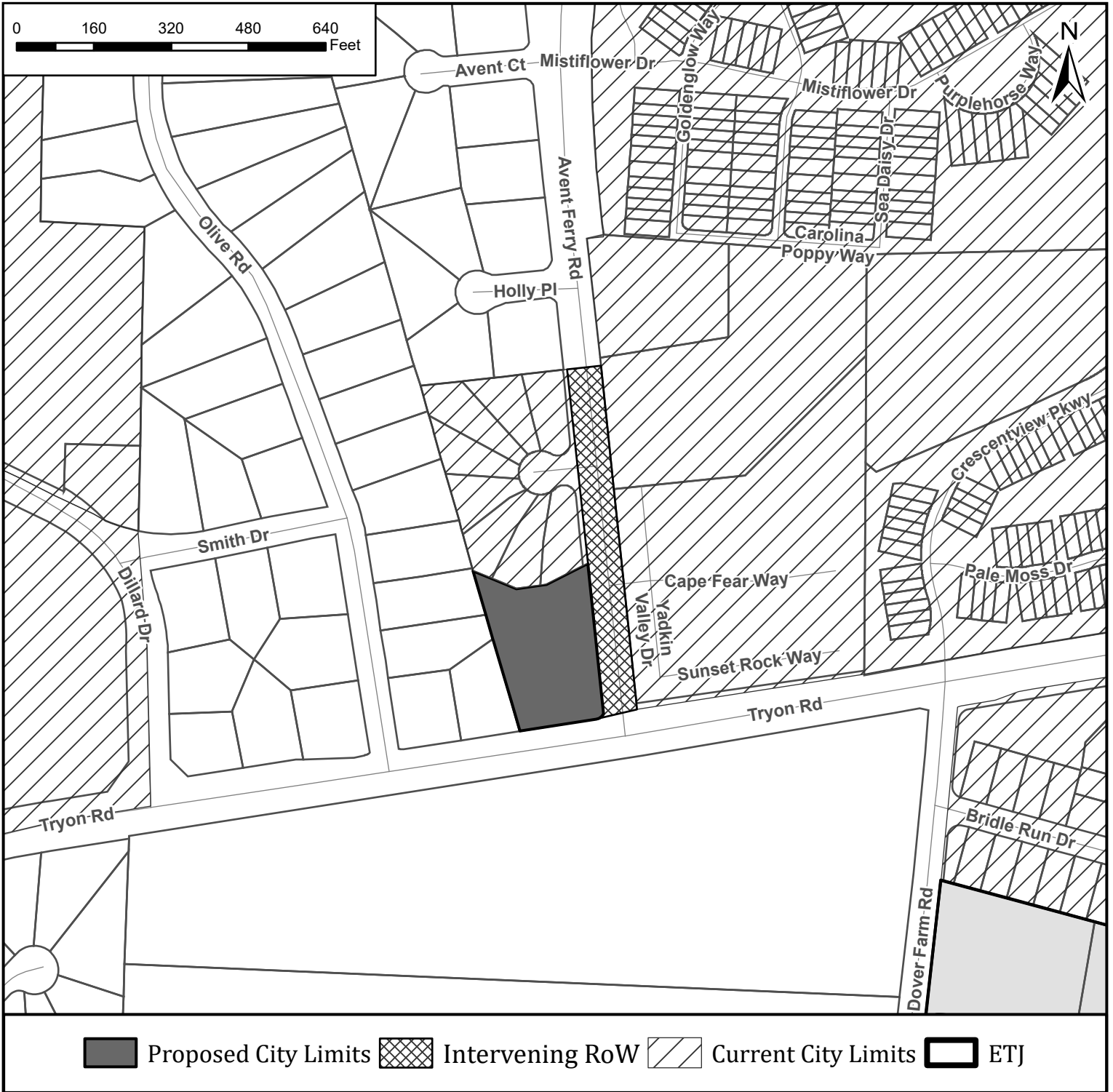
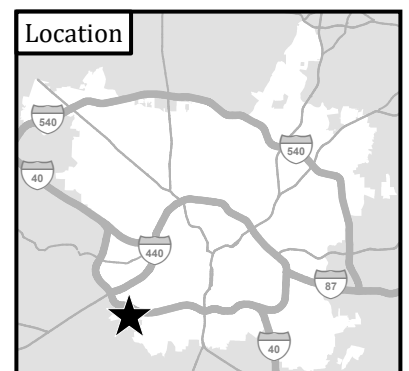


# Annexation Request

# AX-10-2024



<b>Property</b>	4700 Tryon Rd
<b>Size</b>	1.48 Petition Acres (+ 1.16 Intervening RoW)
<b>Annexation Type</b>	Contiguous - Inside ETJ
<b>City Council District</b>	D



# Petition for Annexation into Raleigh City Limits

Planning and Development Department • One Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682



Section A Submittal Deadlines			
Petitions for annexation are accepted by Planning and Development at any time. Fees are required at the time of submittal. <b>The annexation will be scheduled for public hearing and becomes effective immediately upon adoption at the scheduled public hearing unless notified otherwise by the City Clerk.</b>			
Section B Summary Information / Metes and Bounds Descriptions			
<b>Development Project Name:</b> Tryon Road Subdivision			
<b>Street Address:</b> 4700 Tryon Road, Raleigh, NC 27606			
<b>City of Raleigh Subdivision approval #:</b> S- _____ or <b>N/A</b>	<b>Building Permit #:</b> _____ or <b>N/A</b>	<b>Group Housing #:</b> GH- _____ - _____ <b>N/A</b>	
<b>Wake County (PINs) Property Identification Number(s):</b> <b>0782-37-5777</b>			
<b>Acreage of Annexation Site:</b> 1.48	<b>Linear Feet of New Public Streets within Annexation Boundaries:</b> 0 LF		
Annexation site is requesting connection to City of Raleigh Water <input checked="" type="checkbox"/> and/or Sewer <input checked="" type="checkbox"/>			
<b>Number of proposed dwelling units:</b> <div style="text-align: right; font-size: 1.2em;"><b>8 units</b></div>			
Unit Type/Unit Count:	Total Breakdown of Dwelling Units		
	Single-Family Home Unit Count _____	Multi-Family - Condo/Apartment Unit Count _____	Multi-Family – Townhouse Unit Count <u>8</u>
	Complete only for Townhome Units:		
	Are there more than 6 units in one group of townhomes? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
	Complete only for Condo/Apartment units:		
	Are buildings multi-story with stacked units? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Will there be a community trash compactor? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<b>Unit Count +/- Description:</b> <i>Example</i> 30 Studio + 1 Bath 50 1 BR + 1.5 Bath Count Bedroom + Bath _____ + _____ _____ + _____ _____ + _____

Building Square Footage of Non-Residential Space: 0 SF	
Specific proposed use (office, retail, warehouse, school, etc.): <u>Single-Family Residential Attached Homes</u>	
Projected market value at build-out (land and improvements): \$ _____	
<b>Applicant Contact Information</b>	
Property Owner(s): KEMAL ILTER ; BANUGUL BARUT UYAR	
Primary Mailing Address: 228 Seneca Shore Dr, Holly Springs, NC 27540	
Phone: 919-917-5808	Email: kemalilter2@gmail.com; mfuyar@gmail.com
<b>Project Contact Information (If different than property owner)</b>	
Contact(s): David Barcal, PE	
Primary Mailing Address: P.O. Box 129 Morrisville, NC 27560	
Phone: 919-467-1239	Email: david.barcal@macconnellandassoc.com
<b>Written metes and bounds description of property to be annexed:</b> Attach additional sheets if necessary. An electronic copy in word format must be e-mailed to: <u>Sarah.Shaughnessy@raleighnc.gov.</u>	

**Section C Annexation Petition**

**State of North Carolina, County of Wake, Petition of Annexation of Property to the City of Raleigh, North Carolina**

**Part 1** The undersigned, being all the owners of the real property described in this application (Section B) respectfully request the annexation of said property to the City of Raleigh, North Carolina. **The petitioners understand and agree that all streets and utilities within the annexed area will be constructed and installed by the developer according to the Subdivision Ordinance and any utilities that must be extended to the annexed area are the responsibility of the developers or successive property owners.**  
The property to be annexed is:

<input checked="" type="checkbox"/>	<b>Contiguous</b> to the present corporate limits of the City of Raleigh, North Carolina, or
<input type="checkbox"/>	<b>Not Contiguous</b> to the municipal limits of the City of Raleigh, North Carolina and is located within three miles of the municipal limits of the City of Raleigh, North Carolina (pursuant to Chapter 989 of the Sessions Law of North Carolina, 1967).

**Part 2** The undersigned certify that they have researched the assessment lien rolls of the City (located at <https://raleighnc.gov/services/doing-business/assessment-liens>), and that the property described in this application, including any portion thereof,  is /  is not (mark one) listed on any of the City's assessment lien rolls. If the property, or any portion thereof, is listed on the City's assessment lien rolls, the account number[s] for such assessment is \_\_\_\_\_.

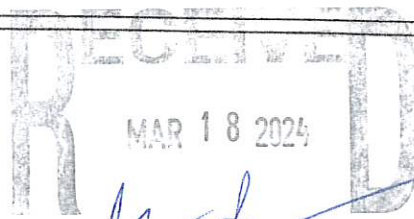
**Part 3** NC General Statutes require petitioners of both contiguous and satellite annexations to file a signed statement declaring whether vested rights have been established in accordance with G.S. §160D-108 and G.S. §160D-108.1 for properties subject to the petition.

Do you declare such vested rights for the property subject to this petition?  Yes  No

If yes, please submit proof that vested rights have been granted by governing board. I hereby declare that my failure to disclose existence of a vested right terminates any vested right previously acquired for this property.

Signed this 08<sup>th</sup> day of February, 2024 by the owners of the property described in Section B.

<b>Owner's Signature(s):</b> Signature <u>[Signature]</u> Date <u>02/08/24</u> Signature <u>[Signature]</u> Date <u>02/08/2024</u> Signature _____ Date _____ Signature _____ Date _____		Corporate Seal
<b>Print Owner Name(s) and Information:</b> Name: <u>Kenal LTER</u> Phone: <u>9199775808</u> Address: <u>228 Serena Sh. Dr. Holly Springs, NC, 27540</u> Name: <u>Bangul Rent Up</u> Phone: <u>6175801917</u> Address: <u>200 Bora Bluff Ct. Holly Springs, NC, 27540</u>		
Above signature(s) attested by <u>Muhammed UYAR</u> <u>[Signature]</u>		
Received by the City Council of Raleigh, North Carolina, this _____ day of _____ 20____, at a Council meeting duly held. Signature of the City Clerk and Treasurer: _____		

  
 MAR 18 2024  
 BY: [Signature]

**Section D Standard Payment Contract**

If petitioner desires to be considered for waiver of outside sewer connection fees required by Raleigh City Code Section 8-2004 (a) and (b), which is generally a \$200 fee per dwelling, business, or industrial unit charged at the time sewer connection permit is issued if a property is outside the city limits, petitioner should submit the standard payment contract (see **Agreement**, pages 4-5). The project will be eligible for waiver of this sewer connection fee: (1) if corresponding petition is administratively recommended to be approved by City Council and (2) if the following payment contract has been submitted to the City with appropriate signatures.

**State of North Carolina**

**County of Wake**

**Agreement**

**This Agreement** ("the Agreement") is made this the \_\_\_\_\_ day of \_\_\_\_\_, year of \_\_\_\_\_ by and between the City of Raleigh, North Carolina, ( the "City") and \_\_\_\_\_, (the "Owner");

KEMAL ILTER ; BANUGUL BARUT UYAR

**WITNESSETH**

**WHEREAS**, The Owner has petitioned the City to be annexed into the corporate City limits, City File No. \_\_\_\_\_;

**WHEREAS**, The Owner has initiated a development project at \_\_\_\_\_, City file \_\_\_\_\_, and said development contains sewer connections with the utility system of the City; and

**WHEREAS**, The parties hereto intend that during the pendency of the annexation petition, and after the petition has been recommended by staff to be approved by the City Council, the Owner should pay the City the same utility connection charges paid for developments located inside the corporate limits of the City, and further, if the City Council rejects the petition, then within thirty days following said rejection, the Owner shall pay additional moneys so that the total payment by Owner to the City is the same utility connection charges paid for developments located outside the City limits as set forth in Raleigh City Code Section 8-2004 (a) and (b).

**NOW THEREFORE**, in consideration for the mutual promises contained herein and other valuable consideration, the receipt of which is acknowledged by the parties, the parties hereto agree as follows:

1. Owner will be allowed to commence development without paying the City outside sewer connection charges.
2. That in the event that the annexation petition made by Owner is rejected by the City, Owner shall pay to the City all sewer connection fees required of developments located outside the City limits, as set forth in Raleigh City Code Section 8-2004 (a) and (b). Full payment shall be made within thirty days following the action of the City to deny the annexation petition.
3. That in the event Owner shall fail to make full payment to the City as required in paragraph two, the City in any cause of action for collection shall be entitled to interest at ten percent per annum plus reimbursement for all collection costs, including reasonable attorney fees.
4. That in the event Owner shall fail to make full payment to the City as required in paragraph two, the Owner agrees to allow the City to retain, as liquidated damages, any and all reimbursements owed to Owner by the City.
5. All rights granted herein in favor of the City are cumulative and supplemental to any other powers the City may have, and the rights established herein in favor of the City shall not in any way diminish or restrict the

City from exercising its police powers.

- 6. This Agreement shall be binding on and shall inure to the benefit of the parties hereto and their respective successors and assigns.
- 7. This Agreement may only be amended in writing signed by the parties hereto or their respective successors.
- 8. This Agreement and the legal relations of the parties hereto shall be governed by the laws of the State of North Carolina.
- 9. The parties hereto for themselves, their agents, officials, employees and servants agree not to discriminate in any manner on the basis of actual or perceived age, mental or physical disability, sex, religion, race, color, sexual orientation, gender identity or expression, familial or marital status, economic status, veteran status or national origin with reference to the subject matter of this Agreement, no matter how remote. The parties further agree in all respects to conform to the provisions and intent of Raleigh City Code, Section 4-1004, as amended. This provision is hereby incorporated into this Agreement for the benefit of the City of Raleigh and its residents, and may be enforced by action for specific performance, injunctive relief, or other remedy as by law provided.

In Witness Whereof, the parties hereto have caused this agreement to be executed the day and year first above written.

Owner  
By [Signature] Attest Kenal ITER - Bangal Bond UYAR

The City  
By Marchell Adams-David, City Manager Attest Gail G. Smith, City Clerk

North Carolina Wake

This is to certify that on the \_\_\_\_\_ day of \_\_\_\_\_ in the year \_\_\_\_\_, before me personally came Gail G. Smith, with whom I am personally acquainted, who, being by me duly sworn, says that she is the City Clerk and Treasurer and Marchell Adams-David is the City Manager of the City of Raleigh, the municipal corporation described in and which executed the foregoing; that she knows the corporate seal of said municipal corporation, that the seal affixed to the foregoing instrument is said corporate seal, and the name of the municipal corporation was subscribed thereto by the said City Clerk and Treasurer and that the said corporate seal was affixed, all by order of the governing body of said municipal corporation, and that the said instrument is the act and deed of said municipal corporation.

Notary Public

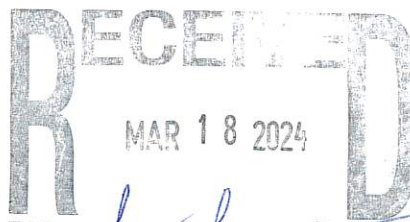
Seal

Witness my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_ in the year of \_\_\_\_\_.

Notary Public: \_\_\_\_\_

My commission expires \_\_\_\_\_

Add appropriate notarized acknowledgement for owner such as Individual owners, corporation owners, partnership owners, or limited liability corporation (LLC) owners.



BY: [Signature]

**Section E Submittal Checklist**

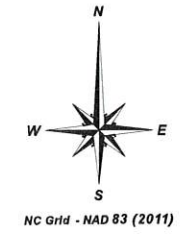
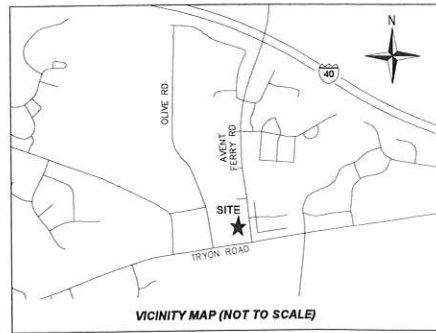
**Please include all of the following (check off).** If any information is missing from the application package, you will be asked to complete the application and re-submit the petition, so please check the list below carefully before you submit:

<input checked="" type="checkbox"/>	<b>Annexation Petition Fee</b> (see the <a href="#">Development Fee Guide webpage</a> for current fee)	
<input checked="" type="checkbox"/>	<b>Written metes and bounds description of the property to be annexed</b> must be attached to this application. See page 1	
<input checked="" type="checkbox"/>	<b>Electronic Word document of the written metes and bounds</b> must be e-mailed to: <a href="mailto:Sarah.Shaughnessy@raleighnc.gov">Sarah.Shaughnessy@raleighnc.gov</a> .	
<input checked="" type="checkbox"/>	<b>Survey or Plat</b> showing above written metes and bounds description of the property to be annexed must be submitted electronically in .pdf format, if possible. The survey or plat, if not already recorded, must be signed by a land surveyor licensed in the State of NC. The survey must be valid for the purposes of recording as set forth in NC General Statute § 47-30.	
<input checked="" type="checkbox"/>	<b>City or County Property Map</b> with parcels included in the annexation request clearly marked. An excerpt of a property map is acceptable, but the map number must appear on the excerpt. This map must show the <b>existing and proposed city limits</b> .	
<input checked="" type="checkbox"/>	<b>Copy of Approved Preliminary Site Plan or Final Site Plan</b> showing City Building Permit Transaction Number or Group Housing Number (GH-_____-13, etc.) or	<b>Copy of Subdivision Plat</b> submitted for lot recording approval with City file number (S-_____-13, etc.)
<input type="checkbox"/>	<b>Projected Market Value of Development</b> at build-out (land and improvements).	
<input checked="" type="checkbox"/>	<b>General Annexation Area Data:</b> Linear feet of public streets, total annexation area acreage, number of proposed residential units or square footage of commercial space, type of utility connections involved, specific land uses proposed.	
<input checked="" type="checkbox"/>	<b>This application form completed, dated and signed</b> by the property owner(s) and attested <b>submitted by the deadlines noted in section B of this application</b> , pages 1 and 2.	
<b>Required, but often missing information. Please make sure to include the following:</b>		
<input checked="" type="checkbox"/>	<b>Correct Parcel Identification Number(s) (PIN).</b> Call Wake County Geographic Information Services at 919-856-6360, if there is any question about the parcel identifier. <b>This is very important.</b> Please indicate if the property being requested for annexation is only a portion of an existing parcel.	
<input checked="" type="checkbox"/>	<b>Owner's Signatures and Date of Signatures.</b> See page 3 of this application. All real property owners must sign the application, and the <u>date of signature MUST be filled in!</u>	
<input type="checkbox"/>	<b>Corporate Seal</b> for property owned by a corporation.	
<input type="checkbox"/>	<b>Rezoning Application</b> , if the property is currently outside <a href="#">Raleigh's Extraterritorial Jurisdiction</a> .	
<b>Optional, but necessary if petitioner desires to have development project waived from paying outside sewer connection charges prior to annexation effective date.</b>		
<input type="checkbox"/>	<b>Standard Payment Contract</b> should be <u>dated, signed and notarized</u> and submitted with this application (see Section D).	

EXHIBIT "A"

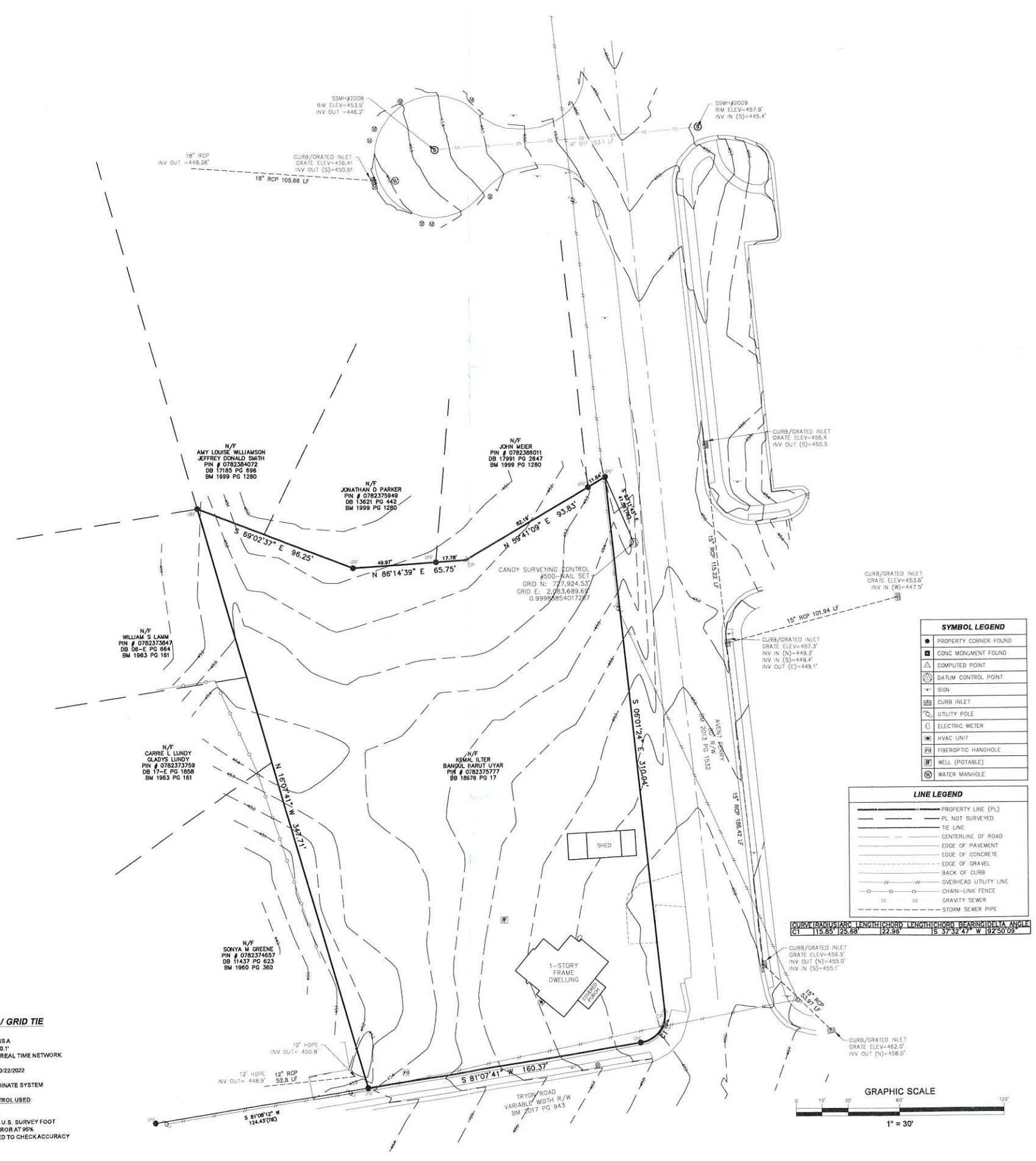
BEGINNING at an iron stake in the northern margin of the Holly Springs Road, Robert W. Smith's corner; runs with Robert W. Smith line N. 13-15 W. 356 feet to an iron stake, a new corner; thence S. 70 deg. E. 96 feet to a stake thence N. 88 deg. 20 mins E. 66 feet to a stake; thence N. 61 deg. 25 mins E. 96.5 feet to an iron stake in the western margin of said road S. 2 deg. 45 mins E. 340 feet to an iron stake in the northern margin of the Holly Springs Road; thence along the northern margin of the Holly Springs Road S. 84 deg. 30 mins W. 174 feet to the place of beginning containing 1.44 acres, more or less.





**GENERAL NOTES**

1. THIS IS A SURVEY OF AN EXISTING PARCEL(S) OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.
2. BEARINGS FOR THIS SURVEY ARE BASED ON NAD83(2011).
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
4. AREA BY COORDINATE GEOMETRY.
5. REFERENCES: AS SHOWN; OF THE WAKE COUNTY REGISTRY.
6. THIS SURVEY PERFORMED AND MAP PREPARED WITHOUT BENEFIT OF A TITLE REPORT. THIS SURVEY SUBJECT TO ANY FACTS AND EASEMENTS WHICH MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
7. IMPERVIOUS SURFACES ARE RESTRICTED TO 35% OF TOTAL LOT AREA. REF RALEIGH UDO, CONTACT RALEIGH PLANNING FOR FURTHER RESTRICTIONS.
8. ZONE: R-4. SETBACKS: FRONT: 30', REAR: 30', SIDE: 10'. REF RALEIGH UDO, CONTACT RALEIGH PLANNING FOR FURTHER RESTRICTIONS.
9. FLOOD NOTE: THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE "X" AS DEFINED BY F.E.M.A. F.I.R.M. COMMUNITY PANEL #3720078200K DATED 7/19/2022.



**SYMBOL LEGEND**

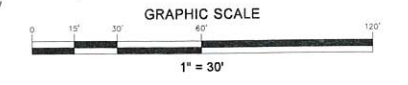
●	PROPERTY CORNER FOUND
■	CONC MONUMENT FOUND
△	COMPUTED POINT
⊙	DATUM CONTROL POINT
+	SIGN
⊞	CURB INLET
⊞	UTILITY POLE
⊞	ELECTRIC METER
⊞	HVAC UNIT
⊞	FIBEROPTIC HANDHOLE
⊞	WELL (POTABLE)
⊞	WATER MANHOLE

**LINE LEGEND**

—	PROPERTY LINE (PL)
- - -	PL NOT SURVEYED
—	RIE LINE
—	CENTERLINE OF ROAD
—	EDGE OF PAVEMENT
—	EDGE OF CONCRETE
—	EDGE OF GRAVEL
—	BACK OF CURB
—	OVERHEAD UTILITY LINE
—	CHAIN-LINK FENCE
—	GRAVITY SEWER
—	STORM SEWER PIPE

**CURVE DATA**

CURVE	RADIUS	LENGTH	CHORD	LENGTH	CHORD	BEARING	DELTA	ANGLE
C1	115.85'	125.68'	22.98'	37.32'	47°	192°50'09"		



I CERTIFY THAT THIS PROJECT WAS COMPLETED UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THIS GROUND SURVEY WAS PERFORMED AT THE 95% CONFIDENCE LEVEL TO MEET FEDERAL GEOGRAPHIC DATA COMMITTEE STANDARDS; THAT THIS SURVEY WAS PERFORMED TO MEET THE REQUIREMENTS FOR A TOPOGRAPHIC/PLANNING SURVEY TO THE ACCURACY OF CLASS A STANDARD AND VERTICAL ACCURACY WHEN APPLICABLE TO THE CLASS A STANDARD, AND THAT THE ORIGINAL DATA WAS OBTAINED ON 10/22/2022; THAT THE SURVEY WAS COMPLETED ON 10/22/2022; THAT CONTIGUOUS SHOWN MAY NOT MEET THE STATED STANDARD; AND ALL COORDINATES ARE BASED ON NAD 83 AND REALIZATION (2011) AND ALL ELEVATIONS ARE BASED ON NAVD 88 GEOID 18.

THIS 28th DAY OF October, 2022  
 SEAL  
 Adam R. Canoy  
 ADAM R. CANOY, PLS L-5276



**SURVEY CONTROL / GRID TIE NOTES**

- 1) CLASS OF SURVEY: CLASS A
- 2) POSITIONAL ACCURACY: 0.1'
- 3) GPS FIELD PROCEDURE: REAL TIME NETWORK (RTN)
- 4) DATE OF GPS SURVEY: 10/22/2022
- 5) DATUM DESCRIPTION: NC STATE PLANE COORDINATE SYSTEM NAD83 (2011)
- 6) PUBLISHED / FIXED CONTROL USED: CORS (NC RTN)
- 7) GEOID MODEL: GEOID 18
- 8) UNIT OF MEASUREMENT: U.S. SURVEY FOOT
- 9) ROOT MEAN SQUARE ERROR AT 95% CONFIDENCE LEVEL USED TO CHECK ACCURACY

**CLIENT NAME**  
 270 MADISON AVENUE 7TH FLOOR  
 NEW YORK, NY 10016  
 (212) 455-5100

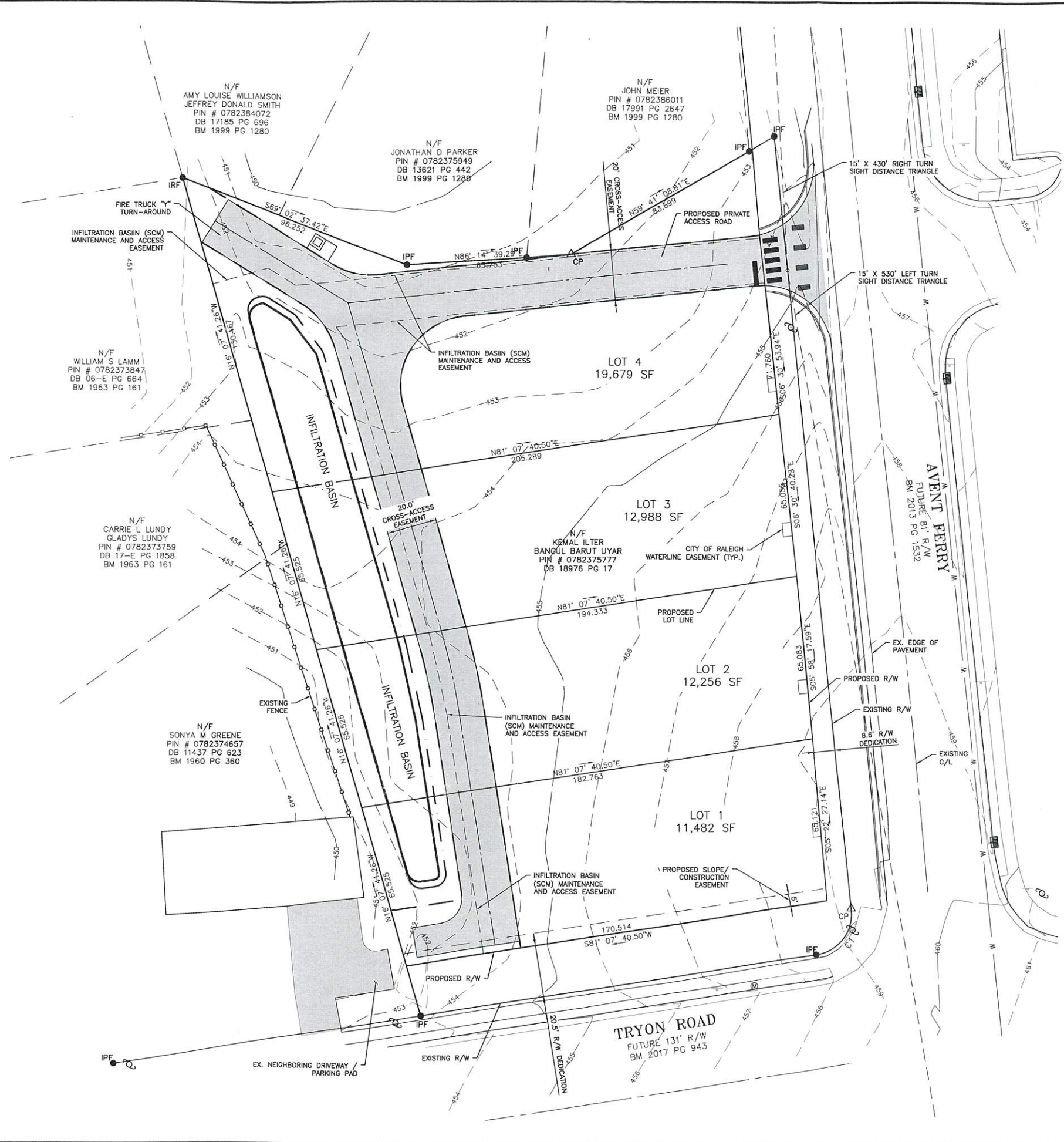
**CANOY SURVEYING**  
 1154 SHONELE LANE  
 STEM, NC 27581  
 PHONE (984) 377-2626

**TOPOGRAPHIC SURVEY**  
**4700 TRYON ROAD**  
**RALEIGH NC**  
 WAKE COUNTY - SWIFT CREEK TOWNSHIP - RALEIGH, NC

REVISIONS:

DATE OF SURVEY:	11/2/2022
SCALE:	1" = 30'
DRAWN BY:	ARC
CHECKED BY:	ADAM R. CANOY, PLS
PROJECT:	4700 TRYON RD
SHEET:	1 / 1

2:1 Scale (Project) Library: 52221-050403.00 - A&M Ventures, Inc. - 4700 Tryon Road - Streets - Environmental Plan Drawings DTP: 2/20/24 10:10 AM 2024-02-20 2:15pm  
 A05403.00 - A&M VENTURE - TRYON ROAD LUXURY TOWNHOMES



**SITE DATA SUMMARY**

PIN#S: 0782-37-5777  
 ACREAGE: 1.48 DEEDED ACRES  
 1.44 ACTUAL ACREAGE (SEE BOUNDARY SURVEY; SHEET R-001)  
 ADDRESS: 4700 TRYON ROAD  
 RALEIGH, NC 27606  
 TOWNSHIP: SWIFT CREEK  
 WATER SUPPLY WATERSHED: NONE  
 DEVELOPMENT TYPE: ATTACHED RESIDENTIAL HOMES (DUPLIX)  
 PROPOSED UNITS: 8 UNITS (4 BUILDINGS)  
 EXISTING ZONING: R-4  
**MINIMUM LOT REQUIREMENTS - R-4 ZONING**  
 AREA (MIN): 10,000 SF  
 LOT WIDTH (MIN): 65'  
 DEPTH (MIN): 100' (70' ON CUL-DE-SACS)  
**BUILDING SETBACKS**  
 PRIMARY STREET SETBACK: 20'  
 SIDE STREET SETBACK: 20'  
 SIDE LOT LINE SETBACK: 10'  
 REAR LOT LINE SETBACK: 30'  
**MINIMUM INTERSECTION SIGHT DISTANCE:**  
 FOR 2-LANE DIVIDED WITH 12' MEDIAN (Ø 45 MPH)  
 LEFT TURN: 530 FEET  
 RIGHT TURN: 430 FEET

**NOTES**

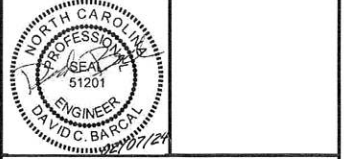
**LEGEND**

- 110 --- INDEX CONTOUR
- 108 --- INTERMEDIATE CONTOUR
- --- PROPERTY LINE
- --- ADJOINING PROPERTIES
- --- FENCE
- --- RIGHT-OF-WAY
- --- EX. RIGHT-OF-WAY
- --- EX. SANITARY SEWER
- --- EX. WATER LINE
- --- NEW SANITARY SEWER
- --- NEW WATER LINE
- --- CONCRETE DRIVEWAY
- --- 3" SB.5C OVER 8" ABC

REVISIONS	
NO.	

PROJECT MANAGER: DCB	PROJECT ENGINEER: HDB
DRAWN BY: HDB	CHECKED BY: DCB

DATE:  
FEBRUARY 07, 2024



**MacCONNELL & Associates, P. C.**  
 501 CASCADE POINTE LANE, SUITE 103  
 CARY, NORTH CAROLINA 27513  
 P.O. BOX 129  
 MORRISVILLE, NORTH CAROLINA 27550  
 LICENSE No. C-1039 TEL: (919) 467-1239 FAX: (919) 319-6510

**A&M VENTURE**  
**TRYON ROAD LUXURY TOWNHOMES**  
**#SUB-0008-2023**  
**RALEIGH, NC**

**SUBDIVISION PLAN**

PROJECT NUMBER <b>A05403.00</b>	DRAWING NUMBER <b>C-102</b>
------------------------------------	--------------------------------

A05403.00 - A&M VENTURE - TRYON ROAD LUXURY TOWNHOMES