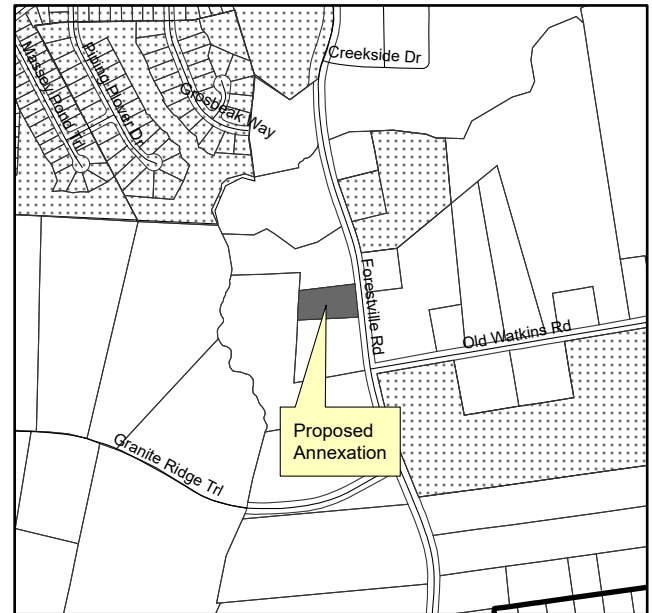





1:2,436

**4308 FORESTVILLE RD
NON-CONTIGUOUS PETITION ANNEXATION
PROPOSED EFFECTIVE X/XX/XX**



-  Proposed City Limits 1:12,083
-  Existing City Limits
-  ETJ



ANNEXATION ORDINANCE# _____
 ORDINANCE ADOPTION DATE _____
 APPROVED EFFECTIVE DATE _____

Subdivision or Building Permit Transaction Reference Number _____ Council District B Annexation Case File# AX-11-2022

THIS MAP IS NOT A CERTIFIED SURVEY AND NO RELIANCE ON IT AS TO METES AND BOUNDS OF INDIVIDUAL PROPERTIES MAY BE MADE.
 This exhibit meets all statutory requirements for recording. _____
 Planning Director / Wake County Review Officer Date

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. 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.		
Section B Summary Information / Metes and Bounds Descriptions		
Development Project Name: <u>OAKLEY WATER</u>		
Street Address: <u>4308 FORESTVILLE ROAD, RALEIGH, NC, 27616</u>		
City of Raleigh Subdivision approval #: S- _____ - _____ or _____	Building Permit #: _____ or _____	Group Housing #: GH- _____ - _____ - _____
Wake County (PINs) Property Identification Number(s): <u>1746398179</u>		
Acreage of Annexation Site: <u>1.15</u>	Linear Feet of New Public Streets within Annexation Boundaries: <u>N/A</u>	
Annexation site is requesting connection to City of Raleigh Water <input checked="" type="checkbox"/> and/or Sewer <input type="checkbox"/>		
Number of proposed dwelling units: <u>1</u>		
Unit Type/ Unit Count:	Total Breakdown of Dwelling Units	
	Single-Family Home Unit Count <u>1</u>	Multi-Family - Condo/Apartment Unit Count <u>0</u>
	Multi-Family – Townhouse Unit Count <u>0</u>	
	Complete only for Townhome Units:	
	Are there more than 6 units in one group of townhomes? <input type="checkbox"/> Y <input type="checkbox"/> N	
	Complete only for Condo/Apartment units:	
	Are buildings multi-story with stacked units? <input type="checkbox"/> Y <input type="checkbox"/> N	Will there be a community trash compactor? <input type="checkbox"/> Y <input type="checkbox"/> N

Building Square Footage of Non-Residential Space: ?	
Specific proposed use (office, retail, warehouse, school, etc.): SINGLE FAMILY DWELLING	
Projected market value at build-out (land and improvements): \$ 485,000	
Applicant Contact Information	
Property Owner(s): TONY D. OAKLEY, ELEANOR H. OAKLEY	
Primary Mailing Address: 4308 FORESTVILLE ROAD, RALEIGH, NC, 27616	
Phone: 919-302-2872	Email: TDOAKLEY@MINDSPRING.COM
Project Contact information (if different than property owner)	
Contact(s): SAME	
Primary Mailing Address:	
Phone:	Email:
Written metes and bounds description of property to be annexed: Attach additional sheets if necessary. An electronic copy in word format must be e-mailed to: JP.Mansolf@raleighnc.gov or Carmen.Kuan@raleighnc.gov . ?	

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:

Contiguous to the present corporate limits of the City of Raleigh, North Carolina, or

?

Not Contiguous 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 6th day of April, 2022 by the owners of the property described in Section B.

Owner's Signature(s):

Signature [Signature] Date 4-6-2022

Signature [Signature] Date 4-6-2022

Signature _____ Date _____

Signature _____ Date _____

Corporate Seal

Print Owner Name(s) and Information:

Name: _____ Phone: _____

Address: _____

Name: _____ Phone: _____

Address: _____

Above signature(s) attested by

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: _____

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");

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 _____ Attest _____

The City

By _____ Attest _____
Marchell Adams-David, City Manager 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.

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 type="checkbox"/>	Annexation Petition Fee (see the Development Fee Guide webpage for current fee)	
<input checked="" type="checkbox"/>	Written metes and bounds description of the property to be annexed must be attached to this application. See page 1	
<input type="checkbox"/>	Electronic Word document of the written metes and bounds must be e-mailed to: JP.Mansolf@raleighnc.gov or Carmen.Kuan@raleighnc.gov .	
<input checked="" type="checkbox"/>	Survey or Plat 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"/>	City or County Property Map 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 existing and proposed city limits .	
<input type="checkbox"/>	Copy of Approved Preliminary Site Plan or Final Site Plan showing City Building Permit Transaction Number or Group Housing Number (GH-_____ -13, etc.) or	Copy of Subdivision Plat submitted for lot recording approval with City file number (S-_____ -13, etc.)
<input type="checkbox"/>	Projected Market Value of Development at build-out (land and improvements).	
<input type="checkbox"/>	General Annexation Area Data: 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 type="checkbox"/>	This application form completed, <u>dated and signed</u> by the property owner(s) and attested submitted by the deadlines noted in section B of this application , pages 1 and 2.	
Required, but often missing information. Please make sure to include the following:		
<input type="checkbox"/>	Correct Parcel Identification Number(s) (PIN). Call Wake County Geographic Information Services at 919-856-6360, if there is any question about the parcel identifier. This is very important. Please indicate if the property being requested for annexation is only a portion of an existing parcel.	
<input type="checkbox"/>	Owner's Signatures and Date of Signatures. See page 3 of this application. All real property owners must sign the application, and the <u>date of signature</u> MUST be filled in!	
<input type="checkbox"/>	Corporate Seal for property owned by a corporation.	
<input type="checkbox"/>	Rezoning Application , if the property is currently outside Raleigh's Extraterritorial Jurisdiction .	
Optional, but necessary if petitioner desires to have development project waived from paying outside sewer connection charges prior to annexation effective date.		
<input type="checkbox"/>	Standard Payment Contract should be <u>dated, signed and notarized</u> and submitted with this application (see Section D).	




ANNEXATION MAP
THIS MAP MAY NOT BE A
CERTIFIED SURVEY AND HAS
NOT BEEN REVIEWED BY A
LOCAL GOVERNMENT AGENCY
FOR COMPLIANCE WITH ANY
APPLICABLE LAND
DEVELOPMENT REGULATIONS
AND HAS NOT BEEN
REVIEWED FOR COMPLIANCE
WITH RECORDING
REQUIREMENTS FOR PLATS.

JEFFERY A BAYS
 DB 4396/425
 BM 1977/217

MICHAEL SMITH
 DB 14855/1585
 BM 2012/687

Note:
 1. This map does not conform to G.S. 47-30
 2. This survey does not address zoning issues
 3. This survey performed without benefit of Title Examination.

S.D. PUCKETT & ASSOCIATES
PROFESSIONAL LAND SURVEYORS
 5314 Hwy. 55, Suite 104
 Durham, N.C. 27713
 Ph.(919) 544-7717 Fax(919) 544-1274
 Stephen D. Puckett - N.C.P.L.S.# 2683
 spuckett@puckettsurveys.com C-0506

Legend
 Existing Iron Pin 
 Right of Way  R/W
 Property Line 

References
 DB 15853/2090
 BM 1968/200
 PIN 1746398179
 REID 0168473



FORESTVILLE ROAD
 EXISTING 60' PUBLIC R/W
 BM 1988/200

Survey for:
Tony Oakley
 and
Eleanor Oakley

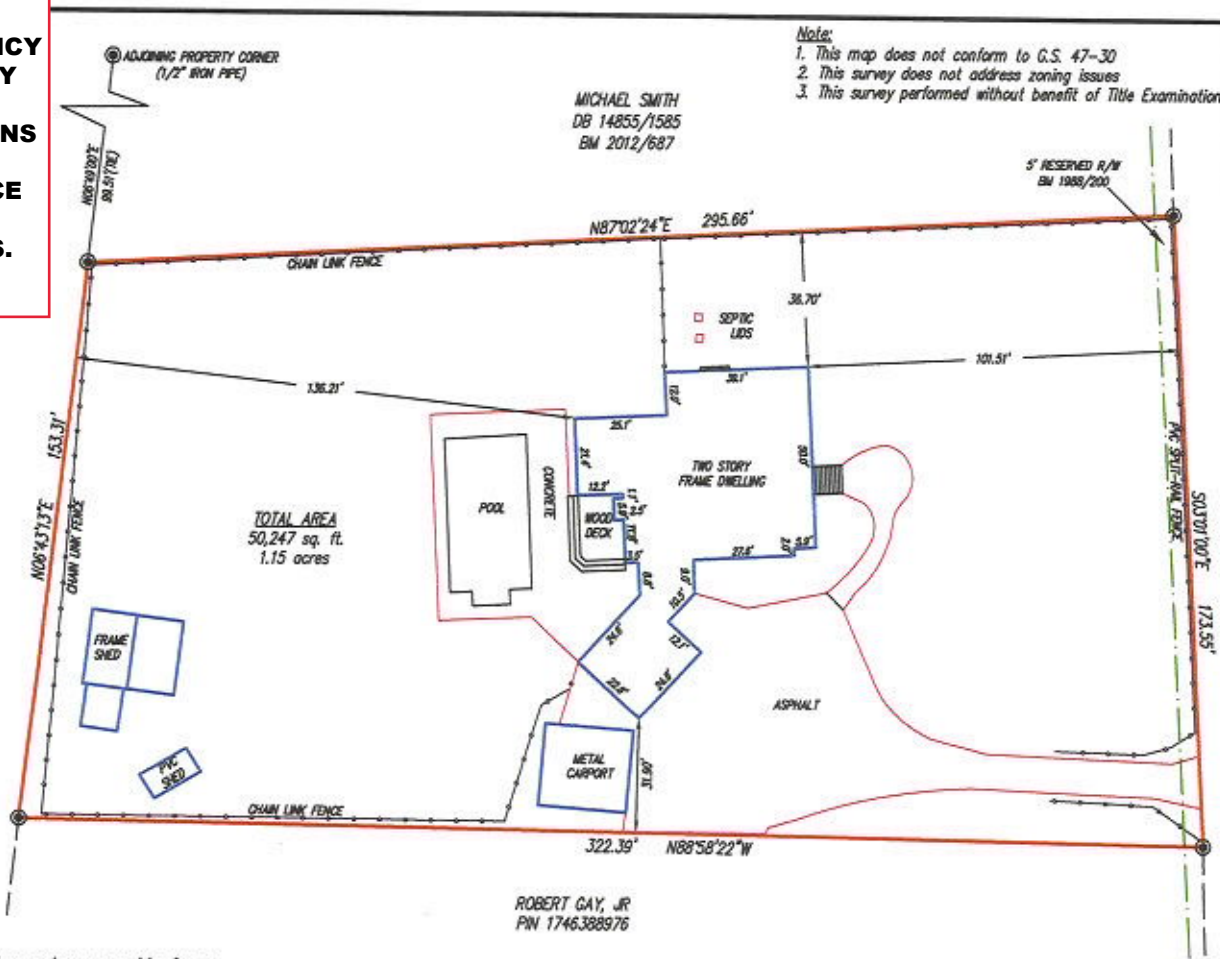
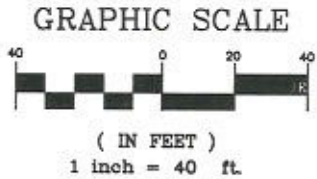
Site Information
 Property Address: 4308 Forestville Rd, Raleigh, NC, 27616
 Subdivision: Property of Rodney Gay & Cathy Gay
 PIN: 1746398179
 Wake Forest Township
 Wake County, North Carolina
 Survey Date: 3-11-21 File: 210316b1



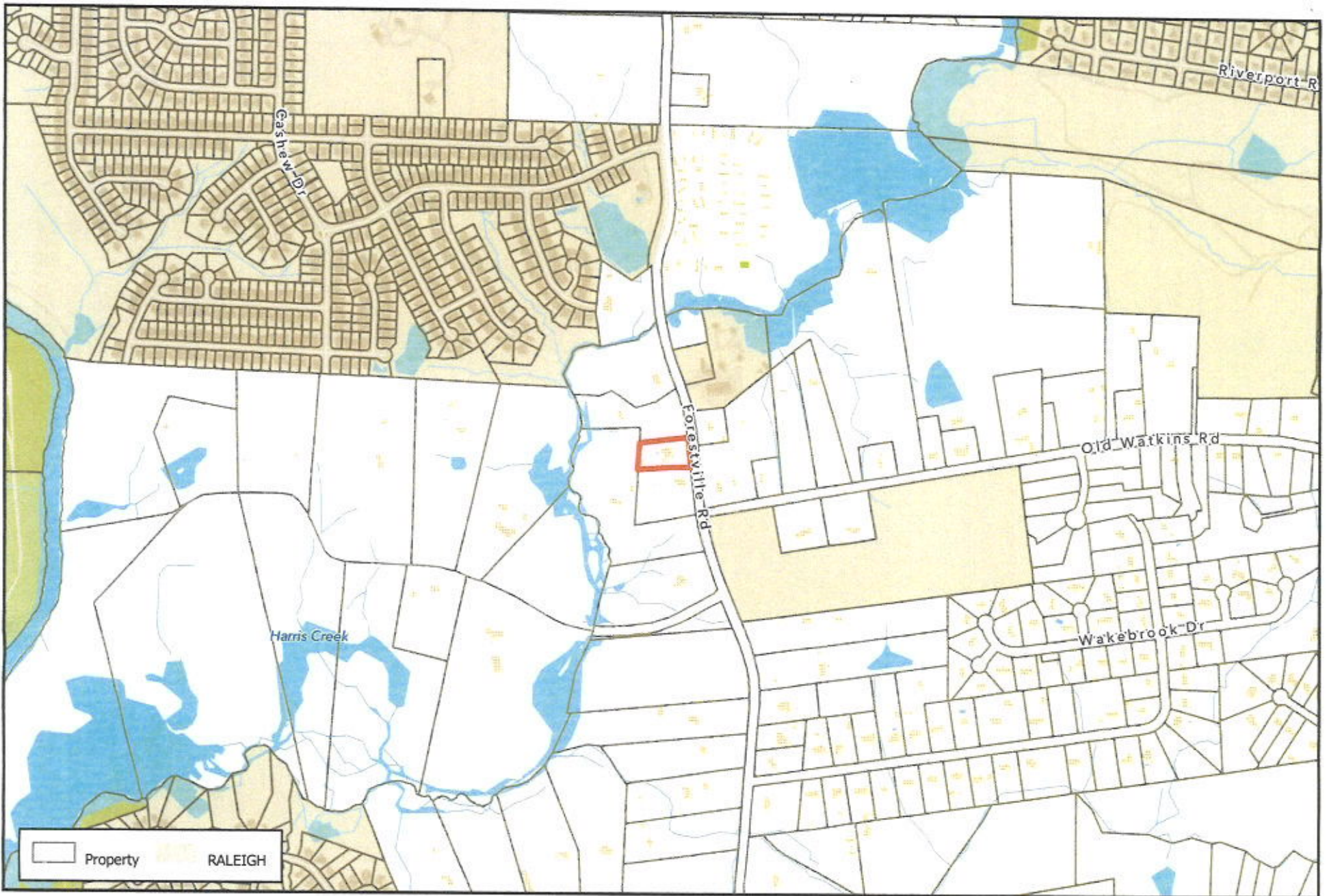
State of North Carolina

I, Stephen D. Puckett, certify that this plat was drawn under my supervision from an actual survey made under my supervision, (deed description recorded in Book (see references), that the boundaries not surveyed are clearly indicated as drawn from information found in -----; that the ratio of precision positional accuracy is as calculated is 1:20,000'; and that this plat meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 58. 1600) and was (not) prepared in accordance with G.S. 47-30 as amended. Witness my original signature, License number, and seal this 11th day of March, A.D., 2021.

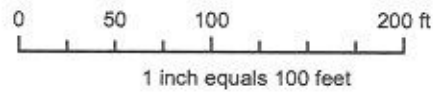
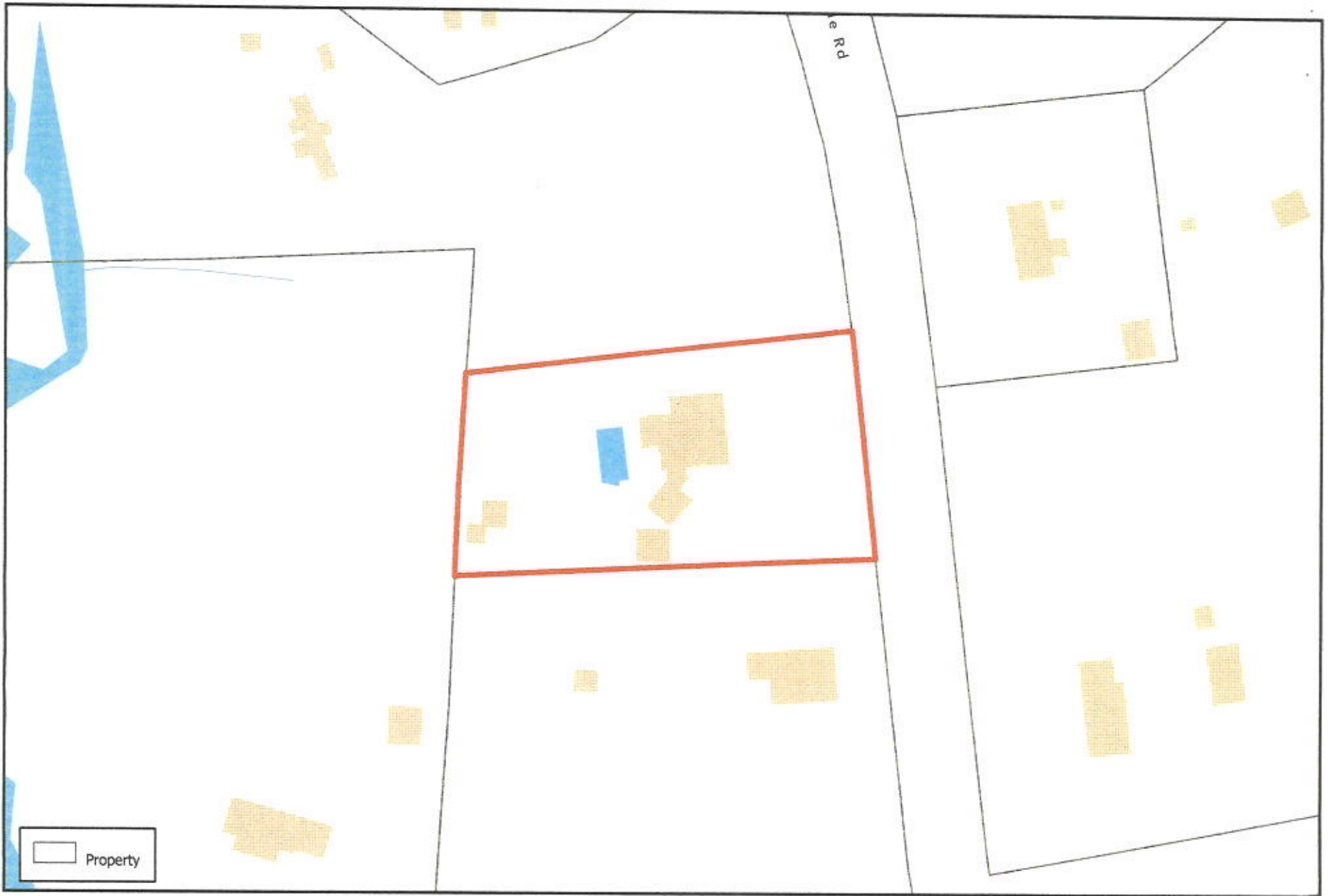
Stephen D. Puckett 3.11.2021
 Stephen D. Puckett L-2683



ROBERT GAY, JR
 PIN 1746388976



Disclaimer
 iMaps makes every effort to produce and publish the most current and accurate information possible. However, the maps are produced for information purposes, and are NOT surveys. No warranties, expressed or implied, are provided for the data therein, its use, or its interpretation.



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**NORTH CAROLINA
GENERAL WARRANTY DEED**

Prepared by: Beemer, Hadler, Willett & Lin, P.A.

Excise Tax: \$970.00

Return to: Grantee

REID: 168473

THIS DEED made this 23rd day of March, 2021 by and between

GRANTOR

Michael Gathman, unmarried
7770 Midtown Market Ave, Apt.109, Raleigh, NC 27616

And

Rose Von Krusze, unmarried
5119 Sandy Banks Road, Raleigh, NC 27616

If checked, the property includes the primary residence of at least one of the Grantors. *(NC GS § 105-317.2)*

GRANTEE

Tony Oakley and Eleanor Oakley
4308 Forestville Rd, Raleigh, NC 27616

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the County of Wake, North Carolina, and more particularly described as follows:

See EXHIBIT A attached hereto and incorporated herein by reference.

All or a portion of the property hereinabove described was acquired by Grantor by instrument recorded in Book 15853, Page 2090, Wake County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee, their heirs, successors, and assigns, in fee simple.

AND THE GRANTOR COVENANTS with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

Subject to 2021 taxes, easements, conditions and restrictions of record, if any.

IN WITNESS WHEREOF, the Grantor has hereunto set their hands and seals, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer(s), the day and year acknowledged below.

[SIGNATURE AND NOTARY PAGE(S) TO FOLLOW]

Michael Gathman (SEAL)
Michael Gathman

STATE OF NC

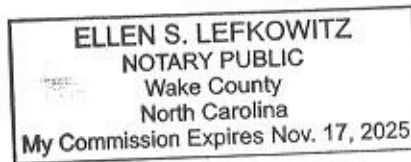
COUNTY OF Orange

I, Ellen S. Lefkowitz, Notary Public for the County of Wake, State of _____, certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Michael Gathman, Grantor.

Witness my hand and official stamp or seal, this the 18th day of March, 2021.

Ellen S. Lefkowitz
Notary Public
My Commission Expires:

cmw/esl



Rose M Von Krusze (SEAL)
Rose Von Krusze

STATE OF North Carolina

COUNTY OF Wake

I, Trudy Phillip, Notary Public for the County of Wake, State of North Carolina, certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Rose Von Krusze, Grantor.

Witness my hand and official stamp or seal, this the 16th day of March, 2021.

Trudy Phillip
Notary Public
My Commission Expires: 3/21/2024

cmw/esl

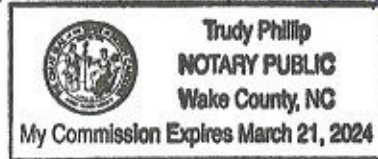


EXHIBIT A

Lying in Wake Forest Township, Wake County, North Carolina, and being more particularly described as follows:

Being all of that certain tract of land containing 1.2372 gross acres as shown by that survey entitled "Property of Rodney G. Gay and Cathy Gay" prepared by Henry T. Jones, Registered Land Surveyor, dated October 9, 1987, and recorded in Book of Maps 1988, Page 200, Wake County Registry, North Carolina.

Street address: 4308 Forestville Road, Raleigh, NC 27616

REID: 0168473

**NORTH CAROLINA
GENERAL WARRANTY DEED**

Prepared by: Beemer, Hadler, Willett & Lin, P.A.

Excise Tax: \$970.00

Return to: Grantee

REID: 168473

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And

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If checked, the property includes the primary residence of at least one of the Grantors. *(NC GS § 105-317.2)*

GRANTEE

Tony Oakley and Eleanor Oakley
4308 Forestville Rd, Raleigh, NC 27616

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AND THE GRANTOR COVENANTS with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

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IN WITNESS WHEREOF, the Grantor has hereunto set their hands and seals, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer(s), the day and year acknowledged below.

[SIGNATURE AND NOTARY PAGE(S) TO FOLLOW]

Michael Gathman (SEAL)
Michael Gathman

STATE OF NC

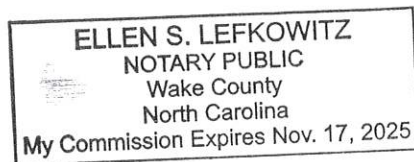
COUNTY OF Orange

I, Ellen S. Lefkowitz, Notary Public for the County of Wake, State of _____, certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Michael Gathman, Grantor.

Witness my hand and official stamp or seal, this the 18th day of March, 2021.

Ellen S. Lefkowitz
Notary Public
My Commission Expires:

cmw/esl



RECEIVED
APR 13 2022
BY: [Signature]

Rose M Von Krusze (SEAL)
Rose Von Krusze

STATE OF North Carolina

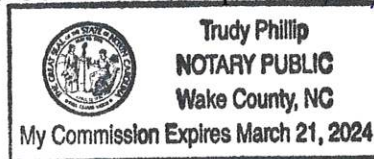
COUNTY OF Wake

I, Trudy Phillip, Notary Public for the County of Wake, State of North Carolina, certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Rose Von Krusze, Grantor.

Witness my hand and official stamp or seal, this the 16th day of March, 2021.

Trudy Phillip
Notary Public
My Commission Expires: 3/21/2024

cmw/esl



RECEIVED
APR 13 2022
BY: [Signature]

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Street address: 4308 Forestville Road, Raleigh, NC 27616

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RECEIVED
APR 13 2022
BY: 