

Petition for Annexation into the Raleigh City Limits





Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2682

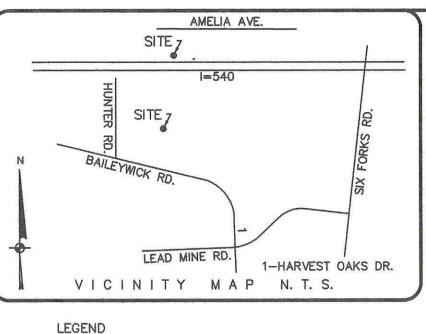
	Section A Submittal Checklist			
Please include all of the following (check off). If any information is missing from the application package, you will be asked to complete the application and re-submit the petition, so please check the list below carefully before you submit:				
x	Written metes and bounds description of the property to be annexed must be attached to this application. See page 2.			
x	Electronic Word document of the written metes and bounds must be e-mailed to: JP.Mansolf@raleighnc.gov			
x	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.			
x	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.			
N/A	1	Copy of Subdivision Plat submitted for lot recording pproval with City file number (S13, etc.)		
x	Projected Market Value of Development at build-out (land and improvements).			
x	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.			
x	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, page 2.			
Required, but often missing information. Please make sure to include the following:				
x	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.			
x	Owner's Signatures and Date of Signatures. See page 3 of this application. All real property owners must sign the application, and the date of signature MUST be filled in!			
O N/A	Corporate Seal for property owned by a corporation.			
x	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.				
	Standard Payment Contract should be <u>dated, signed and notarized</u> and submitted with this application (see Section E).			
		SEP 2 8 2021 By: ACC		

	Sectio	n B Submittal Dea	dlines				
Petitions for annexation are accepted by Planning & Do The annexation will become effective immediately to notified otherwise by the City Clerk.							
(The City reserves the right to make exceptions to this	general p	processing schedule v	when nece	essary.)			
	T11 5 5 5 5 5 5 5 5	ormation / Metes ar	The second	, such a description of	tions		
Section C Sumi	пагу іпіс	omnation / ivietes ar	iu bouriu	is Descrip	แบบร		
Development Project Name Magellan Charter School							
Street Address 9316 and 9304 Baileywick Road							
City of Raleigh Subdivision approval # (Sn/a) or		Building Permit Transaction #		#	Group Housing # (GH- n/a)		
Wake County Property Identification Number(s) list	below						
P.I.N. a portion of 1708 06 5666 (exclude property north of 540)	P.I.N. of 1708 06 5666 (exclude property north of 540) 1708 06 5017			P.I.N.			
P.I.N.	P.I.N.			P.I.N.			
Acreage of Annexation Site 11.65± acres		Linear Feet of Public Streets within Annexation Boundaries					
Annexation site is requesting connection to City of	Raleigh	Water 🔳 and/or Se	wer 🔳				
Number of proposed dwelling units None							
Type of Units: Single Family	Town	house	Condo			Apartment	
Building Square Footage of Non-Residential Space currently unknown			.1				
Specific proposed use (office, retail, warehouse, so School	chool, etc	s.)					
Projected market value at build-out (land and improcurrently unknown	ovements	s) \$					
Person to contact if there are questions about the p	petition						
Name Beth Trahos, Nelson Mullins							
Address 4140 Parklake Avenue, Suite 200, Raleigh, NC 2761	12						
one Fax #				Email beth.trahos@nelsonmullins.com			
Written metes and bounds description of property	to be anr	nexed: Attach addition	nal sheets	if necessa	ry.		
An electronic copy in word format must be e-mailed to:	JP.Mans	oif@raleighnc.gov					
Please see attached Exhibit A.					EESES IN		. Promes
						SEP 28	2021
					W.V.	AUK	

	Section D Annexation Petition			
State of North Carolina, County of Wake, Petition of Annexation of Property to the City of Raleigh, North Carolina				
said property to area will be co	ersigned, being all the owners of the real property described in this application (S the City of Raleigh, North Carolina. The petitioners understand and agree the nstructed and installed by the developer according to the Subdivision Ordi I area are the responsibility of the developers or successive property owne	It all streets and utilities within the annexed nance and any utilities that must be extended		
x	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, not closer to the limits of any other municipality 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 NC Gene rights have been	eral Statutes require petitioners of both contiguous and satellite annexations to file or established in accordance with G.S.160A-385.1 or 153A-344.1 for properties s	e a signed statement declaring whether vested ubject to the petition.		
Do you declare	such vested rights for the property subject to this petition? \Box Yes \blacksquare No			
If yes, please su vested right term	ubmit proof that vested rights have been granted by governing board. I hereby de ninates any vested right previously acquired for this property.	clare that my failure to disclose existence of a		
Signed this	21 day of Scot mber 2021 by the owners of th	e property described in Section C.		
Owner's Signal	tures Mazetlan Education Foundation, Inc. Sall Date 9/21/21	Corporate Seal		
Signature	Date			
Signature	Date			
Signature	Date			
Print owner na	me(s) and information			
	Phone			
Address				
	Phone			
Address				
Name	Phone			
A al dura co				
		SEP 2 8 2021		
Name Address	Phone	SEP 2 8 ZUZI		
71001000	Q d	I DEVI		
Above signatur	re(s) attested by	BY: Z\C		
meeting duly hel	City Council of Raleigh, North Carolina, this day of d. ty Clerk and Treasurer			
	Section E Standard Payment Contract			
generally a \$200 limits, petitioner s connection fee: (res to be considered for waiver of outside sewer connection fees required by Rale fee per dwelling, business, or industrial unit charged at the time sewer connection should submit the standard payment contract (see Agreement , pages 4-5). The (1) if corresponding petition is administratively recommended to be approved by the submitted to the City with appropriate signatures.	on permit is issued if a property is outside the city project will be eligible for waiver of this sewer		

State of North Carolina	County o	f Wake		Agreement		
This Agreement ("the Agreement")	s made this the day o	f	, year of	by and between the City of		
Raleigh, North Carolina, (the "City")	and			(the "Owner");		
				ţ		
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	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 recor						
conhection charges paid for develop within thirty days following said rejec						
connection charges paid for develop						
NOW THEREFORE, in consideration	•	ned herein and other valua	ble consideration	n, the receipt of which is		
acknowledged by the parties, the parties hereto agree as follows:						
Owner will be allowed to comm	ence development without payi	ng the City outside sewer co	onnection charge	es.		
2. That in the event that the annex	ation petition made by Owner i	rejected by the City, Owne	er shall pay to the	e City all sewer connection fees		
· ·	required of developments located outside the City limits, as set forth in Raleigh City Code Section 10-6081 (c). 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 te	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	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 bindin	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 a	This Agreement may only be amended in writing signed by the parties hereto or their respective successors.					
8. This Agreement and the legal r	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 themselv	es, their agents, officials, emplo	yees and servants agree n	ot to discriminate	in any manner on the basis of		
	race, color, creed, national origin, gender, age, handicap, or sexual orientation 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 the City of Raleigh Ordinance 1969-889, 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	A44t				
By Marchell Adams-David, City Manager	Attest Gail G. Smith, City C	lerk			
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 thein the year					
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.					



LINES SURVEYED — LINES NOT SURVEYED E.I.P. --- EXISTING IRON PIPE I.P.S. ---- IRON PIPE SET C.M.S. --- CONCRETE MONUMENT SET E.C.M. --- EXISTING CONCRETE MONUMENT P.K.S. --- P.K. NAIL SET E.P.K. --- EXISTING P.K. NAIL R/W ----RIGHT OF WAY D.B. ---- DEED BOOK P.P. --- POWER POLE O.H.W. --- OVER HEAD WIRE R.R.S. --- RAILROAD SPIKE (1234) -- ADDRESSES F.H. ---- FIRE HYDRANT M.H. ---- MANHOLE S.M.H. --- STORM MANHOLE ⋈ ---- WATER VALVE ---- LAMP T.M.H. --- TELEPHONE MANHOLE C.I. ---- CURB INLELT F.O.V. --- FIBER OPTICS VAULT W.M. ---- WATER METER B.F.P. --- BACKFLOW PREVENTER C.O. ---- CLEAN OUT ---- PARKING SPACES IN BAY (%) ---- CONTROLLED ACCESS

O a. This survey creates a subdivision of land within the area of a county or municapality that has an ordinance that regulates parcels of land.

O b This survey is located in a portion of a county or municapality that

unregulated as to an ordinance that regulates parcels of land. Oc. Any one of the following: 1. That the survey is of an existing parcel or parcels of land and does

not create a new street or change an existing street;
2. That the survey is of an existing building or other structure, or natural feature, such as a watercourse; or

That the survey is a control survey. O d. This survey is of another category, such as the recombination of existing parcels, a court—ordered survey, or other exception to the definition

O e. The information available to the surveyor is such that the surveyor is unable to make a determination to the best of the surveyor's professional ability as to provisions contained in (a) through (d) above.

This parcel is located in the <u>WAKE CO.</u> Planning jurisdiction.

NORTH CAROLINA WAKE COUNTY

METEO TITLE COMPANY

I, Barry L. Scott, certify that this plat was drawn under my supervision from (an actual survey made under my supervision)(deed description recorded in Book 12228, page 2403 etc.)(other), that the boundaries not surveyed are clearly indicated as drawn from information found in Book SEE , page REF. that the ratio of position or positional accuracy as calculated is 1:10,000+; that this plat was prepared in accordance with NCGS 47-30 amended. Witness my original signature, registration number and seal this 25th day of <u>June</u> A.D. 2020

> SURVEYOR'S CERTIFICATION This survey is made for the benefit of:

of Table A thereof. The field work was completed on June 9, 2020

MAGELLAN EDUCATION FOUNDATION, INC., a North Carolina non-profit corporation; FIRST BANK, its successors and/or assigns as their interests may appear;

This is to certify that this map or plat and the survey on which it is based were made in accordance with the current "Minimum Standard Detail Requirements for 2016 ALTA/NSPS Land Title Surveys" jointly established and adopted by ALTA and NSPS and includes items 1, 2, 3, 4, 6(a), 6(b), 7(a), 7(b)(1), 7(c), 8, 9, 11, 13, 14, 16, 17, 18 and 19

Date of Plat or Map: June 10, 2020 Revised: June 25, 2020

Barry L. Scott Professional Land Surveyor Registration No. L-3156



LEGAL DESCRIPTION

Parcel I: Wake County PIN: 1708065666 Address: 9316 Baileywick Road, Raleigh, NC 27615

BEGINNING at a Control Corner located South 71°11'58" East 325.16 feet from a nail in the centerline intersection of S.R. 1830 and Hunter Road, thence North 22°01'28" East 1225.84 feet to an existing iron pipe; thence South 70° 00'00" East 238.55 feet; South 09°00'59" West 1017.20 feet to an existing iron pipe; thence North 80°41'45" West 99.62 feet to an existing iron pipe; thence South 09°11'59" West 40.43 feet to an existing iron pipe; thence North 49°51'53" West 161.12 feet to an existing iron pipe; thence South 09°20'18" West 314.00 feet to a new iron pipe; thence North 51°25'48" West 36.79 feet; thence North North 51° 06'41" West 53.59 feet; thence North 52°23'03" West 52.69 feet: thence North 54°02'57" West 55.32 feet; thence North 56°17'59" West 55.49 feet; thence 56°54'29" West 50.57 feet to a Control Corner, the point and place of Beginning, containing 9.765 acres more or less.

Tract 2: From a Control Corner located South 71°11'58" East 325.16 feet from a nail in the centerline intersection of S.R. 1830 and Hunter Road, thence North 22°01'28" East 1225.84 feet to an existing iron pipe; thence North 22°01'28" East 355.69 across I-540 to the point and place of BEGINNING; thence North 22°01'28" East 67.40 feet to an existing iron pipe; thence South 85° 32'49" East 139.39 feet to an existing iron pipe; thence South 09°00'59" West 92.06 feet; thence North 75°18'49" West 154.87 feet to the point and place of Beginning, containing .266 acres, more or less.

Wake County PIN: 1708065017 Address: 9304 Balleywick Road, Raleigh, NC 27615

Beginning in the North right of way line of S.R. 1830, .63 miles West of its intersection with S.R. 1005, thence North 49°51' West 161.50 feet with the right of way line of S.R. 1830 to a point; thence North 09°17' East 314.23 feet to a point; thence South 49°51' East 161.50' to the line of property

now or formerly owned by Leonie Harris; thence with the Harris line, South 09°17' West 314.23 feet to the point and place of Beginning, containing 1.00 acre, also shown on a map recorded in Book of Maps 1980, Page 479 Wake County Registry.

Parcel III: NOT THE FOCUS OF THIS 'SURVEY'

ROAD

LINE DATA NUMBER BEARING DIST. N 69°52'53" W 30.09 S 21'59'43" W 31.88 S 09"11'59" W 40.43 N 51°25'48" W 36.79 N 51°06'41" W 53.59' N 52°23'03" W 52.69 N 54°02'57" W 55.32 N 56"17'59" W 55.49 N 56°54'29" W 50.57

L-3 L-6 L-8 67.40 L-10 N 22°01'28" E S 09'00'59" W 92.06

N=786,129.40'-

E=2,100,169.28'

(NAD83/2011)

MAGELLAN EDUCATION

FOUNDATION INC

DB 11813, PG. 1475

BM 2006, PG. 1834 PARCEL I TRACT 1 425354 S.F. 9.76 AC. 1-POWER POLE 2-CATV VAULT 3-FIBER OPTICS VAULT 4-MANHOLE 5-STORM MANHOLE 6-FIRE HYDRANT NAIL IN THE CENTERLINE (N 80'41'45" INTERSECTION . OF S.R. 1830 3/4" 99.62" AND HUNTER DUKE ENERGY PROGRESS, INC. DB 2180, PG. 77 PARCEL 43510 S.F 1.00 AC.

100' CAROLINA POWER &

LIGHT COMPANY

RIGHT OF WAY

M. A. READ

DB 11293, PG. 357 BM 1978, PG. 463

\$ 85°32'49" 4-EIP 139.39"

1 TRACT 2 1/11572 S.F. 0.27 AG.

238.55 CONC.

N.C.D.O.T.

NCDOT CONC.

MON.

DB 7586, PG. 249

5' CHAIN LINK FENCE

100' CAROLINA POWER LIGHT COMPANY

RIGHT OF WAY

M. L. UNTI DB 14694, PG. 1737

FOUNDATION OF

RALEIGH INC.

34"EIP

1) Said described property is located within an area having a Zone Designation X by the Federal Emergency Management Agency (FEMA), on Flood Insurance Rate Map No. 3720170800J, with a date of identification of 5/2/2006, for Community Panel No. 1708 in Wake County, State of North Carolina, which is the current Flood Insurance Rate Map for the community in which said premises is situated.

2) Parcel I, Tract 1 has direct physical access to Baileywick Road, a 60' Public R/W Parcel I, Tract 2 has no direct physical access to a Public R/w Parcel II has direct physical access to Baileywick Road, a 60' Public R/W

3) The total number of striped parking spaces located on the subject property is 0 including 0 designated as handicapped

4) The property described hereon is the same as the property described in Commitment No. MET2020-01256 with a effective date of May 7, 2020 and that all easements, covenants and restrictions referenced in said title commitment or apparent from a physical inspection of the site or otherwise known to have been plotted hereon or otherwise noted as to their effect on thesubject property DB 15061/ PG. 298 5) The accompanying survey was made on the ground and correctly NO NCGS CONTROL

shows the location of all buildings, structures and other improvements situted on the above premises; there are no visible encroachments on the subject property or upon adjacent land abutting said property except as shown hereon and was made in accordance with laws and/or Minimum Standards of the State of North Carolina, 7) There is no evidence of recent street or sidewalk construction

VARIABLE WIDTH PUBLIC R/W or repair. Site is not being used as a solid waste dump, sump or sanitary landfill. There are no delineated wet lands on the property. There is no evidence of recent earth moving, building construction, or building additions observed in the process of conducting the fieldwork

> METRO TITLE COMPANY COMMITMENT NUMBER: MET2020-01256

1) Any defect, lien, encumbrance, adverse claim, or other matters that appear for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met. (no matters supplied to surveyor)

2) Not a matter of survey 3) Easements, setback lines and any other matters shown on plat recorded in Plat Book 1980, Page 479 of the Wake County Registry. (Parcel II)(all matters

shown on 'Survey') 4) Does not effect property-Parcell III 5) Easement(s) in favor of Carolina Power and Light Company as recorded in Book 2116, Page 34 and Book 2292, Page 639, of the Wake County Registry. (Parcel I & Parcel II)(100' Right of Way can not be plotted from deeds, surveyor not supplied with drawings RW-D-3033 or RW-A-4448)

6) Right of way Agreements in favor of State Highway Commission as recorded in Book 1580, Page 563 and Book 1977, Page 425 of the Wake County Registry. (Parcel I & Parcel II) (60° right of way on S.R. 1830-Baileywick Road-shown on the 'Survey')

7) Not a matter of survey 8) Condemnation Action by the Department of Transportation, filed in 97CVS0759, which includes a Memorandum of Action recorded in Book 7305, Page 375 and Consent Judgement recorded in Book 8190, Page 2422, Wake County Registry. (Parcel 1)(I-540 right of way shown on 'Survey')

9) Title to that portion of the land lying within the bounds of Highway 540; and/or rights of the public and others entitled thereto in and to the use of that portion of the insured premises with in the bounds of street or roadway, if any. (Parcel I)(no titles provided to surveyor)

10) Rights of others, if any, in and to soil path. (Parcel i)(soil path shown on

11) Easement(s) in favor of Carolina Power & Light Company as recorded in Book 1939, Page 338, Wake County Registry. (Parcel I, Parcel II & Parcel III)(can not be plotted from deed) 12) Not a matter of survey-Parcel III

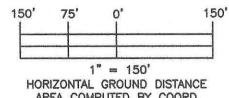
Controlled access to Interstate Highway 540. (Parcel III)(controlled acces effects Parcel I-shown on 'Survey') 14) Not a matter of survey-Parcel II

16) Not a matter of survey-Parcell III 17) Does not effect 'Property'-Parcel III 18) Does not effect 'Property'-Parcel III 19) Does not effect 'Property'-Parcel III

15) Not a matter of survey-Parcel III

20) Does not effect 'Property'-Parcel III

PLAT REFERENCE BM 1978, PG. 463 W.C.R. BM 1979, PG. 446 W.C.R. BM 1980, PG. 479 W.C.R. BM 2004, PG. 740 W.C.R. BM 2006, PG. 1834 W.C.R. BM 2007, PG. 1507 W.C.R. HM0003, PG. 165 W.C.R.



AREA COMPUTED BY COORD. GEOMETRY METHOD

SURVEYORS SURVEYING SCOTT PROFESSIONAL LAND S
P. 0. BOX 12493
RALEIGH, NORTH CAROLINA 276
TEL: 919/859-0464
3 NO: 20-06-03 LAND m

RTH D.B.

2403

W.C.R.

WITHIN 2000'

27615

200

MET2020-01256 MAY 7, 2020 OAD, RALEIGH, NC

श्र PIN(S):

TIONON V R RPO. T ND 00 N IIFO H RO. D NO.

I ARO

PARCEL

MAP: NO. V

E

ROAD, METRO TITLE CC COMMITMENT NUMBER: I COMMITMENT DATE: N & 9304 BAILFYM 0 T DO જ F 0 T

Parcel 1:

Wake County PIN: 1708065666

Address: 9216 Baileywick Road, Raleigh, NC 27615

Tract 1:

BEGINNING at a Control Corner located South 71°11'58' East 325.16 feet from a nail in the centerline intersection of S.R. 1830 and Hunter Road, thence North 22° 01' 28" East 1225.84 feet to an existing iron pipe; thence South 70° 00' 00' East 238.55 feet South 09° 00' 59" West 1017.20 feet to an existing iron pipe; thence North 80° 41' 45" West 99.62 feet to on existing Iron pipe; thence South 09° 11' 59" West 40.43 feet to on existing iron pipe; thence North 49° 51' 53' West 181.12 feet to an existing iron pipe; thence South 09° 20' 18' West 314.00 feet to a new Iron pipe; thence North 51° 25' 48' West 36.79 feet; thence North 51° 06' 41' West 53.59 feet thence North 52° 23' 03" West 52.69 feet thence North 54° 02' 57' West 55.32 feet thence North 56° 17' 59' West 55,49 feet; thence 56° 54' 29" West 50.57 feet to a Control Corner, the point and place of Beginning, containing 9.765 acres more or less as shown on that survey entitled "Property of Magellan Education Foundation, Inc." dated June 10, 2020 by B. L. Scott Land Surveying.

Parcel II:

Wake County PIN: 1708065017

Address 9304 Baileywick Road, Raleigh, NC 27615

Beginning in the North right of way line of S.R. 1830, .63 miles West of its Intersection with S.R. 1005, thence North 49° 48′ 51′ West 161.50 feet with the right of way line of S.R. 1830 to a point; thence North 09° 20′ 18″ East 314.00 feet to a point thence South 49°51′ 53″ East 161.12′ to the line of property now or formerly owned by Leonia Harris: thence with the Harris line, South 09° 17′ 26″ West 314.32 feet to the point and place of Beginning, containing 1.00 acre, also shown on a map recorded in Book of Maps 1980, Page 479 Wake County Registry, as shown on that survey entitled "Property of Magellan Education Foundation, Inc." dated June 10, 2020 by B. L. Scott Land Surveying.



