

## **Petition for Annexation into Raleigh City Limits**



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

	Sec	ction A Submittal Deadlines			
of submittal. The	annexation will be sched	nning and Development at any tin luled for public hearing and bec earing unless notified otherwise	omes effective immediately		
	Section B Summary	Information / Metes and Bounds [	Descriptions		
Development Pr 7003 Buffaloe Roa	oject Name: ad, Raleigh, Tract II BM 2017	Pg 227			
Street Address: 7003 Buffaloe Roa	ad				
City of Raleigh Subdivision approval #: Sor		Building Permit #: or	Group Housing #: GH		
Wake County (P 1746-04-8	INs) Property Identification I	Number(s):			
Acreage of Anne	Acreage of Annexation Site:  Linear Feet of New Public Streets within Annexation Boundaries:  0				
		City of Raleigh Water 🔽 and/o	r Sewer✓		
Number of propo	osed dwelling units: 0				
	Total Breakdown of Dwelling Units				
	Single-Family Home	Multi-Family - Condo/Apartr	nent Multi-Family – Townhouse		
Unit Type/Unit Count:	Unit Count	Unit Count	Unit Count		
	* Complete only for Townhome Units:				
	Are there more than 6 units in one group of townhomes? Y				
	Complete only for Condo/Apartment units:				
	Are buildings multi-story w stacked units? ☐Y ☐ N	ith   Will there be a community trash compactor?	Unit Count +/ Description:  Example 30 Studio + 1 Bath 50 1 BR + 1.5 Bath Count Bedroom + Bath  + + +		
ge <b>1</b> of <b>6</b>		ALCOVA A	REVISION 07.28.21		

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raleighnc.gov

Building Square Footage of Non-Residential Space: 74,560 SF (2 buildings, 2 stories included) Specific proposed use (office, retail, warehouse, school, etc.): School Projected market value at build-out (land and improvements): \$ 12 million **Applicant Contact Information** Property Owner(s): Thales Academy Primary Mailing Address: 4641 Paragon Park Road, Raleigh, NC 27616 Phone: 919-427-1646 Email: brandon.hafner@captiveaire.com Project Contact information (if different that property owner) Contact(s): Karen Hancock - Withers Ravenel Primary Mailing Address: 115 MacKenan Drive, Cary, NC 27511 Email:khancock@withersravenel.com Phone: 919-469-3340 Ext 486 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:					
<b>✓</b>	Contiguous to the present corporate limits of the City of Raleigh, No	orth Carolina, or			
	<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 <a href="https://raleighnc.gov/services/doing-business/assessment-liens">https://raleighnc.gov/services/doing-business/assessment-liens</a> ), and that the property described in this application, including any portion thereof, <a href="https://www.commons.org/liens/nc/"> v </a> 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 Vo					
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	day of, 20 by the owners of the property describ	ped in Section B.			
Owner's Signature	ure(s):             Date 11/15/2021	Corporate Seal			
Signature	Date				
Signature	Date				
Signature	Date				
Print Owner Name(s) and Information:					
Name: Brandon Address: 4641	Hafner Phone: 919-427-1646 Paragon Park Road, Raleigh, NC 27616				
Name:	Phone:				
Above signature	e(s) attested by				
Received by the Council meeting	City Council of Raleigh, North Carolina, this day of	20, at a			

### Section D Standard Payment Contract

Not applicable

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 0	City of Raleigh, North Carolina, ( the "Ci	ty") and
	, (the	"Owner");
	WITNESSETH	
WHEREAS, The Owner has petition;	oned the City to be annexed into the co	rporate City limits, City File No.
WHEREAS, The Owner has initiat	ed a development project at	
City filesystem of the City; and	, and said development contain	ns sewer connections with the utility

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:

- 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.
- 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.

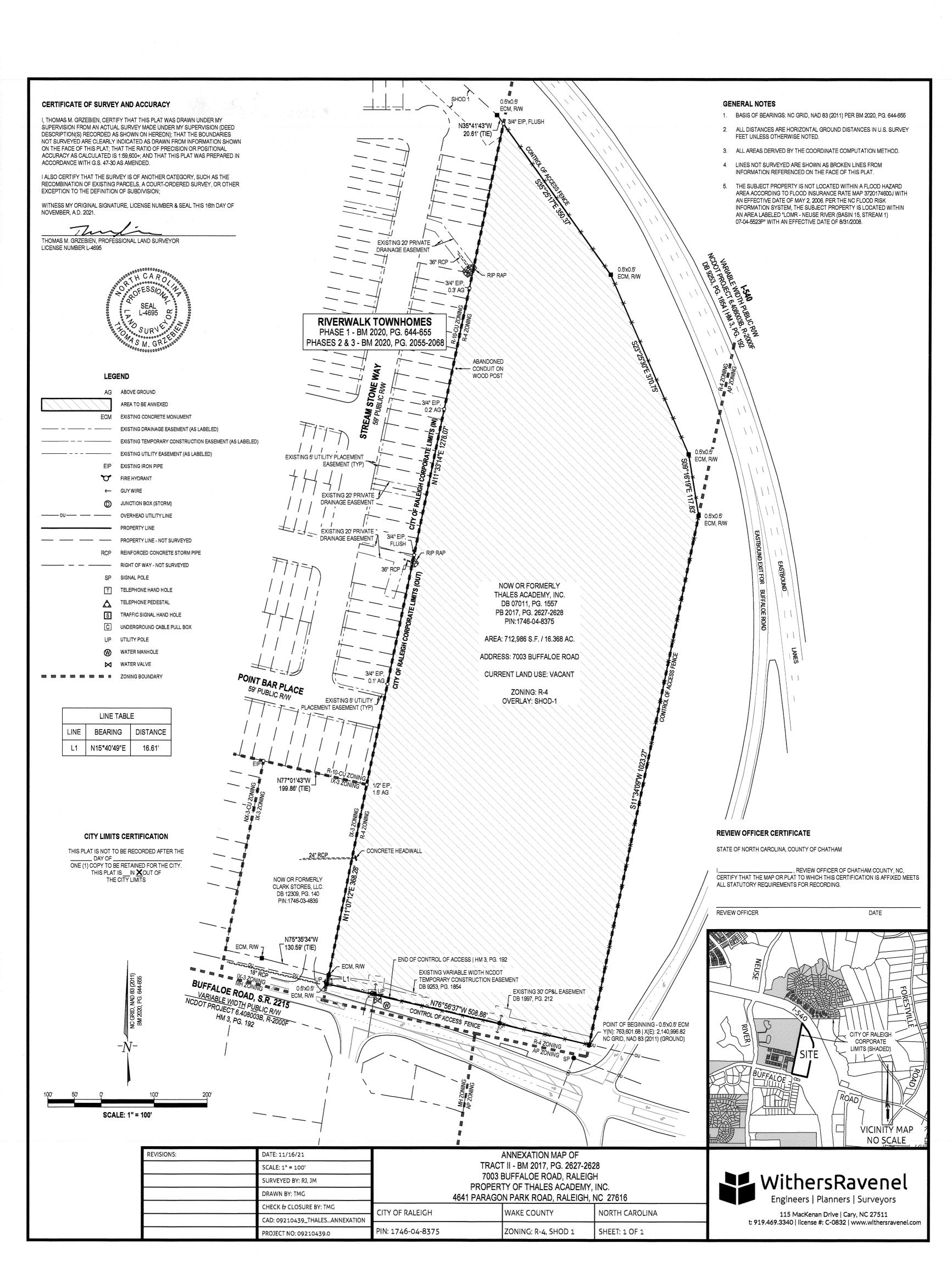
In Witness Whereof, the parties hereto have caused this agreement to be executed the day and year first above written. Owner By \_\_\_\_\_ Attest \_\_\_\_ The City \_\_ Attest \_\_\_\_ Ву \_\_\_\_ Gail G. Smith, City Clerk Marchell Adams-David, City Manager Wake **North Carolina** This is to certify 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. Seal **Notary Public** 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,

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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:					
	Annexation Petition Fee (see the Development Fee Guide webpage for current fee)				
V	<u>Written</u> metes and bounds description of the property to be annexed must be attached to this application. See page 1				
<b>√</b>	Electronic Word document of the written metes and bounds must be e-mailed to: JP.Mansolf@raleighnc.gov or Carmen.Kuan@raleighnc.gov.				
V	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.				
<b>✓</b>	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.				
	Copy of Approved Preliminary Site Plan or Final Site Plan showing City Building Permit Transaction Number or Group Housing Number (GH13, etc.) or	Copy of Subdivision Plat submitted for lot recording approval with City file number (S13, etc.)			
	Projected Market Value of Development at build-out (land and improvements).				
>	<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.				
$\checkmark$	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	te sure to include the following:			
<b>✓</b>	<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.				
<b>✓</b>	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 MUST be filled in!</u>				
	Corporate Seal for property owned by a corporation.				
	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</u> , <u>signed and notarized</u> and submitted with this application (see Section D). Not applicable to this project				

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### LEGAL DESCRIPTION - TRACT II BM 2017, PG. 2627-2628

BEING ALL OF TRACT II CONSISTING OF 16.356 ACRES MORE OR LESS AS MORE PARTICULARLY DESCRIBED ON THAT CERTAIN BOUNDARY SURVEY OF THE ESTATE OF MARGARET W. STRICKLAND PREPARED BY STEWART, INC. AND DULY RECORDED IN BOOK OF MAPS 2017, PAGES 2627-2628, WAKE COUNTY REGISTRY.

THE SUBJECT PROPERTY IS ALSO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING CONCRETE RIGHT OF WAY MONUMENT AT THE INTERSECTION OF THE SOUTHWESTERN RIGHT OF WAY OF I-540 ADJACENT TO THE EASTBOUND EXIT RAMP FOR BUFFALOE ROAD AND THE NORTHERN RIGHT OF WAY OF BUFFALOE ROAD (S.R. 2215) HAVING NC GRID, NAD 83 (2011) COORDINATES OF Y(N): 763,601.68 AND X(E): 2,140,996.82 AND BEING THE TRUE POINT OF BEGINNING FOR THE PROPERTY HEREIN DESCRIBED:

THENCE N76°56'37"W, 508.88 FEET ALONG THE NORTHERN RIGHT OF WAY OF BUFFALOE ROAD TO AN EXISTING CONCRETE RIGHT OF WAY MONUMENT:

THENCE N15°40'49"E, 16.61 FEET ALONG THE NORTHERN RIGHT OF WAY OF BUFFALOE ROAD TO AN EXISTING CONCRETE RIGHT OF WAY MONUMENT, A COMMON CORNER WITH PROPERTY OWNED NOW OR FORMERLY BY CLARK STORES, LLC (DB 12309, PG. 140);

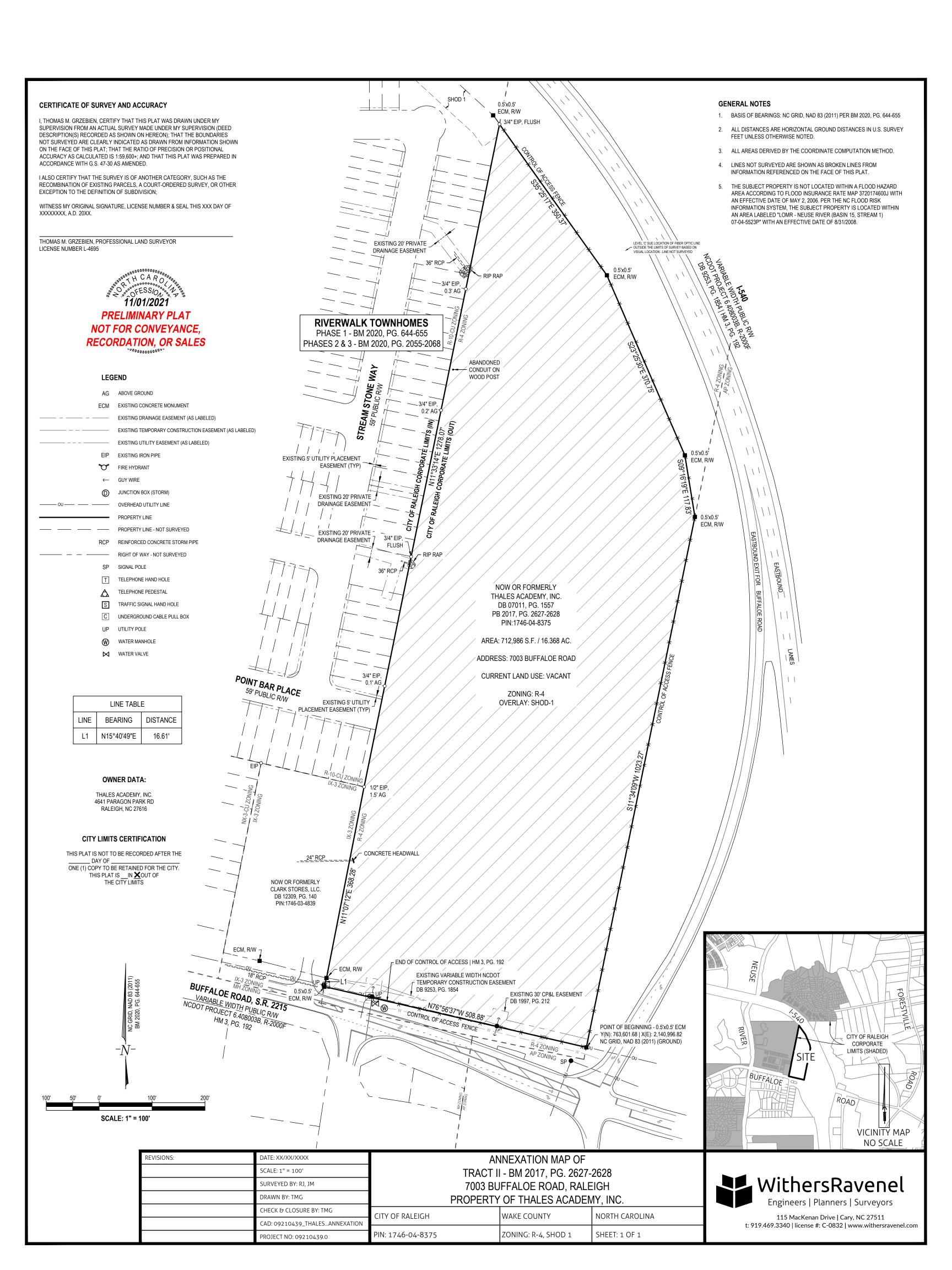
THENCE N11°07'12"E, 368.28 FEET ALONG A COMMON LINE WITH CLARK STORES, LLC TO AN EXISTING IRON PIPE, A COMMON CORNER WITH RIVERWALK TOWNHOMES PHASE 1 LOT 519 OPEN SPACE (BM 2020, PG. 644-655);

THENCE N11°33'14"E, 1,278.07 FEET ALONG A COMMON LINE WITH RIVERWALK TOWNHOMES PHASE 1 AND RIVERWALK TOWNHOMES PHASES 2 & 3 (BM 2020, PG. 2055-2068) TO AN EXISTING IRON PIPE ON THE SOUTHWESTERN RIGHT OF WAY OF I-540;

THENCE ALONG THE SOUTHWESTERN RIGHT OF WAY OF I-540 THE FOLLOWING COURSES AND DISTANCES

- \$35°25'17"E. 350.37 FEET TO AN EXISTING CONCRETE RIGHT OF WAY MONUMENT:
- 2. S23°25'30"E, 370.75 FEET TO AN EXISTING CONCRETE RIGHT OF WAY MONUMENT; AND
- 3. S09°16'19"E. 117.83 FEET TO AN EXISTING CONCRETE RIGHT OF WAY MONUMENT:

THENCE S11°34'09"W, 1,023.27 FEET ALONG THE SOUTHWESTERN RIGHT OF WAY OF I-540 ADJACENT TO THE EASTBOUND LANES AND THE EASTBOUND EXIT RAMP FOR BUFFALOE ROAD TO THE POINT AND PLACE OF BEGINNING, CONTAINING 712,986 SQUARE FEET OR 16.368 ACRES FOR THE TRACT HEREIN DESCRIBED.



# Jover se River Trail 540 EB 540 WB Buffaloe Rd Property Streets Smith Ct **RALEIGH**

### **City Map**

PIN: 1746048375 PIN Ext: 000

Real Estate ID: 0451348 Map Name: 1746 03

Owner: THALES ACADEMY, INC

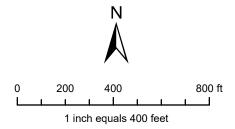
Mail Address 1: 4641 PARAGON PARK RD Mail Address 2: RALEIGH NC 27616-3406

Deed Book: 017011 Deed Page: 01557 Deed Acres: 16.36 Deed Date: 12/29/2017 Land Value: 758816 Total Value: 758816 Biling Class: Business

Description: TR2 ESTATE OF MARGARET W STRICKLAND BM2017 -02628

Street Name: BUFFALOE RD Site Address: 7003 BUFFALOE RD

Planning Jursidiction: RA Township: St. Matthew's Land Class: Vacant Old Parcel Number: --



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