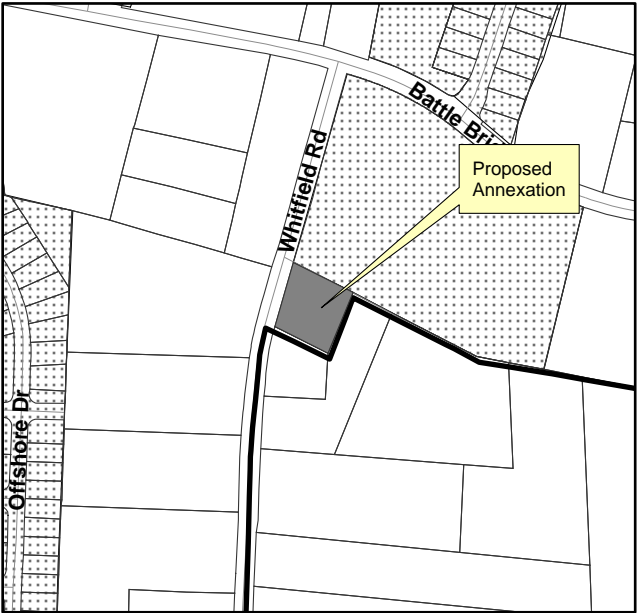





1:938

**4301 WHITFIELD DR
CONTIGUOUS PETITION ANNEXATION
PROPOSED EFFECTIVE X/XX/XX**



1:7,026

-  Proposed City Limits
-  Existing City Limits
-  ETJ



ANNEXATION ORDINANCE# _____

ORDINANCE ADOPTION DATE _____

APPROVED EFFECTIVE DATE _____

Subdivision or Building Permit Transaction Reference Number _____ Council District C Annexation Case File# AX-35-2022

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

Building Square Footage of Non-Residential Space: N/A	
Specific proposed use (office, retail, warehouse, school, etc.): <u>1 existing single-family home</u>	
Projected market value at build-out (land and improvements): \$ <u>226,229</u>	
Applicant Contact Information	
Property Owner(s): Kevin D Coyle	
Primary Mailing Address: 4301 Whitfield Rd	
Phone:	Email:
Project Contact information (if different than property owner)	
Contact(s): Katie Hamilton, Gander Development, LLC	
Primary Mailing Address: 2310 Miami Blvd Suite 238, Durham, NC 27703	
Phone: 919-896-1892	Email: katie@ganderdev.com
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: Sarah.Shaughnessy@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 / ☒ X 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 _____ day of _____, 20____ by the owners of the property described in Section B.

Owner's Signature(s):Signature Kevin D Coyle Date _____

Kevin D Coyle

Corporate Seal**Print Owner Name(s) and Information:**Name: Kevin D Coyle Phone: _____

4301 Whitfield Rd. Raleigh, NC 27610

Name: _____ Phone: _____

Address: _____

DocuSigned by:

Above signature(s) attested byRobert Shunk

13D17551E4C14FC...

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: _____

RECEIVED

By Sarah Shaughnessy at 12:16 pm, Oct 18, 2022

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");

W I T N E S S E T H

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.

<p>Owner DocuSigned by:</p> <p>By <u>Kevin D. Coyle</u> Attest <u>Robert Shunk</u></p> <p>Kevin D. Coyle 13D17551E4C14FC...</p>	<p>DocuSigned by:</p> <p>Robert Shunk</p> <p>13D17551E4C14FC...</p>
--	---

<p>The City</p> <p>By _____ Attest _____</p> <p>Marchell Adams-David, City Manager</p>	<p>Gail G. Smith, City Clerk</p>
---	----------------------------------

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.

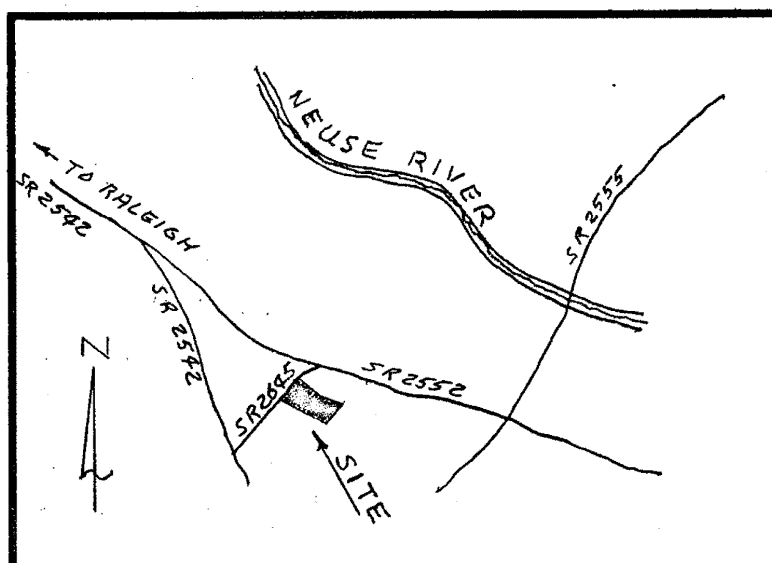
RECEIVED

By Sarah Shaughnessy at 12:17 pm, Oct 18, 2022

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"/>	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 checked="" type="checkbox"/>	Electronic Word document of the written metes and bounds must be e-mailed to: Sarah.Shaughnessy@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 .	
N/A	<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	<input type="checkbox"/> Copy of Subdivision Plat submitted for lot recording approval with City file number (S-_____-13, etc.)
<input checked="" type="checkbox"/>	Projected Market Value of Development at build-out (land and improvements).	
<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 MUST be filled in!</u>	
N/A	<input type="checkbox"/> Corporate Seal for property owned by a corporation.	
N/A	<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 checked="" type="checkbox"/>	Standard Payment Contract should be <u>dated, signed and notarized</u> and submitted with this application (see Section D).	



VICINITY MAP

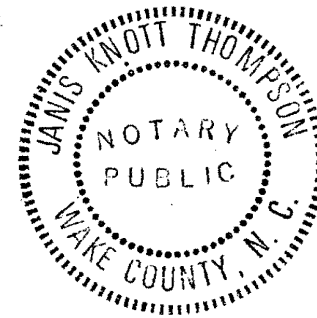
I, ROBERT L. TALLEY certify that under my direction and supervision this Map was drawn from (an actual field land survey) or (deed, description recorded in book _____, page _____) that the Error of Closure is calculated by latitudes and departures is 1: 10,000; that the boundaries not surveyed are shown as broken lines plotted from information in book _____, page _____, that this map was prepared in accordance with GS 47-30 as amended.

WITNESS my hand and seal this 18th

day of AUGUST, A. D. 1980.

Signature Robert L. Talley
Land Surveyor

Registration Number L-1706



NORTH CAROLINA
WAKE COUNTY

I, Janis Knott Thompson, a Notary Public for said County and State, do hereby certify that Robert L. Talley personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 18th day of August, 1980.

Janis Knott Thompson
Notary Public

My Commission expires February 14, 1983

WAKE COUNTY CERTIFICATION
I hereby certify that this record plat has been found to comply with the Subdivision Ordinance of Wake County, North Carolina, and that this plat has been approved for recording in the office of the Register of Deeds of Wake County.

Date 20 Aug 80 Director John D. Lee Albright

NORTH CAROLINA - WAKE COUNTY

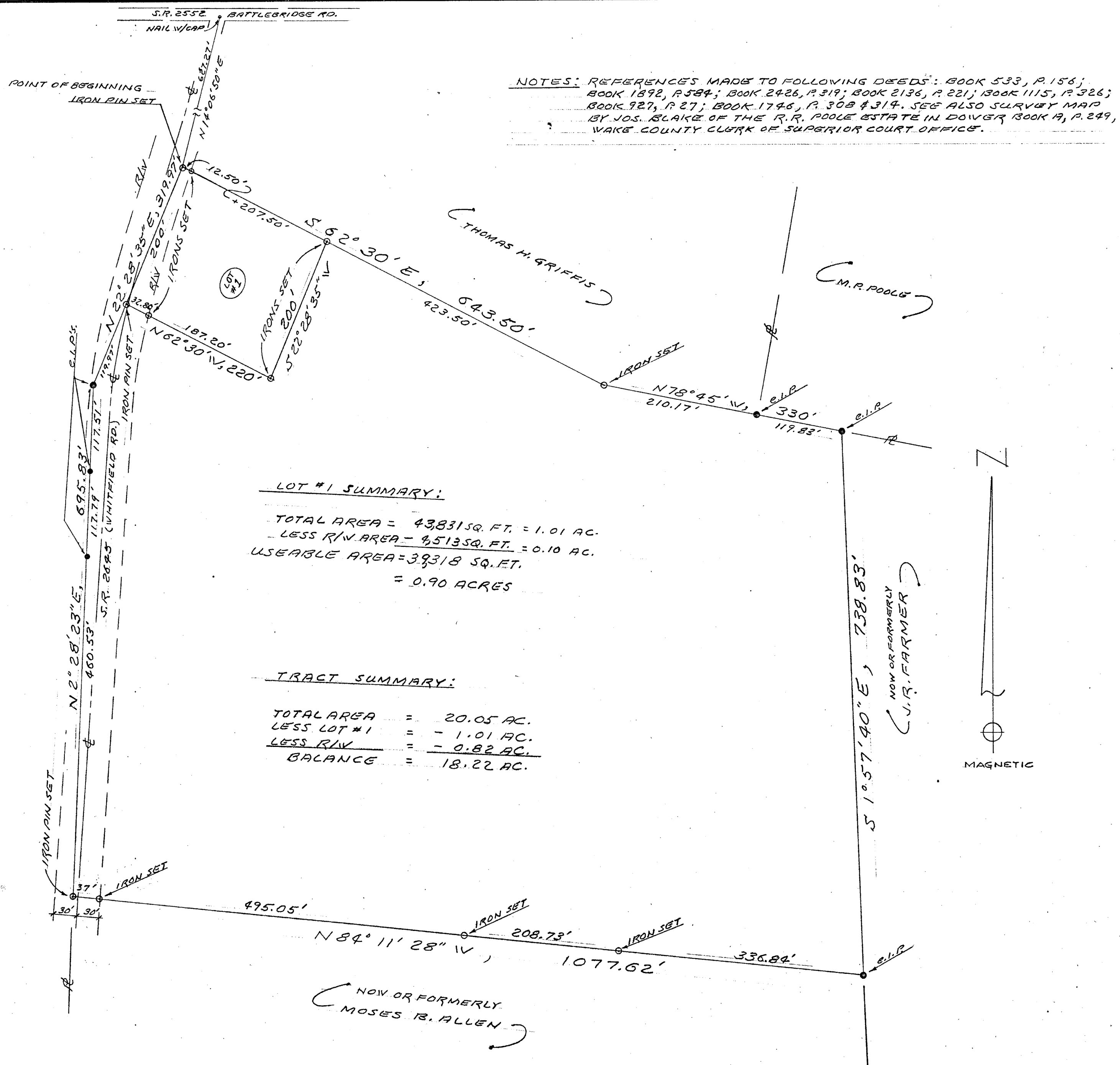
The foregoing certificate of Janis Knott Thompson
Notar (y) (ies) (are) certified to be correct. This instrument was presented for registration and recorded in this office.

This 20th day of Aug. 1980 at 11:35 clock A.M.

R. B. McKenzie, Jr., Register of Deeds

By R. B. McKenzie, Jr.
Deputy Register of Deeds

RECORDED IN MAP BOOK 1980 PAGE 688



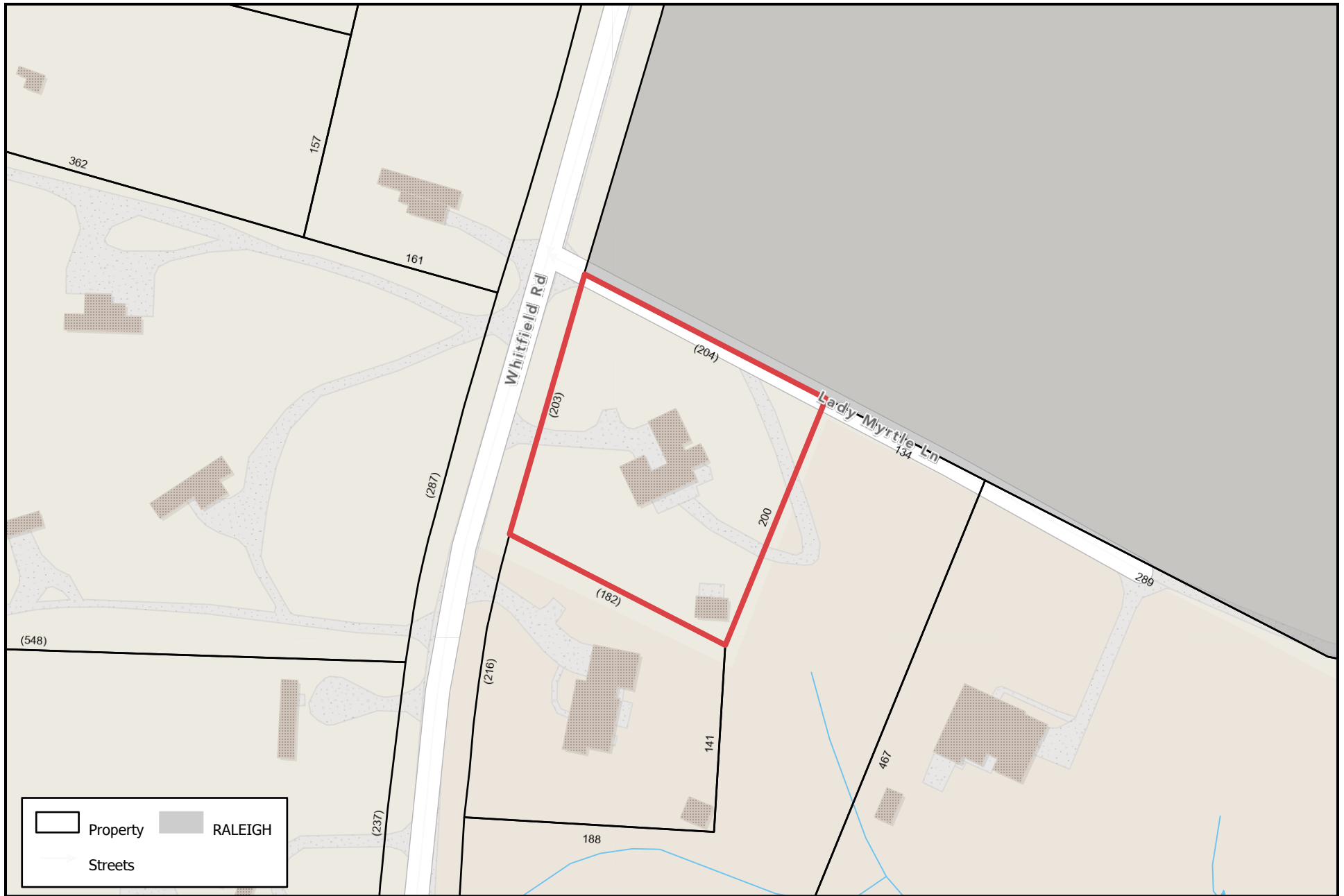
ANNEXATION MAP

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.

ZONE R-30

661-6A

PROPERTY SURVEY FOR MORTIMER AND MYRTLE POOLE		
SCALE: 1" = 100'	APPROVED BY / SURVEYED BY	DRAWN BY RIT
DATE: 8-16-80	TALLEY & ASSOCIATES	
ST. MARYS TOWNSHIP WAKE COUNTY, N.C.		
BAR GRAPH 0' 50' 100' 150' 200'		DRAWING NUMBER



Coyle Annexation Corporate Limits Map



0 50 100 200 ft
1 inch equals 100 feet

Disclaimer
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