

# Town of Holly Springs

## Town Council Meeting Agenda Form

Town Clerk's Office Use:

**Agenda Item #:** 8c

**Attachment #:** 5

**Meeting Date:** August 7, 2018

**Agenda Placement:** Public Hearing

(Special Recognitions (awards, proclamations), Requests & Communications (reports, information presentations), Public Hearings, Consent Agenda, Unfinished Business, New Business, Closed Session)

**Subject Title:** Annexation A18-02 4016 and 4020 Berman Edge Road

**Presenter Name(s):** Gina Clapp, Planning Director

### SUBJECT HIGHLIGHTS:

The Town has received a petition for voluntary annexation of .276 +/- acres located at 4016 and 4020 Berman Edge Road. The property owners are Sire Development, LLC and Elbert and Kathryn Hockaday, and the property is contiguous with city limits.

The petition meets all the statutory requirements for annexation.

Enclosed in your agenda packet are the following attachments: a vicinity map showing the site being considered for annexation; the Clerk's certificate of sufficiency of the application; and a copy of proposed Annexation Ordinance A18-02.

### Advisory board recommendation, if applicable:

N/A

### **Total Number of Motions:** 1

### Action(s) requested or suggested motion(s):

**Motion for the Minutes:** Motion to adopt Annexation Ordinance A18-02 annexing .276 +/- acres owned by Sire Development, LLC and Elbert and Kathryn Hockaday, and more particularly described as Wake County Pins: 0648-49-6146 and 0648-48-8641, into the corporate limits of the Town of Holly Springs.

**Motion for the PowerPoint:** Motion to adopt Annexation Ordinance A18-02.

### SUBJECT IN GREATER DETAIL, IF NEEDED:

None.

### Staff Review Record

Are there exhibits for this agenda item? Yes

List them in order they should appear in packet: Vicinity map, certificate of sufficiency, ordinance

Department head initials and comments, if applicable: n/a

Finance director initials and comments, if applicable: N/A

Town attorney initials and comments, if applicable: N/A

Town manager initials and / or comments: dw by jp

Town clerk initials: jp



# Town of Holly Springs Voluntary Annexation Petition A18-02

## 4020 & 4016 Berman Edge Road Holly Springs, NC Voluntary Annexation Petition .276 Acres

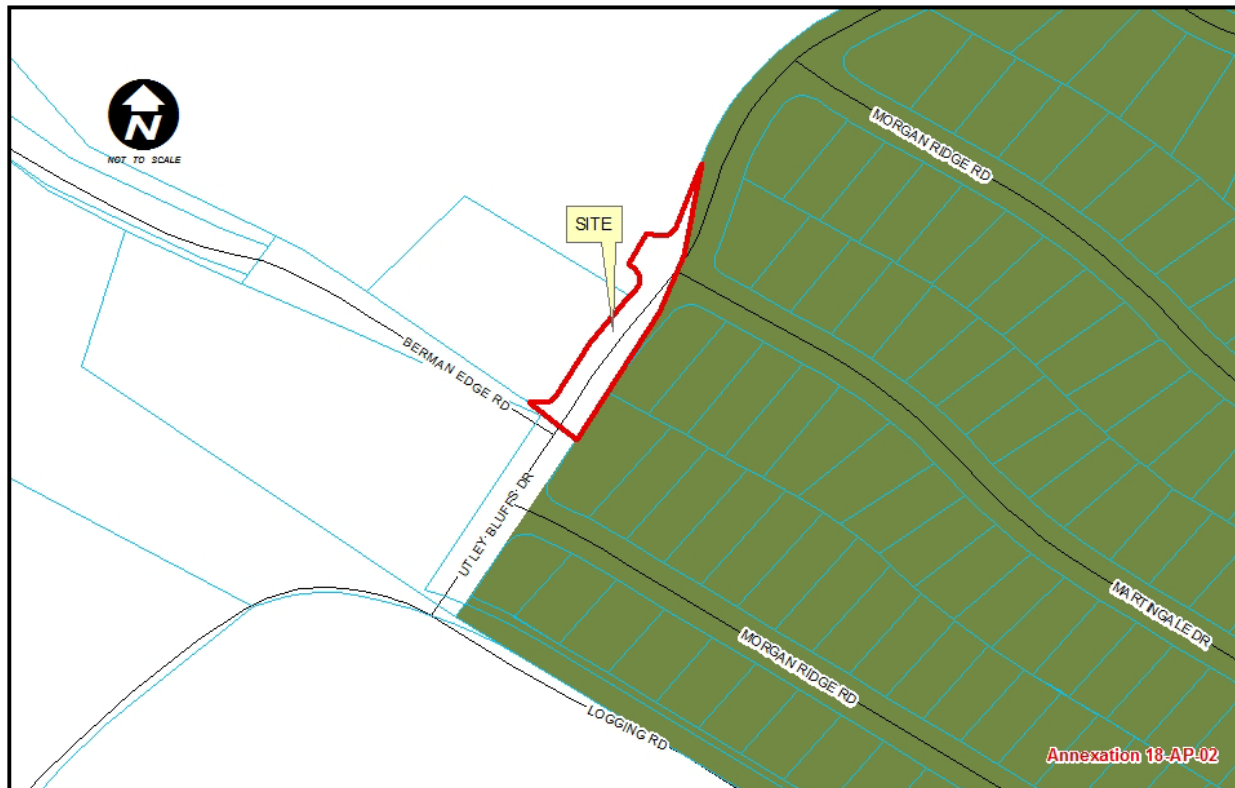
**OWNER:**

Don Sutton, Sire Development, LLC  
4020 Berman Edge Road  
Holly Springs, NC 27540  
Elbert and Kathryn Hockaday  
4016 Berman Edge Road  
Holly Springs, NC 27540

**PIN:**

0648-49-6146  
  
0648-48-8641

**LOCATION:**



Contiguous to Corporate Limits of Holly Springs

Satellite Annexation



THE TOWN OF

# Holly Springs

## Town of Holly Springs Petition for Voluntary Annexations

### Certificate of Sufficiency

**Owner/Development Names:** Sire Development, LLC and Elbert and Kathryn Hockaday

**Petitioner:** Sire Development, LLC and Elbert and Kathryn Hockaday

**Annexation File No.:** A18-02

I, Linda R. Harper, Deputy Town Clerk of the Town of Holly Springs, do hereby certify that I have investigated the sufficiency of the above referenced petition for voluntary annexations as directed by the Town Council and required by provisions of N.C.G.S. 160A-31, and have determined that it is sufficient.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of the Town of Holly Springs, this 7<sup>th</sup> day of August, 2018.

Linda R. Harper, NCCMC  
Deputy Town Clerk



*Office of the Mayor*



THE TOWN OF

# Holly Springs

Annexation Ordinance No.: **A18-02**

**Please mail after recordation to:**

Town of Holly Springs  
Town Clerk's Office  
P. O. Box 8  
Holly Springs, NC 27540

**An Ordinance to Extend the Corporate Limits  
of the Town of Holly Springs, North Carolina**

**WHEREAS**, the Town Council of the Town of Holly Springs has been petitioned pursuant to the provisions of N.C.G.S. 160A-31 to annex the area described herein; and

**WHEREAS**, the Town Council of the Town of Holly Springs has directed the Town Clerk to investigate the sufficiency of the petition for annexation; and

**WHEREAS**, following the certification of the sufficiency of the petition by the Town Clerk, the Town Council fixed a date for a public hearing on the question of annexation and caused a notice thereof to be published in a paper of general circulation in the Town of Holly Springs once ten days prior to the date of the hearing; and

**WHEREAS**, the Town Council found as a fact following public hearing on the matter that the petition for annexation is sufficient and meets all of the requirements set forth in N.C.G.S. 160A-31;

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF HOLLY SPRINGS, NORTH CAROLINA:**

**Section 1.** By virtue of the authority granted by N.C.G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Holly Springs effective as of the 7<sup>th</sup> day of August, 2018.

**Legal Description for Voluntary Annexation**

Commencing at the Town of Holly Springs Geodetic Monument " SEAGRAVES 5" having

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Office of the Mayor

128 S. Main Street • P.O. Box 8 • Holly Springs, NC 27540 • (919) 557-3901 • (919) 552-0654 fax  
dick.sears@hollyspringsnc.us • www.hollyspringsnc.us

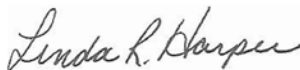
observed NC Grid Coordinates of N – 690,714.392 E – 2,045,932.457 NAD 83 (2012B), thence South 24 degrees 56 minutes 40 seconds West – 2216.91 Grid feet to an existing iron stake at the right of way turnout of Utley Bluffs Drive and Martingale Drive, having NC Grid Coordinates of N – 688,704.285 E – 2,044,997.502, the point of BEGINNING: Thence along a curve to the left having a Radius of 25.00' and arc length of 47.43 feet, chord bearing and distance of North 70 degrees 02 minutes 59 seconds East – 40.63 feet to an existing stake; Thence along a curve to the right having a radius of 975.00 feet and arc length of 249.32 feet, a chord bearing and distance of South 19 degrees 20 minutes 37 seconds West – 248.64 feet to a point; Thence South 29 degrees 36 minutes 14 seconds West – 64.57 feet to a point; Thence North 61 degrees 17 minutes 12 seconds West – 24.99 feet to a point; Thence North 50 degrees 03 minutes 24 seconds West – 35.75 feet to an existing iron pipe; Thence North 49 degrees 45 minutes 07 seconds West – 20.22 feet to an existing iron pipe; Thence along a curve to the left having a radius of 25.00 feet, and arc length of 44.18 feet, a chord bearing and distance of North 79 degrees 25 minutes 37 seconds East – 38.65 feet to an existing iron pipe; Thence along a curve to the right having an radius of 1025.00 feet, and arc length of 142.99 feet, a chord bearing and distance of North 32 degrees 47 minutes 05 seconds East – 142.88 feet to an existing iron pipe; Thence North 35 degrees 43 minutes 50 seconds East – 6.95 feet to an existing iron stake; Thence along a curve to the left having a radius of 25.00 feet, and arc length of 39.29 feet, a chord bearing and distance of North 08 degrees 51 minutes 40 seconds West – 35.37 feet to an existing iron stake; Thence North 55 degrees 03 minutes 58 seconds East – 1.16 feet to an existing iron stake; Thence North 23 degrees 34 minutes 27 seconds East – 51.93 feet to the point of BEGINNING, containing 0.276 Acres or 12,034 square feet more or less and being a portion of the right of way of Utley Bluffs Drive, Book of Maps 2015 Page 1558, as recorded in the Wake County Register of deeds.

**Section 2.** Upon and after the effective date of annexation, the above described territory and its citizens and property, shall be subject to all debts, laws, ordinances and regulations in force within the Town of Holly Springs and shall be entitled to the same privileges and benefits as other parts of the Town of Holly Springs. The territory shall be subject to municipal taxes according to N.C.G.S. 160A-31.10.

**Section 3.** The Town Clerk of the Town of Holly Springs shall cause to be recorded in the office of the Register of Deeds of Wake County, and in the office of the Secretary of State, an accurate map of the annexed territory, described in Section 1, hereof, together with a duly certified copy of this ordinance.

**Adopted this, the 7<sup>th</sup> day of August 2018.**

ATTEST TO:



Joni S. Powell, NCCMC, Town Clerk  
 Linda R. Harper, NCCMC Deputy Clerk



Dick Sears, Mayor

Office of the Mayor

I, Linda R. Harper, deputy town clerk of the Town of Holly Springs, do hereby certify that the foregoing is a true and accurate copy of an annexation ordinance duly adopted by the Town Council of the Town of Holly Springs, North Carolina, at a meeting held August 7, 2018, at 7 o'clock p.m. at the Town Hall in the Town of Holly Springs.

**IN WITNESS WHEREOF**, I have here unto set my hand and have caused the official corporate seal of said Town to be affixed, this the 7<sup>th</sup> day of August, 2018.

*Linda R. Harper*

[x] Linda R. Harper, NCCMC, Deputy Town Clerk



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Office of the Mayor

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