



PROPOSED AGENDA
Bermuda Run Town Council Meeting
Tuesday, January 11, 2022
6:00PM

Bermuda Run Town Hall

Mission: "The Town of Bermuda Run exists to provide core public services that enhance the quality of life for its residents and an environment for the business community to thrive".

1. Call to Order

2. Pledge of Allegiance

3. Moment of Silence

"It is the intent of the Town Council to solemnize the proceedings of this meeting and the business brought before the governing board, to offer the opportunity for a reflective moment of silence."

4. Adoption of the Agenda

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

5. Approval of the December 14, 2021 Town Council Meeting Minutes

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

6. Citizens' Comments

7. Proposed Action Item(s)

A. Resolution Directing the Town Clerk to Investigate a Petition Received Under G.S. 160A-31

On December 20, 2021, the Town received a petition for contiguous annexation from the property owners of 155 S. NC HWY 801 and 139 S. NC HWY 801. To proceed with further consideration to annex both properties, the Town Council will need to adopt the enclosed resolution.

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

B. Set Notice of Public Hearing for Tuesday, February 8, 2022 for the Following

Zoning Text Amendment 2021-01. The Town Council will review text amendments of the Zoning Ordinance in sections 3.5, 9.61 and 12.3 regarding food trucks.

Zoning Map Amendment 2022-01. Michael Kelly has applied to rezone 6 tracts of land totaling approximately 6.54 acres from Commercial Mixed (CM) and Club Residential (CR) to Village Mixed (VM). The subject properties are located east of NC Hwy 801 South and West of Ivy Circle.

10/70 Request. Michael Kelly has applied to request a 10/70 provision on 6.54 acres of land. The subject properties are located east of NC Hwy 801 South and West of Ivy Circle.

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

8. Amend the 2022 Council Meeting Calendar to Include Tuesday, January 25, 2022 and Tuesday February 1, 2022 from 8:00am to Noon as Town Council Meetings

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

9. Town Manager Comments

10. Council/Mayor Comments

11. Adjourn

Motion: _____ Second: _____ In Favor: _____ Opposed: _____

Town of Bermuda Run

Town Council Meeting Minutes

December 14, 2021 – 6:00 PM

The Town Council of Bermuda Run held its scheduled meeting on Tuesday, December 14, 2021 at 6:00 PM. The meeting was held at the Bermuda Run Town Hall.

Council Members Present: Mayor Rick Cross, Heather Coleman, Mike Ernst, Chris Fowler, and Ken Peacock; Newly appointed - Mike Brannon, and Melinda Szeliga

Council Members Absent: Curtis Capps

Also Present: Lee Rollins, Town Manager; Cindy Poe, Town Clerk; Brian Williams, Town Attorney

Call to Order Mayor Rick Cross called the meeting to order.

Pledge of Allegiance

Moment of Silence

It is the intent of the Town Council to solemnize the proceedings of this meeting and the business brought before the governing board, to offer the opportunity for a reflective moment of silence.

Approval of the November 9, 2021 Town Council Meeting Minutes

Council Member Chris Fowler made a motion to approve the November 9, 2021 meeting minutes. Council Member Ken Peacock seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Recognition of Outgoing Council Members Chris Fowler and Ken Peacock

Oath of Office Administered to council Members-Elect Mike Brannon, Mike Ernst, and Melinda Szeliga (Administered by Town Clerk, Cindy Poe)

BRIEF RECESS

Seating of New Town Council

Adoption of the Agenda

Council Member Mike Ernst made a motion to approve the agenda. Council Member Heather Coleman seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Public Comments – None

Appointing of Mayor Pro Tempore

Pursuant to NC General Statute 160A-70: “At the organizational meeting, the council shall elect from among its members a mayor pro tempore to serve at the pleasure of the council. A council member serving as mayor pro tempore shall be entitled to vote on all matters and shall be considered a council member for all purposes, including the determination of whether a quorum is present. During the absence of the mayor, the council may confer upon the mayor pre tempore any of the powers and duties of the mayor.”

Council Member Heather Coleman made a motion to appoint Mike Ernst as Mayor Pro Tempore. Council Member Mike Brannon seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Proposed 2022 Council Meetings Schedule

The proposed schedule keeps the Town Council meetings on the second Tuesday of each month at 6:00 pm, and the Council Agenda meetings on the fourth Tuesday of each month at 9:00 am.

Council Member Mike Brannon made a motion to adopt the proposed Council Meeting schedule with the change of moving November 22 Agenda Meeting to November 29. Council Member Heather Coleman seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

R2021003: Resolution Supporting a Request the Winston-Salem Metropolitan Planning Organization for Additional Federal Funds for the TIP Project EB-5958 Blue Heron Trail

Due to the lowest responsible, responsive bid coming in higher than the engineer's estimate, the Town will need to ask the Transportation Advisory Committee of the Winston-Salem Metropolitan Planning Organization for additional federal funds in the amount of \$1,283,195.46 to be included with the already approved amount of \$1,671,200.00 for total federal funds of \$2,954,395.46, which requires a revised Town local match of \$738,598.87.

Council Member Mike Ernst made a motion to adopt the resolution as presented. Council Member Melinda Szeliga seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Town Manager/Council/Mayor Comments

Lee Rollins – Thanked the Council for adopting the resolution regarding the Blue Heron Trail. American Rescue Act funds could hopefully help with the cost. Thanked the Council for their willingness to serve.

Mike Ernst – Feels that the Blue Heron Trail resolution is very important and that the trail will be an asset for recreation and growth for the Town. Appreciates the outgoing Council Members, Ken Peacock and Chris Fowler. Welcomed the new Council Members and thanked all Town Hall Staff. Heather Coleman – Welcomed the new Council Members, stating she looks forward to working with them. Blakley did a great job with tree planting along Ivy Circle/158.

Melinda Szeliga – Delighted to be part of the Town Council; values what residents bring to the meetings. Christmas in Bermuda Run was an incredible event. Inspired by her community and ready to serve.

Mike Brannon – Honored and excited to be part of the board. Thanked everyone for their support.

Mayor Rick Cross

- *Shared that the PTRC is one of 60 finalists nationally for the “Build Back Better” Next Generation Manufacturing (\$500,000.00 to further develop plan) – Huge for Davie Co.*
- *Welcomed new Council Members*
- *Christmas in Bermuda Run was a very exciting event; kicked off with the Davie Medical Center Tree Lighting – Added that the “Tree-O” (Christy Schafer, Rosanne Peacock, and Sharon Reid) deserve a lot of credit for all of their hard work.*
- *Thanked Advance Fire Dept. Chief Rodney Miller for organizing the Advance Parade*
- *Nellie Stevens Hollies along 158/Ivy Circle look great/Blakely did an awesome job*
- *Comprehensive Plan Update 2022*
- *Covid Update*
- *Thanked all First Responders; Everyone in attendance*
- *Speaker Series for 2021 was informative; looking into speakers for 2022*

Adjourn

With no further business to discuss, Council Member Melinda Szeliga made a motion to adjourn. Council Member Mike Brannon seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Approved

Respectfully Submitted

Rick Cross, Mayor

Cindy Poe, Town Clerk

(7.A.)



TO: Town Council
FROM: Lee Rollins, Town Manager
DATE: January 11, 2022
RE: Petition for Contiguous Annexation

Included for your review:

- Resolution Directing the Clerk To Investigate A Petition of Contiguous Annexation
- NC General Statutes – Chapter 160A Article 4A (Extension of Corporate Limits)
- Preliminary Plat Showing the two (2) parcels requesting voluntary annexation
- Petitions Requesting Contiguous Annexation of 139 S. and 155 S. NC HWY 801.
- GIS Map of the two (2) parcels and their contiguity to the corporate limits

Overview:

In 2012, the General Assembly adopted a new law that reorganized the annexation provisions in the statutes, which are codified in Article 4A of Chapter 160A. Specifically, involuntary annexation became much more arduous.

On December 20, 2021, Town Hall received petitions for voluntary contiguous annexation of 139 South and 155 South NC Hwy 801. These two parcels are contiguous to the corporate limits on three (3) sides. Town Clerk, Cindy Poe, has prepared a Resolution that directs the Town Clerk to investigate the petition.

I recommend the Town Council adopt the Resolution to move the process forward. If the Resolution is adopted, I recommend the Town Council vote to set a public hearing on the issue of annexation for public comment at the February 8, 2022 Town Council meeting.



RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER ARTICLE 4A OF G.S. 160A
155 S. NC Hwy 801, and 139 S. NC Hwy 801

WHEREAS, a petition requesting contiguous annexation of an area described in said pattern was received on December 20, 2021 by the Town Council; and

WHEREAS, N.C.G.S. Chapter 160A, Article 4A, Part 1 provides that the sufficiency of the petition shall be investigated by the Town Clerk of the Town of Bermuda Run, North Carolina before further annexation proceedings may take place; and

WHEREAS, the Town Council of the Town of Bermuda Run, North Carolina deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Bermuda Run, North Carolina that:

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the result of the investigation.

Adopted this the 11th day of January, 2022.

Rick Cross – Mayor

ATTEST:

Cindy Poe, Town Clerk

APPROVED AS TO FORM

Brian F. Williams, Town Attorney

Article 4A.
Extension of Corporate Limits.
Part 1. Extension by Petition

§ 160A-31. Annexation by petition.

(a) The governing board of any municipality may annex by ordinance any area contiguous to its boundaries upon presentation to the governing board of a petition signed by the owners of all the real property located within such area. The petition shall be signed by each owner of real property in the area and shall contain the address of each such owner.

(b) The petition shall be prepared in substantially the following form:

DATE: To the _____ (name of governing board) of the (City or Town) of _____

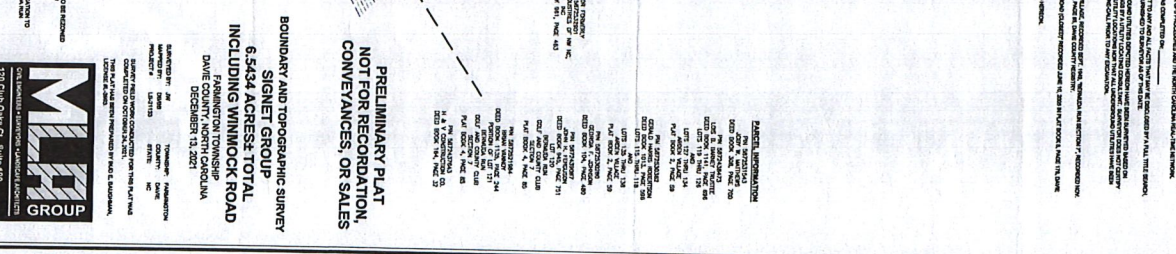
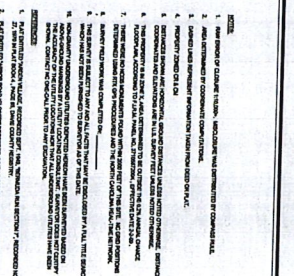
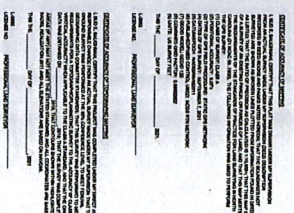
1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the (City or Town) of _____

2. The area to be annexed is contiguous to the (City or Town) of _____ and the boundaries of such territory are as follows:

(c) Upon receipt of the petition, the municipal governing board shall cause the clerk of the municipality to investigate the sufficiency thereof and to certify the result of the investigation. For petitions received under subsection (b1) or (j) of this section, the clerk shall receive the evidence provided under subsection (l) of this section before certifying the sufficiency of the petition. Upon receipt of the certification, the municipal governing board shall fix a date for a public hearing on the question of annexation, and shall cause notice of the public hearing to be published once in a newspaper having general circulation in the municipality at least 10 days prior to the date of the public hearing; provided, if there be no such paper, the governing board shall have notices posted in three or more public places within the area to be annexed and three or more public places within the municipality.

(d) At the public hearing persons resident or owning property in the area described in the petition and persons resident or owning property in the municipality shall be given an opportunity to be heard. The governing board shall then determine whether the petition meets the requirements of this section. Upon a finding that the petition that was not submitted under subsection (b1) or (j) of this section meets the requirements of this section, the governing board shall have authority to pass an ordinance annexing the territory described in the petition. The governing board shall have authority to make the annexing ordinance effective immediately or on the June 30 after the date of the passage of the ordinance or the June 30 of the following year after the date of passage of the ordinance.

(f) For purposes of this section, an area shall be deemed "contiguous" if, at the time the petition is submitted, such area either abuts directly on the municipal boundary or is separated from the municipal boundary by the width of a street or street right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State of North Carolina. A connecting corridor consisting solely of a street or street right-of-way may not be used to establish contiguity. In describing the area to be annexed in the annexation ordinance, the municipal governing board may include within the description any territory described in this subsection which separates the municipal boundary from the area petitioning for annexation.



**BOUNDARY AND TOPOGRAPHIC SURVEY
SIGNET GROUP
6.5434 ACRES± TOTAL
INCLUDING WINMCK ROAD
FARMINGTON TOWNSHIP**



CONTRACTORS • SUPPLIERS • PLANT/MATERIALS
1700 Club Circle, N. • Dallas, TX 75219

7000 CROOKS CT, SUITE 300
 WINSTON-SALEM, NC 27104
 336.765.1923
 WWW.MILLERLCA.COM
 TURNING LAND INTO LANDMARK
 NC COMMERCIAL URBAN/RE NC-0099

PETITION REQUESTING A CONTIGUOUS ANNEXATION

PROPERTY NAME: 139 S. NC HWY 801 DATE: 12/7/21

To the Town Council of the Town of Bermuda Run, North Carolina:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed to the Town of Bermuda Run, North Carolina.
2. The area to be annexed is contiguous to the primary limits of the Town of Bermuda Run, North Carolina and the boundaries of such territory are as follows:

See Attached Map and Metes & Bounds Description

3. This petition is signed by all property owners of the area to be annexed.

4. Check one:

☐ The undersigned owners declare that zoning vested rights have been established on the area to be annexed under G.S. 160A-385.1 or G.S. 153A-344.1, and provide proof of such rights by attachment hereto.

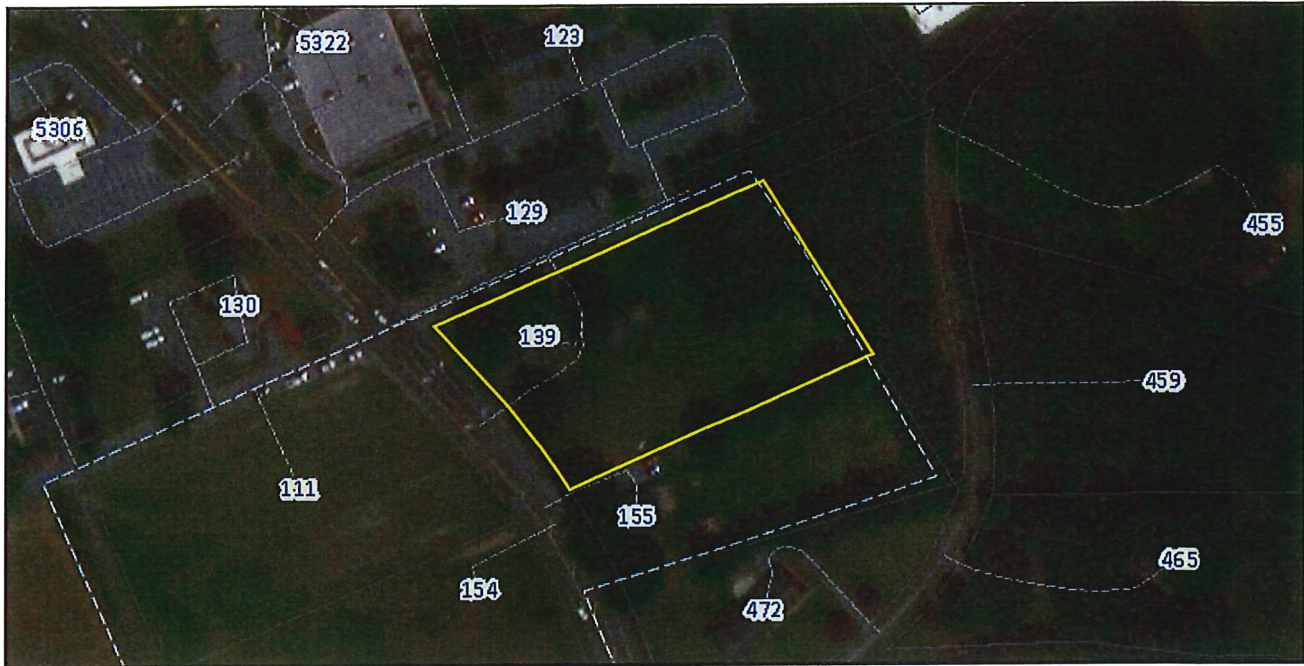
☒ The undersigned owners hereby declare that no such vested rights have been established and that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property.

| | <u>Name</u> (print or type) | <u>Address</u> | <u>Signature*</u> |
|----|--------------------------------|----------------------|----------------------------|
| 1. | Stephen K. Barney | 147 West Renee Drive | Stephen K. Barney, Trustee |
| | trustee of the | Advance, N.C. 27006 | |
| 2. | Lois B. Barney Revocable Trust | | |
| 3. | | | |
| 4. | | | |

*Family members (e.g., husbands and wives) need to sign separately. Signatures for corporations, institutions, etc., are by those with the authority to sign legal documents.

DESCRIPTION FOR ANNEXATION
LOIS B. BARNEY TRUSTEE
DEED BOOK 1141, PAGE 696
PIN 5872438473

BEGINNING at an existing rebar and cap (having North Carolina Grid Coordinates of North 823,465.93. East 1,574,701.14, said iron being in the southwest intersection of N. C. Highway 801 and Winmock Road and also being the northwest corner of Lois B. Barney Trustee Property as recorded in Deed Book 1141, Page 696; thence with the southern right-of-way of Winmock Road N. $67^{\circ}32'25''$ E. crossing an existing 1 $\frac{1}{2}$ " tall iron at 333.11 and continuing 20.41' to an existing rebar with cap for a total distance of 353.52' to the northeast corner of said Barney Property and the northwest corner of Joby W. Matthews property as recorded in Deed Book 308, Page 700; thence with the eastern line of said Barney Property S. $32^{\circ}36'35''$ E. 200.56' to a rebar with cap, the southeast corner of said Barney Property and the northeast corner of Gerald Harris Robertson property as recorded in Deed Book 1013, Page 596; thence with the southern line of said Barney property S. $68^{\circ}41'16''$ W. 329.98' to an existing $\frac{7}{8}$ " iron in the eastern right of way of said N. C. Highway 801; thence with said right-of-way the (2) following courses and distances: 1) on a curve to the left (having a radius of 772.90) a chord bearing and distance of N. $38^{\circ}25'13''$ W. 148.26' to a point; thence 2) N. $43^{\circ}06'15''$ W. 51.59' to the point and place of BEGINNING and containing 1.5040 Acres more or less.



WARNING: THIS IS NOT A SURVEY

Parcel Number: D8080C0007
NCPIN Number: 5872438473
Account Number: 8313708
Listed Owner 1: BARNEY LOIS B TRUSTEE
Mailing Address 1: 147 W RENEE DR
City: ADVANCE
State: NC
Zip Code: 27006-7958
Legal Description: LOTS 119-134 ARDEN VILL
Assessed Acreage: 1.51
Deed Date: 6/2020
Deed Book / Page: 011410696
Plat Book: 00002
Plat Page: 0059
Building Value: \$14,890.00
Land Value: \$148,980.00
Total Assessed Value: \$166,780.00
Sewer Service Area: None

Township: Farmington
Municipality: BERMUDA RUN
Census Tract: 37059-803
Voting Precinct: HILLSDALE
Planning Jurisdiction: BERMUDA RUN
Zoning Class: BERMUDA RUN CM
Zoning Overlay:
Voluntary Ag. District: No
Fire Response District: SMITH GROVE VFD
Elementary School Zone: SHADY GROVE
Middle School Zone: WILLIAM ELLIS
Soil Types: GnB2
Flood Zone: X
Watershed Overlay: BERMUDA RUN
Outbuilding & Extra Features Value: 2910
Total Market Value: \$166,780.00
Water Service Area: Davie County Water

1141
0696

ENV.

FILED
DAVIE COUNTY NC
M. BRENTSHOAF
REGISTER OF DEEDS
FILED Jun 26, 2020
AT 09:52 am
BOOK 01141
START PAGE 0696
END PAGE 0698
INSTRUMENT # 03517
EXCISE TAX (None)

Excise Tax \$ 0.00 - NO TAXABLE
CONSIDERATION - no title search performed; no
opinion rendered; no closing services performed;
description provided by Grantor

Recording Time, Book and Page

Tax Block: Lot: Parcel Identifier No. Tract I: 5758888782; Tract II: 5872438473; Tract III: 5862577299
Verified by _____ County on the _____ day of _____, 2020.
by _____

Mail after recording to: Ingersoll Firm, PLLC, 1590 Westbrook Plaza Dr. Ste. 203, Winston-Salem, NC 27103
This instrument was prepared by: Marc W. Ingersoll, Attorney
Brief description for the Index

NORTH CAROLINA QUITCLAIM DEED

THIS DEED made this 12 day of June, 2020, by and between

GRANTORS

Lois B. Barney, Trustee under the Paul B.
Barney Revocable Trust Agreement dated
June 24, 2011

and

Lois B. Barney, Trustee under the Lois B.
Barney Revocable Trust Agreement dated
June 24, 2011,

as tenants in common, each owning a
one-half (1/2) undivided interest

Permanent Address of Grantor:
139 Hwy 801 S
Advance NC 27006

GRANTEES

Lois B. Barney and Steven K. Barney, Trustees
under the Lois B. Barney Revocable Trust
Agreement dated May 8, 2018

Permanent Address of Grantee:
139 Hwy 801 S
Advance, NC 27006

That said Grantors, for and in consideration of the sum of Ten Dollars (\$10.00) to them in hand paid, the receipt of which is hereby acknowledged, has remised and released and by these presents does remise, release, convey, and forever quitclaim unto the Grantees, their heirs and/or successors and assigns, all right, title, claim and interest of the Grantors in and to a certain lot or parcel of land lying and being in Davie County, North Carolina and more particularly described as follows:

See Attached Exhibit "A"

1141
0697

The property described herein was acquired by Grantors by Deed recorded in Book 865, Page 584, Davie County Registry.

The property described herein does include the Grantors' primary residence.

TO HAVE AND TO HOLD the aforesaid parcel of land and all privileges thereunto belonging to him, the Grantees, their heirs and/or successors and assigns, free and discharged from all right, title, claim or interest of the Grantors or anyone claiming by, through or under them.

The designation Grantors and Grantees 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.

IN WITNESS WHEREOF, Grantors have set their hands and seals the day and year first above written.

Lois B. Barney (SEAL)
Lois B. Barney, Trustee under the Paul B. Barney Revocable Trust Agreement dated June 24, 2011

Lois B. Barney (SEAL)
Lois B. Barney, Trustee under the Lois B. Barney Revocable Trust Agreement dated June 24, 2011

STATE OF NORTH CAROLINA

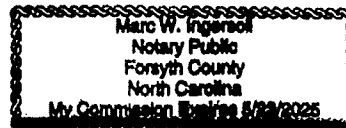
Forsyth COUNTY

I, Marc W. Ingersoll, a Notary Public of Forsyth County and State of North Carolina do hereby certify that Lois B. Barney, Trustee under the Paul B. Barney Revocable Trust Agreement dated June 24, 2011 personally appeared before me and acknowledged the execution of the foregoing. Witness my hand and official stamp or seal, this 12 day of June, 2020.

Marc W. Ingersoll (SEAL)
NOTARY PUBLIC

My Commission expires: 5/23/2025

[Official Seal]



STATE OF NORTH CAROLINA

Forsyth COUNTY

I, Marc W. Ingersoll, a Notary Public of Forsyth County and State of North Carolina do hereby certify that Lois B. Barney, Trustee under the Lois B. Barney Revocable Trust Agreement dated June 24, 2011 personally appeared before me and acknowledged the execution of the foregoing. Witness my hand and official stamp or seal, this 12 day of June, 2020.

Marc W. Ingersoll (SEAL)
NOTARY PUBLIC

My Commission expires: 5/23/2025

[Official Seal]

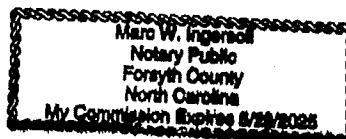


EXHIBIT "A"

TRACT I: PIN: 5758888782 COUNTY ID: I600000012

BEGINNING at a stone in Lee Jones' and Bill Jones' corner, the North West corner of the within described lot and runs thence with Lee Jones' line South 4 degs. West 12 chs. to an iron stake on the West side of black top road; thence East 8 chs. to an iron stake, new corner; thence North 4 degs. East 6.83 chs. to a stone, an original corner of Railway lot; thence North 53 degs. West 9.25 chs. to the place of Beginning, CONTAINING SIX AND SEVENTY FIVE HUNDREDTHS (6.75) ACRES, more or less.

TRACT II: PIN: 5872438473 COUNTY ID: D8080C0007

Being lots numbered one hundred nineteen (119) to one hundred twenty-six (126), both inclusive and lots numbered one hundred twenty-seven (127) to one hundred thirty-four (134), both inclusive, as shown upon a map of "ARDEN VILLAGE", as surveyed and platted by J. E. Ellerbe, C.E. in June, 1949. Said map is of record in the office of the Register of Deeds of Davie County, North Carolina in Map Book 30, at page 243 and to which map reference is hereby made for a more particular description.

TRACT III: PIN: 5862577299 COUNTY ID: C700000076

BEGINNING at an iron in the western line of the herein described tract and the eastern line of Donne E. Vestal (DB 138, Pg. 1), said iron being located South 85 deg. 36 min. 40 sec. East 224.56 feet from an iron; thence with the western line of the herein described tract North 05 deg. 03 min. 54 sec. East 45.60 feet crossing the pavement of NC Hwy. 801 to an iron placed 5 feet north of the edge of the pavement of NC Hwy. 801; thence South 86 deg. 09 min. 18 sec. East 207.92 feet to an iron, being placed 6 feet north of the edge of the pavement of NC Hwy. 801, being the northeast corner of the herein described tract; thence with the eastern line of the herein described tract South 05 deg. 06 min. 32 sec. West passing through an iron at 51.0 feet and 217.91 feet for a total of 387.87 feet to a tall iron in the southeast corner of the herein described tract, said iron being located North 05 deg. 06 min. 32 sec. East 178.64 feet from a tall iron, said iron being the northeast corner of Stanley L. Smith (DB 110, Pg. 105); thence with Smith's northern line North 85 deg. 51 min. 43 sec. West 207.60 feet to an iron in Smith's northwest corner, being the southwest corner of the herein described tract; thence with Vestal's eastern line and the western line of the herein described tract North 05 deg. 03 min. 54 sec. East 341.20 feet to the point and place of BEGINNING, containing 1.847 acres, more or less, as surveyed by Sam P. Hall, Registered Land Surveyor, August 15, 1991.

TOGETHER WITH all right and title to a 1992 Clayton home (VIN CLR006386TNA-B) located on the property with the certificate of title having been cancelled with the NC Division of Motor Vehicles and the home now being real property.

SUBJECT TO the right-of-way of NC Hwy. 801 and any other easements and restrictions of record.

PETITION REQUESTING A CONTIGUOUS ANNEXATION

PROPERTY NAME: 155 S NC Hwy 801 Advance DATE: 12/05/2021

To the Town Council of the Town of Bermuda Run, North Carolina:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed to the Town of Bermuda Run, North Carolina.
2. The area to be annexed is contiguous to the primary limits of the Town of Bermuda Run, North Carolina and the boundaries of such territory are as follows:

See Attached Map and Metes & Bounds Description

3. This petition is signed by all property owners of the area to be annexed.

4. Check one:

 The undersigned owners declare that zoning vested rights have been established on the area to be annexed under G.S. 160A-385.1 or G.S. 153A-344.1, and provide proof of such rights by attachment hereto.

X The undersigned owners hereby declare that no such vested rights have been established and that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property.

| <u>Name</u> (print or type) | <u>Address</u> | <u>Signature*</u> | |
|------------------------------|-----------------------------------|---------------------------|----------------------------|
| 1. <u>Teresa Anderson</u> | <u>8730 Jefferson Church Rd</u> | <u>Teresa Anderson</u> | 12/05/2021 |
| <u>Joey Anderson</u> | <u>Rural Hall, NC 27045</u> | <u>Joey Anderson</u> | 12/05/2021 11:14 PM GMT |
| 2. <u>Bryant Robertson</u> | <u>5950 N. NC HWY 150</u> | <u>Bryant Robertson</u> | 12/05/2021 10:27:25 PM GMT |
| <u>Charlene Robertson</u> | <u>LEXINGTON NC 27295</u> | <u>Charlene Robertson</u> | 12/5/2021 11:01:22 PM GMT |
| 3. <u>Michael Robertson</u> | <u>847 MOUNT VERNON CHURCH RD</u> | <u>Michael Robertson</u> | 12/05/2021 11:03:58 PM GMT |
| 4. <u>Michelle Robertson</u> | <u>WINSTON - SALEM NC 27107</u> | <u>Michelle Robertson</u> | 12/05/2021 11:03:58 PM GMT |

*Family members (e.g., husbands and wives) need to sign separately. Signatures for corporations, institutions, etc., are by those with the authority to sign legal documents.

DESCRIPTION FOR ANNEXATION
GERALD HARRIS ROBERTSON
DEED BOOK 1013, PAGE 596
PIN 5872530362

COMMENCING at an existing rebar and cap (having North Carolina Grid Coordinates of North 823,465.93. East 1,574,701.14, said iron being in the southwest intersection of N. C. Highway 801 and Winmock Road and also being the northwest corner of Lois B. Barney Trustee Property as recorded in Deed Book 1141, Page 696; thence with the eastern right-of-way of said N. C. Highway 801 the two following courses and distances; 1) S. $43^{\circ}06'15''$ E. 51.59' to a point; thence 2) on a curve to the right (having a radius of 772.90' a chord bearing and distance of S. $38^{\circ}25'13''$ E. 148.26' to an existing pinched iron the point and place of BEGINNING and being the southwest corner of Lois B. Barney Trustee property as recorded in Deed Book 1141, Page 696 and the northwest corner of Gerald Harris Robertson as recorded in Deed Book 1013, Page 596; thence with the northern line of said Robertson property and the southern line of said Barney property N. $68^{\circ}41'16''$ E. 329.98' to an existing rebar with cap, the southeast corner of said Barney property and the northeast corner of said Robertson property and in the western line of Joby W. Matthews property as recorded in Deed Book 308, Page 700; thence with the eastern line of said Robertson property and the western line of said Matthews property S. $32^{\circ}36'35''$ E. 133.89' to a point in the western right-of-way of Ivy Circle; thence with the said right-of-way on a curve to the right (having a radius of 155') a chord bearing and distance of S. $12^{\circ}27'38''$ W. 33.04' to a point; the southwest corner of said Robertson and the northeast corner of Georgia F. Johnson property and the southeast corner of said Robertson property; thence with the southern line of said Robertson property and the northern line of said Johnson property S. $75^{\circ}22'21''$ W. 325.66' to a pinched iron in the eastern right-of-way of said N. C. Highway 801 and being the southwest corner of said Robertson property and the northwest corner of said Johnson property; thence with the said right-of-way on a curve left (having a radius of 772.90') a chord bearing and distance of N. $29^{\circ}12'00''$ W. 100.20' to the point and place of BEGINNING and containing 0.9112 Acres more or less.



WARNING: THIS IS NOT A SURVEY

| | | | |
|------------------------------|---|--|--------------------|
| Parcel Number: | D8080C0008 | Township: | Farmington |
| NCPIN Number: | 5872530362 | Municipality: | BERMUDA RUN |
| Account Number: | 82532518 | Census Tract: | 37059-803 |
| Listed Owner 1: | ROBERTSON GERALD HARRIS | Voting Precinct: | HILLSDALE |
| Mailing Address 1: | 1070 STYERS STREET | Planning Jurisdiction: | BERMUDA RUN |
| City: | GERMANTON | Zoning Class: | BERMUDA RUN CM |
| State: | NC | Zoning Overlay: | |
| Zip Code: | 27019-0000 | Voluntary Ag. District: | No |
| Legal Description: | LOTS 115-118 + 135-138 ARDEN VILLAGE | Fire Response District: | SMITH GROVE VFD |
| Assessed Acreage: | 0.9 | Elementary School Zone: | SHADY GROVE |
| Deed Date: | 3/2016 | Middle School Zone: | WILLIAM ELLIS |
| Deed Book / Page: | 010130596 | Soil Types: | GnB2 |
| Plat Book: | 0002 | Flood Zone: | X |
| Plat Page: | 059 | Watershed Overlay: | BERMUDA RUN |
| Building Value: | \$37,960.00 | Outbuilding & Extra Features Value: | 0 |
| Land Value: | \$89,190.00 | Total Market Value: | \$127,150.00 |
| Total Assessed Value: | \$127,150.00 | Water Service Area: | Davie County Water |
| Sewer Service Area: | None | | |



1013
0596

BK 1013 PG 0596

FILED
DAVIE COUNTY, NC
M. BRENT SHOAF
REGISTER OF DEEDS
FILED Mar 14, 2016
AT 12:25 pm
BOOK 01013
START PAGE 0596
END PAGE 0599
INSTRUMENT # 01191
EXCISE TAX (None)

DEED TRANSFER CHECKED

DATE 3.14.14 BY LP

NORTH CAROLINA NON-WARRANTY DEED

W:\DOCUMENT FILES IN MS WORD OR PDF OR OTHER FORMAT\Z-REALPR\DEED\NON-WARRANTY OR QCD\DIS TEN BY ENTIR - PURS SAPS\B ROBERTSON TO G ROBERTSON - LTS115-119 & LTS135-138 ARDEN VILL 03-10-16.DOCX.

Mail to: Grantee at the Grantee's "Mailing Address" set out hereinbelow.

Drawn By: Harry A. Boles, Attorney-at-Law, 141 S. Main Street, Suite A, Kernersville, NC, 27284

Excise Tax: \$ NTC

*** NO TITLE SEARCH REQUESTED OR PERFORMED***

Statement from Grantor concerning Primary Residence: The property conveyed herein was the Primary Residence of the Grantor; by Signing this Deed, Grantors Verify the Answer to this Statement and the Amount of Excise Stamps

Tax Identification Data: Lots 115-118 & 135-138, Par # D8080C0008, PIN 5872530362

Brief Description for the index: Lots 115-118 & Lots 135-138, Arden Village, PB 2/59 & Lot J PB 8/178

THIS DEED made this 10th day of March, 2016, by and between

| GRANTOR | GRANTEE |
|---|--|
| GERALD HARRIS ROBERTSON (Legally Separated) and wife, BARBARA A. ROBERTSON (Legally Separated) | GERALD HARRIS ROBERTSON (Legally Separated) Property Address: 155 NC Hwy 801 S Davie County, NC Mailing Address: 1070 Styers Street Germanton, NC, 27019 |

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

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

0597
I 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 Farmington Township, Davie County, North Carolina, and more particularly described as follows:

See Property Description attached hereto as Exhibit A which is incorporated herein by reference.

This conveyance is executed pursuant to a Separation Agreement and Property Settlement agreement, dated December 17, 2015, executed by and between the male Grantor the female Grantor herein which may be recorded in the Office of the Register of Deeds of Davie County, North Carolina; and this instrument is intended to dissolve a tenancy by the entireties estate ownership and to convey and release unto the Grantee herein all of the parties' right, title, and interest in and to the Property.


Tract I in Exhibit A was acquired by Grantor by instruments recorded in Deed Book 845 at Page 613 and Deed Book 845 at 600; and for back reference for Tract II, see Deed Book 845 at Page 613 and Deed Book 845 at 600; and for back reference for Tract I Deed Book 62 at Page 386.

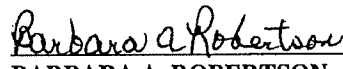
TO HAVE AND TO HOLD the aforesaid lots or parcels of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

The female Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

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

1. Easements, restrictions, and rights-of-way of record, if any; and
2. 2016 *ad valorem* property taxes.

 (SEAL)
GERALD HARRIS ROBERTSON
Male Grantor and Grantee

 (SEAL)
BARBARA A. ROBERTSON
Female Grantor

1013
0598

BK 1013 PG 0598

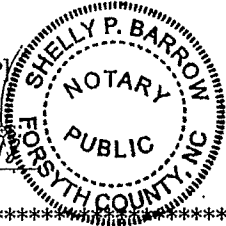
NORTH CAROLINA)
)
Forsyth COUNTY)

I, Shelly P Barrow, a Notary Public of Forsyth County, North Carolina, certify that **GERALD HARRIS ROBERTSON (Legally Separated)**, male Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 11 day of March, 2016.

[SEAL/STAMP]

My Commission Expires:
July 4, 2018



Shelly P Barrow
Shelly P Barrow (Print Name of Notary)
Notary Public

NORTH CAROLINA)
)
Forsyth COUNTY)

I, Tina R. Greene, a Notary Public of Forsyth County, North Carolina, certify that **BARBARA A. ROBERTSON (Legally Separated)**, female Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial stamp or seal this 11th day of March, 2016.

[SEAL/STAMP]

My Commission Expires:
11-2, 2018

Tina R. Greene
Tina R. Greene (Print Name of Notary)
Notary Public

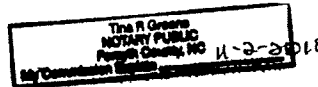


EXHIBIT A

Property Description

(16-122/4752; Robertson) Being two (2) tracts or parcels of real property lying in **Farmington Township, Davie County, North Carolina**, which are more particularly described as follows:

TRACT I:

BEING KNOWN AND DESIGNATED AS Lots 115 through 118, Inclusive, and Lots 135 through 138, Inclusive, as shown on the "Map of Arden Village" Subdivision as shown on Plat Map of same recorded in Plat Book 2 at Page 59 in the Office of the Register of Deeds of Davie County, North Carolina, reference to which is hereby made for a more particular description.

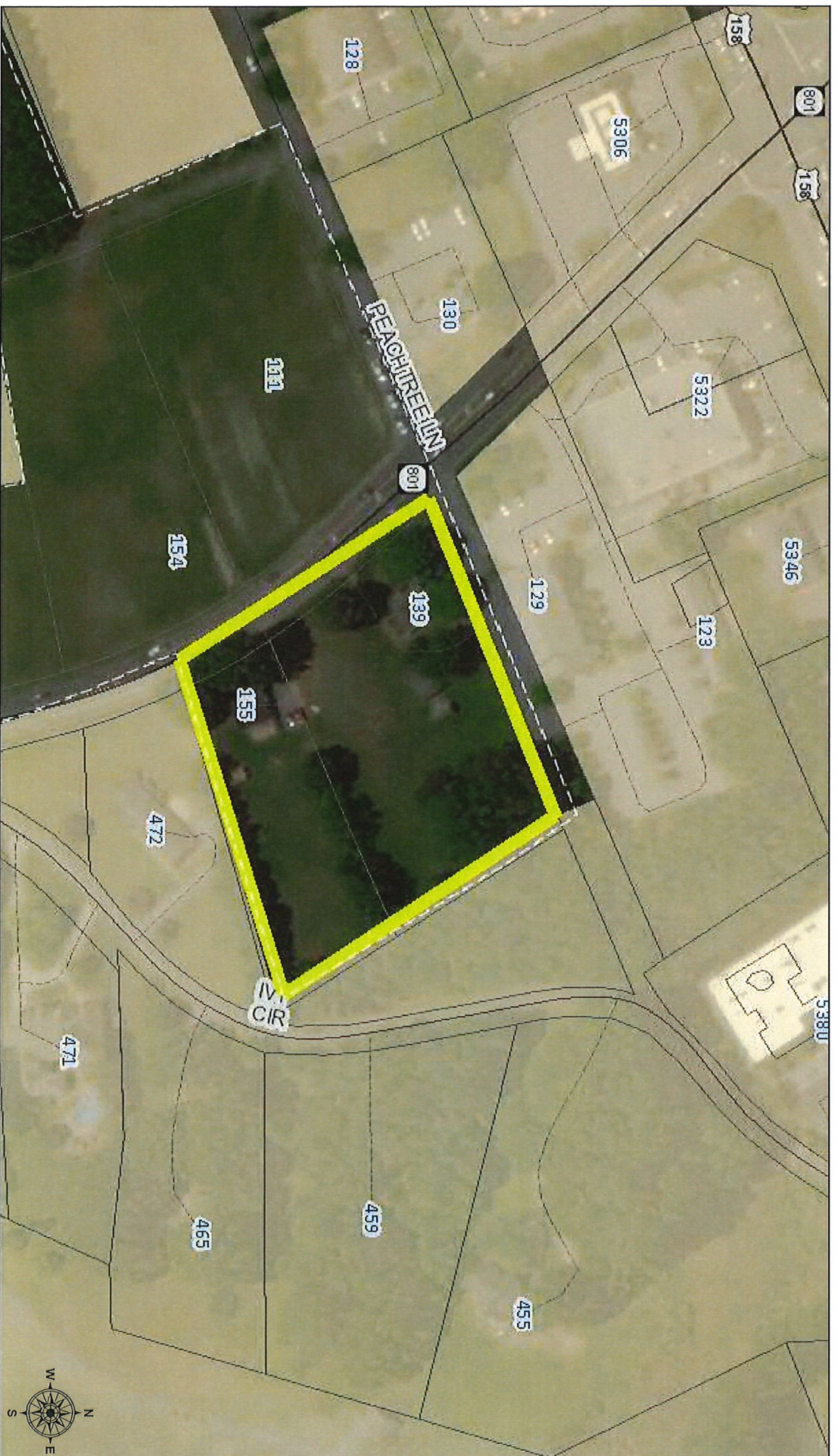
TRACT II:

All interests the Grantors have acquired in **Tract J** shown on a Plat recorded in **Plat Book 8 at Page 178** in the Office of the Register of Deeds of Davie County, North Carolina, by virtue of the closing of **Arbor Road** as shown on the Plat recorded in **Plat Book 2 at Page 59**.

The above-described property is known on the Davie County Tax Maps as **Tax Lots 115-118 and Lots 135-138, Parcel # D8080C0008, PIN 5872530362** (it appears that that portion of Arbor Road that was closed accruing to the owners of Tract I above has been incorporated into or added onto the original Tax Lot on the Davie County Tax Map), and is further the same property as that property described in the conveyance recorded in **Book 845 at Page 613** of the Forsyth County, North Carolina, Registry.

Property Address: 155 NC Hwy 801 S, Davie County, NC

Contiguous Annexation Area



January 5, 2022

- Address
- Watershed Structure
- City Limit
- MOCKSVILLE
- COOLEEMEE
- BERMUDA RUN
- County Line

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
 Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community