



PROPOSED AGENDA
Bermuda Run Town Council Meeting
Tuesday, April 9, 2024
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
 - a. Recognition of Quorum

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. Town of Bermuda Run Code of Ethics Statement-*Town Attorney Brian Williams*

5. Adoption of the Agenda

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

6. Approval of the March 12, 2024, Town Council Meeting Minutes

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

7. Citizen's Comments

8. Proposed Action Item

A. Public Hearing-10/70 Request Davie Construction and RED 32, LLC

The applicant is petitioning the Town of Bermuda Run for the approval of a 10/70 provision for 0.044 acres (1.906 sq. ft.) of project area for a commercial project. The site currently has 0.217 acres (33%) of existing impervious area. The applicant is proposing 0.366 acres of total impervious area on the site. The total impervious area of the site would be 55.71% percent.

- **Mayor Brannon Opens Public Hearing**
- **Mayor Brannon Closes Public Hearing**

The Town Council may take action on the request after the close of the public hearing

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

B. Public Hearing-10/70 Request "Hall Walker"-Bermuda Run Investments, LLC

The applicant is petitioning the Town of Bermuda Run for the approval of a 10/70 provision for 45.1 acres of project area for a multi-use development project. The parcel currently consists of 6.57 acres that is outside of the watershed. The site currently has 0.59 acres of existing impervious area. The applicant is proposing 31.5 acres of impervious area within the project area. The total impervious area of the parcel would be 52.52 % percent.

- **Mayor Brannon Opens Public Hearing**
- **Mayor Brannon Closes Public Hearing**

The Town Council may take action on the request after the close of the public hearing

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

C. Public Hearing-Annexation Request “Hall Walker”-Bermuda Run Investments, LLC

The Town has received petition(s) for a contiguous and a noncontiguous annexation of property being described as Davie County Tax Parcels C700000115, C70000011501, C700000112 and referenced as the “Hall Walker Property”. On January 9th, 2024, the Town Council adopted a Resolution directing the Town Clerk to investigate the petition. The Town Clerk has submitted a Certificate of Sufficiency of the petition.

- **Mayor Brannon Opens Public Hearing**
- **Mayor Brannon Closes Public Hearing**

The Town Council may take action on the Ordinance after the close of the public hearing

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

9. Town Manager Report/Comments

a. Monthly Account Detail Report

10. Mayor Comments

11. Adjourn

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

Town of Bermuda Run

Town Council Meeting Minutes

March 12, 2024 – 6:00 PM

The Town Council of Bermuda Run held its scheduled meeting on Tuesday, March 12, 2024 at 6:00 PM. The meeting was held at the Bermuda Run Town Hall.

Council Members Present: Mayor Mike Brannon, Rae Nelson, Christy Schafer, Melinda Szeliga, and Jeff Tedder

Council Members Absent: Mike Ernst

Also Present: Andrew Meadwell, Town Manager; Cindy Poe, Town Clerk; and Brian Williams, Town Attorney

Call to Order – Mayor Mike Brannon 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 of a reflective moment of silence

Town of Bermuda Run Code of Ethics Statement – Town Attorney Brian Williams

Adoption of the Agenda

Town Manager Andrew Meadwell advised Council that typos were in attachments 9A and 9B – “Annexation” should be changed to “10/70 Request”. Council Member Jeff Tedder made a motion to approve the agenda as presented with typos corrected. Council Member Rae Nelson seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Approval of the February 13, 2024 Council Meeting Minutes

Council Member Christy Schafer made a motion to approve the February 13, 2024 Council Meeting Minutes. Council Member Melinda Szeliga seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Citizen Comments

Lennie Ring – 125 Kilbourne Drive – Thanked Council, adding that they are “painting a photo of Bermuda Run” and urged them to weigh all facts before making “the next brush stroke”.

Erin Dinero – 147 Haywood Dr., Advance – Spoke in opposition to more 10/70 requests. Said restrictions exist for a reason and she does not want a community of asphalt.

Michelle Sousa – 160 Rosewalk Ln – Concerned that the Ariston Place developer is in talks to develop behind Lowes Foods. She is against any development on Yadkin Valley Road, and wants it all to stay on Hwy. 801.

Presentation: Joseph Ashburn, Davie County Emergency Services Director

Mr. Ashburn spoke of the different types of services provided to the 266.6 square mile area of Davie County.

1. Proposed Action Items

Prior to hearing the proposed action items, Town Manager Andrew Meadwell gave an update on the NC DEQ 10/70 performance review audit:

- Last summer the council paused all 10/70 allocation requests as there was an NCDEQ audit expected.
- NC DEQ never mandated that the town stop its program-this was a town choice.
- NC DEQ oversees Water Supply Watershed Program which includes how counties and municipalities administer their 10/70 allocation.
- NC DEQ completed the audits for the County in September and the town in October 2023.
- The town knew in November 2023 that its tracking and its method was appropriate.
- While none of us expected the audit process to take this long, the audit report has been completed and delivered to the town.
- Based on that report, the town will need to make some documentation changes.
- However, no issues with the town's allocation or tracking process.
- Also, the audit resulted in the town gaining 26 acres for 10/70 allocation, so this audit has now become a net gain to the town.

A. Call for Public Hearing 10/70 Request Davie Construction

The applicant is petitioning the Town of Bermuda Run for the approval of a 10/70 provision for 0.044 acres (1.906 sq. ft.) of project area for a commercial project. The site currently has 0.217 acres (33%) of existing impervious area. The applicant is proposing 0.366 acres of total impervious area on the site. The total impervious area of the site would be 55.71% percent.

The Town Manager is recommending a Public Hearing for the request be set for April 9th, 2024

Council Member Jeff Tedder made a motion to set a Public Hearing for April 9, 2024. Council Member Christy Schafer seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

B. Call for Public Hearing 10/70 Request Hall Walker

The applicant is petitioning the Town of Bermuda Run for the approval of a 10/70 provision for 59.54 acres of project area for a multi-use development project. The project area currently consists of 6.57 acres that is outside of the watershed. The applicant is proposing 24.44 acres of impervious area on the site. The total impervious area of the site would be 41.04 % percent.

The Town Manager is recommending a Public Hearing for the request be set for April 9th, 2024

Council Member Melinda Szeliga made a motion to set a Public Hearing for April 9, 2024. Council Member Rae Nelson seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

C. Call for Public Hearing Annexation Request Hall Walker

The Town has received petition(s) for a contiguous and a noncontiguous annexation of property being described as Davie County Tax Parcels C700000115, C70000011501, C700000112 and referenced as the “Hall Walker Property”. On January 9th, 2024, the Town Council adopted a Resolution directing the Town Clerk to investigate the petition. The Town Clerk has submitted a Certificate of Sufficiency of the petition.

The Town Manager is recommending a Public Hearing for the request be set for April 9th, 2024

Council Member Rae Nelson made a motion to set a Public Hearing for April 9, 2024. Council Member Jeff Tedder seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

D. Resolution of Support-Rep. Julia Howard

Resolution regarding Town Charter language amendments.

Council Member Jeff Tedder made a motion to approve 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.

E. Resolution to Amend Bermuda Run Tourism Development Authority Membership and Appointments

Council Member Rae Nelson made a motion to approve the resolution as presented. Council Member Christy Schafer seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Town Manager Report/Comments

- Work Session with the NC League of Municipalities/Council Academy/Ethics Training
- NC DOT plantings between I-40 Exit 180 and Harper Rd.
- Meetings with NC DOT’s Pat Ivey/sound barriers on I-40
- Change in Public Comment sign-up procedure – Meet with Town Clerk beginning at 5:30 on day of Council Meetings.
- Planning Session March 26 off site. Town Hall will be closed so all staff can attend.
- Monthly Account Detail Report

Mayor Comments

- Thanked Andrew Meadwell and Attorney Brian Williams for their work on the DEQ Audit, 10/70 requests which provided the town with 26 additional acres.
- Thanked Joseph Ashburn for his presentation and the EMS’s efforts to keep our county safe.
- Women’s History Month – Recognized that for the first time in the town’s history that there are 3 female Council Members.
- Smith Grove Fire Dept – 50th anniversary on May 18 / fundraiser.
- Reflective address signs available at fire departments for \$15 making it easier to find your home at night.

- Regarding Hall Walker Development – On April 9 the council will have the option to defer, approve, or deny a 10/70 request. Given the developer now owns the Hall Walker properties, it seems to me this is no longer *if* the developer builds, but *what* and *how* the developer builds. There is *no vote* by this council that stops a Walker’s Retreat development from moving forward. He asked, “What outcome from the 10/70 request produces the results being sought by residents?”
 - Approval means a hybrid of 500 townhome/apartment units which aligns to what we heard in our Comprehensive Plan feedback seeking a diversity of housing.
 - Denial means most/all apartments which is also permitted by zoning but lacks the housing diversity defined in survey feedback.

So, based on feedback seen in yard signs and social media comments, it seems the preferred choice between these two options is a combination of townhomes *and* apartments rather than potentially only apartments. The mayor added that these are his thoughts only as this is a council decision.

Council Comments

Council Member Melinda Szeliga thanked the staff for work with one-stop early voting. She also spoke of the Garden Club’s Geranium Sale (going on now) and Shredding Event on 4/13. The Bermuda Run Garden Club recently gave a donation of \$5,000 to the Bermuda Run Vision Committee for plantings along the Blue Heron Trail.

Adjourn

With no further business to discuss, Council Member Jeff Tedder made a motion to adjourn. Council Member Christy Schafer seconded the motion. The motion was approved by a vote of four (4) in favor and none opposed.

Approved

Respectfully Submitted

Mike Brannon, Mayor

Cindy Poe, Town Clerk



TO: Town Council
DATE: April 9, 2024
RE: **Davie Construction 10/70 Request**

Basic Information

Applicant(s)/Owner: Davie Construction/Red 32, LLC
Agent (s) 152 E. Kinderton Way, Suite 200
 Bermuda Run, NC

Site Location: 130 Peachtree Lane
Davie Co. Parcels: D8080A0008
NC PIN: 5872434446
Total Site Area: 0.657 acres
Total Project Area: 0.657 acres
Existing Impervious: 0.217 acres (33%)
Total New Impervious: 0.044 acres (1,906 sq ft.) (55.71% impervious area)
Zoning: CM (Commercial Mixed) and WS-IVPA Yadkin River Watershed Protected Area

10-70 Request

Section 15A NCAC 02B .0216 of the North Carolina Administrative Code states that local governments may allow up to 10 percent of their watershed area to be developed and built upon up to 70 percent built-upon surface. The area built upon is then considered impervious. The remaining 30 percent that is not built upon is termed pervious area. This is commonly referred to as the 10/70 option. Without the 10/70 option, the maximum impervious area is 24 percent of the total site area.

Section 10.1 (C) of the Bermuda Run Zoning Ordinance provides this option. The NC Dept. of Environment Quality (NCDEQ) established that the Town of Bermuda Run 10/70 project allocation consists of 326.4 acres. A minimum of 50 acres of impervious area has been reserved by the Town. A total of 49.57 acres of project area have previously received a 10/70 allocation. Therefore, a total of 226.82 acres may receive a 10/70 allocation.

The applicant is petitioning the Town of Bermuda Run for the approval of a 10/70 provision for 0.044 acres (1,906 sq. ft.) of project area for a commercial project. The site currently has 0.217 acres (33%) of existing impervious area. The applicant is proposing 0.366 acres of total impervious area on the site. The total impervious area of the site would be 55.71% percent.

Town Council Review

According to Section 10.1 (C) (7) of the Zoning Ordinance, all requests for the 10/70 provision shall be decided by the Town Council after a duly advertised public hearing. In making a decision regarding the 10/70 allocation the Council shall consider the following:

1. The amount of 10/70 acreage remaining to be allocated.
2. The type and location of development.
3. The type and location of required pervious surfaces.
4. Stormwater impacts.
5. Any other factor which the Town Council feels is significant to the development and future of Bermuda Run.



**NOTICE OF PUBLIC HEARING
BERMUDA RUN TOWN COUNCIL**

NOTICE IS HEREBY GIVEN, pursuant to G.S. 160D-602, that the Town Council of Bermuda Run will meet at **6:00 P.M. on Tuesday, April 9, 2024**, at the Town Hall, located at 120 Kinderton Blvd., Suite 100, Bermuda Run, NC 27006, to hold a public hearing and to receive public comment on the following items:

10/70 Request. Davie Construction is petitioning the Town of Bermuda Run for the approval of a 10/70 provision for property located at the corner of NC 801 S and Peachtree Lane and is further described as parcel of the Davie County Tax Map D8080A0008

10/70 Request. Bermuda Run Investments, LLC is petitioning the Town of Bermuda Run for the approval of a 10/70 provision for properties located along Hall Walker Lane and NC 801 N and is further described as parcels of the Davie County Tax Map C7/115, C711501 and C7/112

All interested parties are invited to attend the public hearing and present their comments to the Bermuda Run Town Council. Please call the Bermuda Run Town Hall at (336) 998-0906 if you have questions or if you need special accommodations for the meeting. Hearing impaired persons desiring additional information or having questions regarding this subject should call the North Carolina Relay Number for the Deaf at 1-800-735-8262 or 711 for mobile phones.

PUBLICATION DIRECTIONS

Publish in the Notices section of the Newspaper

Publish on the following Dates:

March 28, 2024

April 4, 2024

Send bill and affidavit of publication to:

Bermuda Run Town Clerk
Town of Bermuda Run
120 Kinderton Boulevard, Suite 100
Bermuda Run, NC 27006



Zoning District: CW
Date: 2/29/24

TOWN OF BERMUDA RUN 10/70 PROVISION APPLICATION

Request for permission to use the 10/70 Provision within the jurisdiction of the Town of Bermuda Run as follows:

Name of Applicant: Brad Chapman on behalf of Davie Construction and Red 32, LLC

Address of Applicant: 152 E Kinderton Way, Suite 200; Bermuda Run, NC 27006

Telephone: 336-399-2749 Fax: 336-940-6699 E-mail bchapman@davieconstruction.com

Owner(s) of
Property: Red 32, LLC

Address of Property Owner(s):
152 E. Kinderton Way, Suite 200
Bermuda Run, NC 27006

Parcel ID'(s): D8080A0008 NCPIN 5872434446

Parcel Size: (s): 0.657 acres

Acreage of property within Watershed 0.657 Acreage of property outside of the watershed 0.0

% of property within Watershed 100 % of property outside of the watershed 0

Does impervious area currently exist on the property yes.

If yes: Acreage of existing impervious area 0.217 % of existing impervious area 33.0

Project Area: 28,638 sf

Total Projected Pervious Area: 12,673 sf

Total Projected Impervious Area: 15,965 sf

Total Percentage of Pervious Area: 44.25%

Total Percentage of Impervious Area: 55.75%

Total Acreage: 0.657

Total Acreage of Projected Pervious Area: 0.291

Total Acreage of Projected Impervious Area: 0.366

Total Parcel Percentage of Pervious Area: 44.25%

Total Parcel Percentage of Impervious Area: 55.75%



Zoning District: CM
Date: 2/29/24

Reason for request:

Owner is proposing to build a drive-thru coffee shop. Between the pre-development impervious area and the addition of 24% of the pre-development pervious area being allowed to be converted, there is a total impervious area potential of 14,059 sf. The site plan was developed as efficiently as possible but falls short of the needed impervious area by 1,906 sf. We are requesting a watershed exemption for 0.044 acres to allow for all paving to be the same type and not have to install a small section of pervious asphalt.

The applicant must include a detailed description of the proposed project along with a detailed drawing of the proposed site plan.

By signing this form, the applicant hereby states all information written herein is accurate and true. Applicant further acknowledges the allocation of the 10/70 provision is a privilege granted by the Council and is not a right.

This the 29th day of February, 2024

(Applicant) Signed: Burd Chapman

Zoning Office Use Only

Public Hearing Date: 4/9/24 Action by Town Board: _____



CLAYTON
ENGINEERING & DESIGN
 1209 9TH AVE NE; PO BOX 2351
 HICKORY, NC 28601

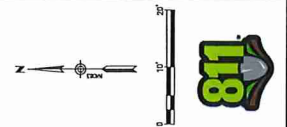
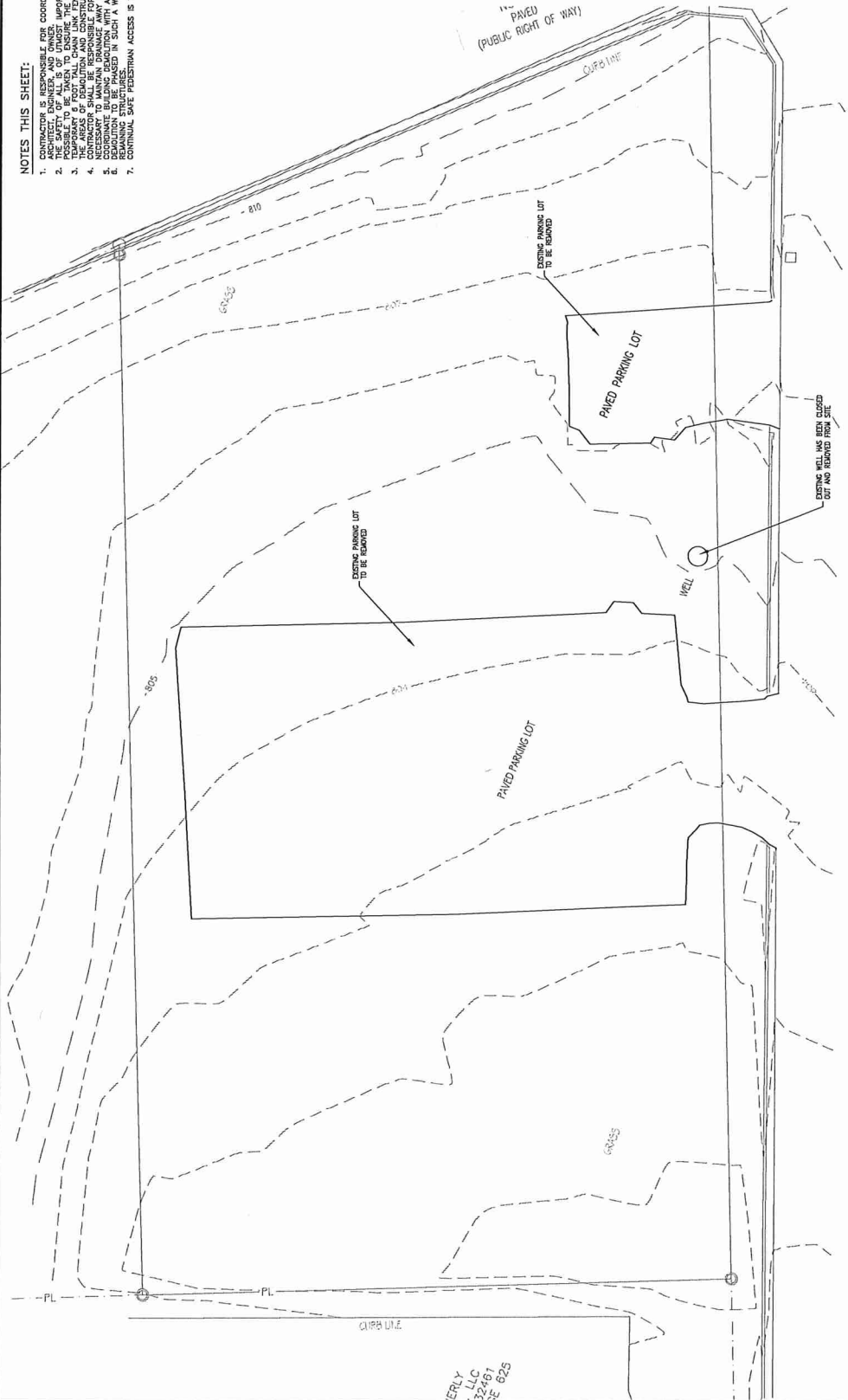
BERNUDA RUN, NORTH CAROLINA
 @ COFFEE SHOP
 BERNUDA RUN

DEMOLITION PLAN

DATE	2/15/23
DESIGNED BY	CLAYTON
CHECKED BY	W.C.
PROJECT NO.	230101
SCALE	AS SHOWN
SHEET NO.	CDN101

NOTES THIS SHEET:

1. THE CONTRACTOR SHALL COORDINATE ALL DEMOLITION WITH THE ARCHITECT, ENGINEER AND OWNER.
2. THE SAFETY OF ALL IS OF UTMOST IMPORTANCE. ALL SAFETY PRECAUTIONS SHALL BE TAKEN TO PROTECT ALL ADJACENT PROPERTIES AND PERSONNEL.
3. TEMPORARY 6 FOOT TALL CHAIN LINK FENCING TO BE INSTALLED AROUND THE ENTIRE PERIMETER OF THE DEMOLITION AREA.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR TEMPORARY DRAINAGE AS NECESSARY TO MAINTAIN PROPER DRAINAGE AWAY FROM THE BUILDING.
5. DEMOLITION TO BE PHASED IN SUCH A WAY AS TO MAINTAIN ACCESS TO ADJACENT PROPERTIES.
6. DEMOLITION TO BE PHASED IN SUCH A WAY AS TO MAINTAIN ACCESS TO ADJACENT PROPERTIES.
7. CONTINUAL SAFE PEDESTRIAN ACCESS IS TO BE PROVIDED.



DEMOLITION PLAN
 SCALE: 1/4" = 1'-0"



TO: Town Council
DATE: April 9, 2024
RE: Hall Walker 10/70 Request

Basic Information

Applicant(s)/Owner: Bermuda Run Investments, LLC, Laurie Ford
 7 Corporate Center Court, Suite B
 Greensboro, NC

Atrium/Wake Forest Baptist Health
 Medical Center Blvd, Winston Salem NC

Agent(s): Stimmel & Associates
 601 N. Trade Street, Suite 200
 Winston-Salem, NC 27104

Site Location: Hall Walker Lane and NC 801 North

Davie Co. Parcels: currently C7/115, C7/11501, and C7/112. (proposed to be recombined)

NC PIN: 5872176033, 5872177454, 5872069613

Total Site Area: 66.11 acres

Existing Impervious: 0.59 acres

Total Project Area: 45.1 acres

Total New Impervious: 31.5 acres (70% impervious area)

Total Parcel Pervious: 31.39 acres (47.48 %)

Total Parcel Impervious: 34.72 acres (52.52 %)

Zoning: CM (Commercial Mixed) and WS-IVPA Yadkin River Watershed Protected Area

10-70 Request

Section 15A NCAC 02B .0216 of the North Carolina Administrative Code states that local governments may allow up to 10 percent of their watershed area to be developed and built upon up to 70 percent built-upon surface. The area built upon is then considered impervious. The remaining 30 percent that is not built upon is termed pervious area. This is commonly referred to as the 10/70 option. Without the 10/70 option, the maximum impervious area is 24 percent of the total site area.

Section 10.1 (C) of the Bermuda Run Zoning Ordinance provides this option. The NC Dept. of Environment Quality (NCDEQ) established that the Town of Bermuda Run 10/70 project allocation consists of 326.4 acres. A minimum of 50 acres of impervious area has been reserved by the Town. A total of 49.57 acres of project area have previously received a 10/70 allocation. Therefore, a total of 226.82 acres may receive a 10/70 allocation.

The applicant is petitioning the Town of Bermuda Run for the approval of a 10/70 provision for 45.1 acres of project area for a multi-mixed use residential project. The applicant is proposing 31.5 acres of impervious area on within the project area. The total impervious areas of the site would be 52.52% percent.

The applicant proposes constructing a mixed-use multi-family project. The 3 lots are not currently within the Town limits, but the applicant has submitted a voluntary annexation petition for consideration.

Town Council Review

According to Section 10.1 (C) (7) of the Zoning Ordinance, all requests for the 10/70 provision shall be decided by the Town Council after a duly advertised public hearing. In making a decision regarding the 10/70 allocation the Council should consider the following:

1. The amount of 10/70 acreage remaining to be allocated.
2. The type and location of development.
3. The type and location of required pervious surfaces.
4. Stormwater impacts.
5. Any other factor which the Town Council feels is significant to the development and future of Bermuda Run.

The following conditions have been offered by the applicant as part of this request and petition for approval:

Conditions of Approval

1. Maximum number of dwelling units shall be limited to 505.
2. Maximum number of apartment units shall be limited to 280.
3. Sidewalks shall be included along all public streets.
4. Developer shall construct a soft (pervious) surface nature trail.
5. Maximum building height for multifamily buildings shall be limited to four (4) stories.
6. Maximum building height for non-residential structures shall be limited to four (4) stories.
7. Land uses shall be locationally limited as provided on attached Plan Exhibit.
8. A minimum of thirty (30) feet wide, opaque buffers shall be provided between all non-residential or multifamily residential uses and single-family residential uses. In addition, developer shall install a fifteen (15) foot vegetated buffer yard along the residentially developed properties on Yadkin Valley Road (located as shown on Plan Exhibit). Said vegetated buffer yard shall consist of two (2) deciduous trees and eight (8) primary evergreen plants per 100 linear feet. Existing trees and shrubs that are preserved may be used to satisfy the planting requirements. A 6' solid fence may be used in place of the buffer yard.
9. A minimum of 15 % of Open Space (calculated using the entire parcel acreage) shall be provided. The Open Space shall be outside of the Project Area for the 10/70 application and include portions of the Duke Power Easement. Any improvements allowed in the Open Space area shall be pervious and recreational such as trails, gardens or passive parks and any existing or future Duke Power improvements.



Zoning District: CM
Date: 3/20/24

**SUPPLEMENTAL APPLICATION TO PREVIOUS SUBMITTED
10/70 PROVISION APPLICATION
REFER TO ORIGINAL APPLICATIONS FOR SIGNATURES**

**TOWN OF BERMUDA RUN
10/70 PROVISION APPLICATION**

Request for permission to use the 10/70 Provision within the jurisdiction of the Town of Bermuda Run as follows:

Name of Applicant: Bermuda Run Investments, LLC

Address of Applicant: 7 Corporate Center Court, Suite B, Greensboro, NC 27408

Telephone: (336) 707-0480

Fax: NA

E-mail: bford.lomonacoinvestments@gmail.com

Owner(s) of Property:

Owner 1: Bermuda Run Investments, LLC

Owner 2: Wake Forest University Baptist Medical

Address of Property Owner(s):

Owner 1 Address: 7 Corporate Center Court, Suite B Greensboro, NC 27408

Owner 2 Address: Medical Center Blvd – Winston-Salem, NC 27103

Parcel ID'(s): 5872-17-6033; 5872-17-7454; 5872-06-9613

Parcel Size(s): 66.11 Acres

Acreage of property within Watershed: 59.54 Acres Acreage of property outside of the watershed: 6.57 Acres

% of property within Watershed 90 % % of property outside of the watershed: 10 %

Does impervious area currently exist on the property: Yes.

If yes: Acreage of existing impervious area 0.59 Acres % of existing impervious area 0.99 %



Zoning District: CM
Date: 3/28/24

Project Area: 45 Acres

Total Projected Pervious Area: 13.5 Acres

Total Projected Impervious Area: 31.5 Acres

Total Percentage of Pervious Area: 30 %

Total Percentage of Impervious Area: 70 %

Total Acreage: 66.11 Acres

Total Acreage of Projected Pervious Area: 31.39 Acres

Total Acreage of Projected Impervious Area: 34.72 Acres

Total Parcel Percentage of Pervious Area: 47.48 %

Total Parcel Percentage of Impervious Area: 52.52 %

Reason for request:

To develop a pedestrian-oriented, moderate-density, mixed-use neighborhood which will provide enhanced services and housing optionality on property supported by public water and sewer commitments located ¼ mile from the I-40/Hwy 801 interchange. This property is located within the Yadkin River WS-IV-P and requires a 10-70 provision to increase its impervious surface allotment.

The applicant must include all petition requirements as set forth in Chapter 10 of the Town of Bermuda Run Zoning Ordinance.

By signing this form, the applicant hereby states all information written herein is accurate and true. Applicant further acknowledges the allocation of the 10/70 provision is a privilege granted by the Council and is not a right.

This the 28th day of March, 2024

(Applicant) Signed: 

<u>Zoning Office Use Only</u>	
Public Hearing Date: <u>4/9/24</u>	Action by Town Board: _____



TOWN OF BERMUDA RUN

120 Kinderton Blvd., Suite 100 • Bermuda Run, NC 27006 • Phone 336-998-0906 • Fax 336-998-7209

Land Development Application-Please fill out completely, or application will not be processed.
(updated 1/10/13)

Case #: _____

1. Application Type		Board Review Items:	✓	Fee
Subdivision:	✓			
<i>Major Subdivision</i>		Rezoning (Map Amendment)		
Sketch Plan	<input type="checkbox"/>	Standard Rezoning	<input type="checkbox"/>	_____
Preliminary Plat	<input type="checkbox"/>	Conditional District Rezoning	<input type="checkbox"/>	_____
Construction Plans	<input type="checkbox"/>	Text Amendment	<input type="checkbox"/>	_____
Final Plat	<input type="checkbox"/>	Special Use Permit	<input type="checkbox"/>	_____
<i>Minor Subdivision</i>		Design Waiver:	<input type="checkbox"/>	_____
Final Plat	<input type="checkbox"/>	Other: <u>10/70 Provision</u>	<input checked="" type="checkbox"/>	_____
Site Plans:				
Level II Site Plan	<input type="checkbox"/>			_____
				Fee Total _____

2. Project Information 5/5/2023 Original Submittal

Date of Application 11/16/2023 Name of Project Walkers Retreat Phase # _____

Location 139 & 297 Hall Walker Lane Property Size (acres) 66.11 +/- # of Units (residential) 505

Vacant NC HWY 801

Current Zoning CM Proposed Zoning No Change

Current Land Use Vacant Land Proposed Land Use Residential Multifamily; Townhomes; Warehousing, Self Storage

Tax Parcel Number(s) 5872-17-6033; 5872-17-7454; & 5872-06-9613

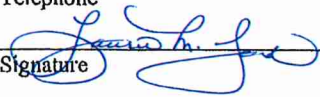
3. Contact Information

Bermuda Run Investments, LLC c/o Brian Ford Laurie Ford

Developer 7 Corporate Center Court, Suite B Greensboro, NC

Developer Address (336) 707-0480 City, State Zip _____

Telephone _____ Fax _____

 Laurie Ford 12/12/23

Signature _____ Print Name _____ Date _____

Stephen Owen / Stimmel Associates, PA

Agent (Registered Engineer, Designer, Surveyor, etc.)


601 N. Trade Street, Suite 200

Address Winston-Salem, NC 27101

City, State Zip _____

(336) 723-1067

Telephone _____ Fax _____

 STEPHEN OWEN 12/13/2023

Signature _____ Print Name _____ Date _____

Thomas Hall Walker Etal & Linda Carol Smith

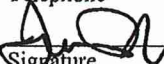
Property Owner

46 Sunset Drive

Address Titusville, FL 32780

City, State Zip _____

Telephone _____ Fax _____

 Julian Robb 12/14/23

Signature _____ Print Name _____ Date _____



TOWN OF BERMUDA RUN

120 Kinderton Blvd., Suite 100 • Bermuda Run, NC 27006 • Phone 336-998-0906 • Fax 336-998-7209

Land Development Application-Please fill out completely, or application will not be processed.
(updated 1/10/13)

Case #:

1. Application Type

Subdivision: Fee _____

Major Subdivision

Sketch Plan _____

Preliminary Plat _____

Construction Plans _____

Final Plat _____

Minor Subdivision

Final Plat _____

Site Plans:

Level II Site Plan _____

Board Review Items: Fee _____

Rezoning (Map Amendment)

Standard Rezoning _____

Conditional District Rezoning _____

Text Amendment _____

Special Use Permit _____

Design Waiver: _____

Other: 10/70 Provision _____

Fee Total _____

2. Project Information

5/5/2023 Original Submittal

Date of Application 11/16/2023 Name of Project Walkers Retreat Phase # _____

139 & 297 Hall Walker Lane
Location Vacant NC HWY 801 Property Size (acres) 66.11 +/- # of Units (residential) 505

Current Zoning CM Proposed Zoning No Change

Current Land Use Vacant Land Proposed Land Use Residential Multifamily; Townhomes; Warehousing, Self Storage

Tax Parcel Number(s) 5872-17-6033; 5872-17-7454; & 5872-06-9613

3. Contact Information

Bermuda Run Investments, LLC c/o ~~Brian Ford~~ Laurie Ford

Developer 7 Corporate Center Court, Suite B Greensboro, NC

Developer Address City, State Zip

(336) 707-0480 Telephone Fax

[Signature] Laurie Ford 12-13-2023

Signature Print Name Date

Stephen Owen / Stimmel Associates, PA

Agent (Registered Engineer, Designer, Surveyor, etc.)

601 N. Trade Street, Suite 200

Address Winston-Salem, NC 27101

City, State Zip (336) 723-1067

Telephone Fax

[Signature] STEPHEN OWEN 12/15/2023

Signature Print Name Date

Wake Forest University Baptist Medical & CTR Community Physicians

Property Owner

Address

City, State Zip Russell Howerton 12/13/2023 | 12:40:41 PM

Telephone Fax

[Signature] Julie Freischlag 12/12/2023 | 12:29:45

Signature Print Name Date

4. Description of Project

a. Briefly explain the nature of this request:

59.54 acres of the proposed mixed use residential development is within the Yadkin River WS-IV-P watershed and within the CM zoning district. The request is to develop a high density residential development up to a maximum of 8 units per acre and a self storage facility with up to 41.04% or 1,064,288 square feet (24.44 acres) of impervious area within the Yadkin River WS-IV-P per Chapter 10(C) *The 10/70 Provision* of the Bermuda Run Zoning Ordinance.

b. For All Text Amendments: State the section(s) of the Zoning or Subdivision Ordinance you wish to amend and attach the proposed text change. Section (s): _____ of the _____ Ordinance.

c. For All Rezoning and Text Amendments: Provide a statement regarding the consistency of this request with the Comprehensive Plan and the surrounding land uses.

d. For Conditional District Rezoning: Provide a statement regarding the reasonableness of the rezoning request.

e. For Special Use Permits: Please also fill out the supplemental form for Special Use Permits.

Staff Use Only:

Date Application Received: _____

Received By: _____

Fee Paid: \$ _____

Case #: _____

Notes: _____



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
401 N. TRADE STREET, SUITE 300
WINSTON-SALEM, NC 27101
P: 336.723.1067 F: 336.723.1069
www.stimmelpa.com



PROFESSIONAL ENGINEERING
SEAL
DAVID A. STIMMEL
LICENSE NO. 2107
EXPIRES 12/31/2023

PROJECT NAME & LOCATION

WALKER'S RETREAT

Town of Bermuda Run / Davie County, NC

PLANS FOR:

- PRE-SUBMITTAL
- SUBMITTAL
- REVISED SUBMITTAL

CLIENT:
Bermuda Run Investments, LLC
10000 W. MARKET, SUITE B
GREENSBORO, NC 27408
(336) 797-0480

MARK	DATE	DESCRIPTION
05/20/2023	05/20/2023	05/20/2023
22-142	22-142	22-142
22-142	22-142	22-142

12/19/2023 Revised Submittal

SHEET TITLE:
10/70 Watershed
Submittal

G-801

VICINITY MAP



SITE DATA

Address: Bermuda Run 107 (Davie County, NC)

Existing Zoning: OS
County: Davie
Assessor's Parcel ID: 04

Project Site Address: 60.62 Acres +/- (2,640,560 SF +/-)
Total Site Address: 5.49 Acres +/- (238,000 SF +/-)
Assessor's Parcel ID: 04

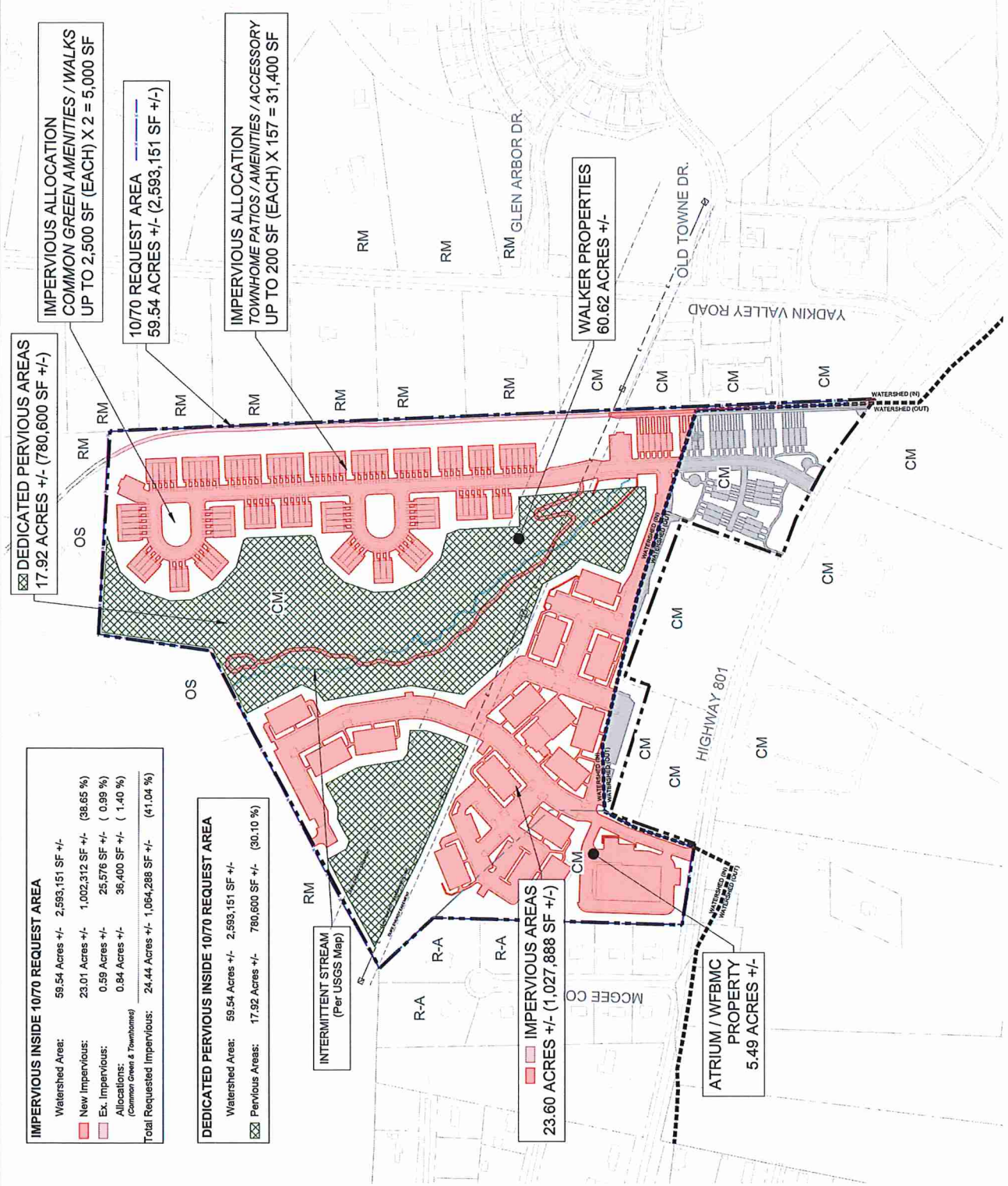
Site Watershed Address: 59.54 Acres +/- (2,593,151 SF +/-)
Watershed Address: 17.92 Acres +/- (780,600 SF +/-)
Total Site Watershed: 77.46 Acres +/- (3,173,302 SF +/-)

10/70 Request: 59.54 Acres +/- (2,593,151 SF +/-)
Watershed Request Area: 17.92 Acres +/- (780,600 SF +/-)
Impervious Request: 24.44 Acres +/- (1,064,288 SF +/-)
Permitted: 17.92 Acres +/- (780,600 SF +/-)
30.10%

Stream Data
The current USGS Inverse Map Viewer (National Hydrography Dataset) shows the stream network for the site. A single instrument stream is indicated along the center of the site. (https://topex.nas.nasa.gov/)

Floodplain Data
FEMA Flood Map 2714070004 shows the 100-year flood plain for the site. The flood plain is located to the east of the site. (https://www.fema.gov/)

Note: Site plan shows is conceptual in nature and subject to change based on the site conditions. Justification of areas and impervious allocations shown may vary accordingly.



DEDICATED PERVIOUS AREAS
17.92 ACRES +/- (780,600 SF +/-)

IMPERVIOUS ALLOCATION
COMMON GREEN AMENITIES / WALKS
UP TO 2,500 SF (EACH) X 2 = 5,000 SF

IMPERVIOUS ALLOCATION
TOWNHOME PATIOS / AMENITIES / ACCESSORY
UP TO 200 SF (EACH) X 157 = 31,400 SF

WALKER PROPERTIES
60.62 ACRES +/-

IMPERVIOUS INSIDE 10/70 REQUEST AREA	
Watershed Area:	59.54 Acres +/- 2,593,151 SF +/-
New Impervious:	23.01 Acres +/- 1,002,312 SF +/- (38.65%)
Ex. Impervious:	0.59 Acres +/- 25,576 SF +/- (0.99%)
Allocations:	0.84 Acres +/- 36,400 SF +/- (1.40%)
(Common Green & Townhome)	
Total Requested Impervious:	24.44 Acres +/- 1,064,288 SF +/- (41.04%)

DEDICATED PERVIOUS INSIDE 10/70 REQUEST AREA	
Watershed Area:	59.54 Acres +/- 2,593,151 SF +/-
PerVIOUS Areas:	17.92 Acres +/- 780,600 SF +/- (30.10%)

IMPERVIOUS AREAS
23.60 ACRES +/- (1,027,888 SF +/-)

ATRIUM / WFBMC PROPERTY
5.49 ACRES +/-

WALKER'S RETREAT
OWNERS/PETITIONERS:
Date: 12/19/2023
Scale: 1" = 100'
Author: DAVID A. STIMMEL
Checker: DAVID A. STIMMEL
Title: PROJECT MANAGER
FIRM: stimmel
Book: 1088
Page: 082
Drawing No.: 22-142
Owner: WAKE FOREST UNIVERSITY MED

PREPARED BY:
stimmel
LANDSCAPE ARCHITECTURE CIVIL ENGINEERING
401 N. TRADE STREET, SUITE 300
WINSTON-SALEM, NC 27101
P: 336.723.1067 F: 336.723.1069
www.stimmelpa.com

SCALE: 1" = 100'



To: Andrew Meadwall
Town Manager
Town of Bermuda Run, NC
120 Kinderton Blvd, Suite 100
Bermuda Run, NC

From: LJB Engineering PC & Bermuda Run Investments, LLC

Date: 05/04/2023

Subject: 10/70 Watershed Provision Post-Construction Run-off Certification

Dear Andrew:

I hereby certify that post-construction run-off for the proposed development, known as "Hall-Walker Development", located north of 348 NC-801, Advance, NC will not be substantially significant or will not substantially impact adjacent properties when compared to preconstruction run-off. The proposed development will utilize stormwater control measures to meet or exceed post-construction run-off requirements by controlling the run-off created by the added impervious area. If you have any questions or need further information, please do not hesitate to contact me at 937-259-5022 or mpaton@ljbinc.com.

Sincerely,

LJB Inc.

Max Paton, PE
Project Manager
937-259-5022



*Distribution list: Laurie Ford, Jon Ford, Brian Ford



STRUCTURAL



FALL PROTECTION
SAFETY



TRANSPORTATION



SITE DESIGN



SURVEY



WATER
RESOURCES



TECHNOLOGY
& INNOVATION

1271
0049

FILED ELECTRONICALLY
DAVIE COUNTY NC
KELLY C. FUNDERBURK
REGISTER OF DEEDS

=====

FILED	Feb 29, 2024
AT	12:21:00 PM
BOOK	01271
START PAGE	0049
END PAGE	0058
INSTRUMENT #	00875
EXCISE TAX	\$8,000.00

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax: \$8,000.00

Tax Parcel Numbers: C700000115 & C70000011501

This instrument was prepared by: Julian P. Robb, a licensed North Carolina attorney. Delinquent taxes, if any, shall be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds. Deed preparation only – no title opinion rendered.

Return to: Isaacson Sheridan, 804 Green Valley Road, Suite 200, Greensboro, NC 27408

Mail Tax Bill to: P.O. Box 474, Summerfield, NC 27358

Brief description for the Index: 2 Tracts, Hall Walker Lane

THIS SPECIAL WARRANTY DEED is made this 29th day of February, 2024 between, **THOMAS HALL WALKER and spouse, PATRICIA A. WALKER; LINDA CAROL SMITH, unmarried; MICHELLE MAE PERCHES and spouse, RICHARD ANTHONY PERCHES; JANET WALKER, unmarried; JENNIE WALKER WOLLENWEBER and spouse, CHAD WOLLENWEBER; JAMIE LOUISE WALKER and spouse, DANIEL STEBBINS; and JEFFREY ZIMMERMAN WALKER and spouse, MICHELLE WALKER**, whose address is c/o Linda Carol Smith, 1215 East Edgewood Drive, Lakeland, FL 33803 (collectively the "Grantor") and **BERMUDA RUN INVESTMENTS, LLC, a North Carolina limited liability company**, whose address is P. O. Box 474, Summerfield, NC 27358 (the "Grantee").

(Whenever used herein the terms Grantor and Grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors of assigns of corporations, trust and trustees.)

WITNESSETH, that Grantor, for good and valuable consideration to Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Davie County, North Carolina, to wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

1271
0050

None of the foregoing property includes the primary residence of Grantor.

TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD in fee simple forever.

AND Grantor covenants with Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, but no further, subject to and except for all covenants, conditions, restrictions, reservations, limitations, easements, taxes for the year 2024 and all subsequent years, and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

[SIGNATURE PAGES TO FOLLOW]

SEPARATE SIGNATURE PAGE TO SPECIAL WARRANTY DEED.

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written.

Thomas Hall Walker (SEAL)
THOMAS HALL WALKER

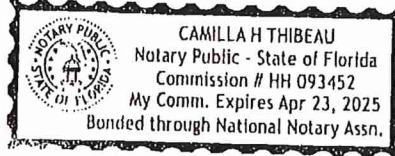
Patricia A. Walker (SEAL)
PATRICIA A. WALKER

STATE OF Florida
COUNTY OF Brevard

I, CAMILLA H THIBEAU, a Notary Public for the County of Brevard and State of Florida, do hereby certify that Thomas Hall Walker and spouse, Patricia A. Walker, either being personally known to me or proven by satisfactory evidence (said evidence being DL), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/them for the purposes therein stated.

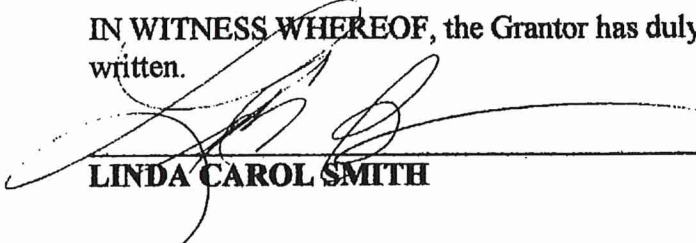
Witness my hand and Notarial stamp or seal this 23 day of February, 2024.

Camilla H. Thibeau
Notary Public
Name: CAMILLA H THIBEAU
My Commission Expires: April 23, 2025



SEPARATE SIGNATURE PAGE TO SPECIAL WARRANTY DEED.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.



(SEAL)
LINDA CAROL SMITH

STATE OF Florida

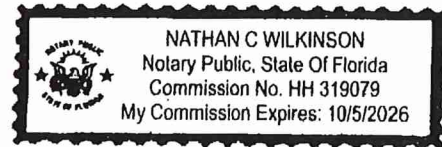
COUNTY OF Polk

I, Nathan C. Wilkinson, a Notary Public for the County of Polk and State of Florida, do hereby certify that Linda Carol Smith, either being personally known to me or proven by satisfactory evidence (said evidence being FLDL), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/they for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 26th day of February, 2024.

Nathan C. Wilkinson

Notary Public
Name: Nathan C. Wilkinson
My Commission Expires: 10-5-2026



SEPARATE SIGNATURE PAGE TO SPECIAL WARRANTY DEED.

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written.

Michelle Mae Perches (SEAL)
MICHELLE MAE PERCHES

Richard Anthony Perches (SEAL)
RICHARD ANTHONY PERCHES

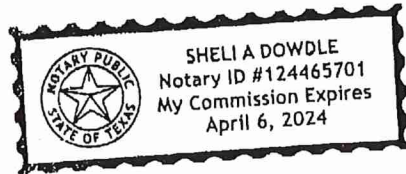
STATE OF Texas

COUNTY OF Montgomery

I, Sheli A Dowdle, a Notary Public for the County of Montgomery and State of Texas, do hereby certify that Michelle Mae Perches and spouse, Richard Anthony Perches, either being personally known to me or proven by satisfactory evidence (said evidence being TX D/L), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/them for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 24 day of February, 2024.

Sheli A Dowdle
Notary Public
Name: Sheli A Dowdle
My Commission Expires: 4-6-24



1271
0054

SEPARATE SIGNATURE PAGE TO SPECIAL WARRANTY DEED.

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written.

Janet Walker (SEAL)
JANET WALKER

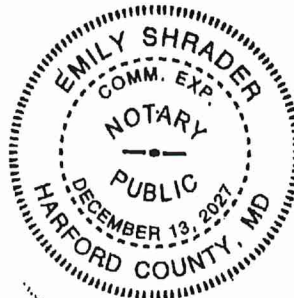
STATE OF Maryland

COUNTY OF Baltimore

I, Emily Shrader, a Notary Public for the County of Baltimore and State of Maryland, do hereby certify that Janet Walker, either being personally known to me or proven by satisfactory evidence (said evidence being MD DL), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/them for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 27 day of February, 2024.

Emily Shrader
Notary Public
Name: Emily Shrader
My Commission Expires: 12/13/27



1271
0055

SEPARATE SIGNATURE PAGE TO SPECIAL WARRANTY DEED.

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written.

Jennie Walker Wollenweber (SEAL)
JENNIE WALKER WOLLENWEBER

Chad Wollenweber (SEAL)
CHAD WOLLENWEBER

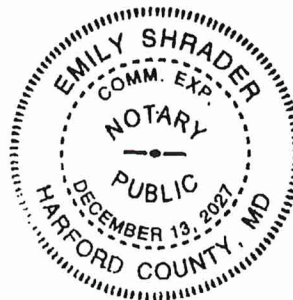
STATE OF Maryland

COUNTY OF Baltimore

I, Emily Shrader, a Notary Public for the County of Baltimore and State of Maryland, do hereby certify that Jennie Walker Wollenweber and spouse, Chad Wollenweber, either being personally known to me or proven by satisfactory evidence (said evidence being MD DL), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/them for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 27 day of February, 2024.

Emily Shrader
Notary Public
Name: Emily Shrader
My Commission Expires: 12/13/27



SEPARATE SIGNATURE PAGE TO SPECIAL WARRANTY DEED.

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written

Jamie Louise Walker (SEAL)
JAMIE LOUISE WALKER

Daniel Stebbins (SEAL)
DANIEL STEBBINS

STATE OF Maryland

COUNTY OF Baltimore

I, James J Bordonaro, a Notary Public for the County of Baltimore and State of Maryland, do hereby certify that Jamie Louise Walker and spouse, Daniel Stebbins, either being personally known to me or proven by satisfactory evidence (said evidence being NO DL), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/they for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 27th day of February, 2024.

James J Bordonaro
Notary Public
Name: James J Bordonaro
My Commission Expires: 4-16-25

JAMES J BORDONARO
NOTARY PUBLIC
PRINCE GEORGES COUNTY
MARYLAND
MY COMMISSION EXPIRES APRIL 16, 2025

SEPARATE SIGNATURE PAGE TO SPECIAL WARRANTY DEED.

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written.

Jeffrey Zimmerman Walker (SEAL)
JEFFREY ZIMMERMAN WALKER

Michelle Walker (SEAL)
MICHELLE WALKER

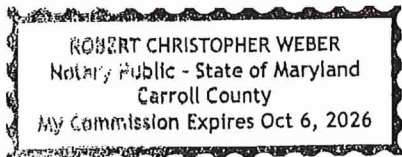
STATE OF Maryland

COUNTY OF Carroll

I, Robert Christopher Weber, a Notary Public for the County of Carroll and State of Maryland, do hereby certify that Jeffrey Zimmerman Walker and spouse, Michelle Walker, either being personally known to me or proven by satisfactory evidence (said evidence being MD Driver's Licenses), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/they for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 26th day of February, 2024.

Robert Christopher Weber
Notary Public
Name: Robert Christopher Weber
My Commission Expires: 10/6/2026



1271
0058

EXHIBIT "A"
PROPERTY DESCRIPTION

TRACT I: All of that certain 19-acre tract which is the remainder of the property described in the Deed recorded in Deed Book 161, Page 300, Davie County Registry. Tax ID C70000015, Davie County Tax Maps.

TRACT II: All of that certain approximate 41.265-acre tract which is the property described in the Deed recorded in Book 356, at Page 500, Davie County Registry, and is described as follows:

BEGINNING at a point located in the northern margin of Highway 801, said point marking the southernmost corner of the property described in Deed Book 62, Page 635, thence proceeding North 00° 30' 00" West 1,282.90 feet to the true point and place of BEGINNING; thence continuing North 00° 30' 00" West 1,320.40 feet to an iron stake; thence North 85° 00' 00" West 663.00 feet to a stone; thence South 09° 00' 00" West 379.00 feet to a double oak; thence South 63° 05' 00" West 1,222.00 feet to a stone; thence South 41° 15' 00" East 789.00 feet to a stone; thence on a new line, North 83° 44' 37" East 1,308.47 feet to the point and place of BEGINNING, and containing approximately 41.265 acres.

1271
0059

FILED ELECTRONICALLY
DAVIE COUNTY NC
KELLY C. FUNDERBURK
REGISTER OF DEEDS

=====
FILED Feb 29, 2024
AT 12:22:00 PM
BOOK 01271
START PAGE 0059
END PAGE 0068
INSTRUMENT # 00876
EXCISE TAX \$0.00

Revenue Stamps: \$0.00 (no taxable consideration)

Tax Parcel Nos.: C700000115 & C70000011501

Brief Description for the Index: 2 Tracts, Hall Walker Lane

This instrument was prepared by: Julian P. Robb, a licensed North Carolina attorney. Delinquent taxes, if any, shall be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds. Deed preparation only – no title opinion rendered.

Grantor's Address: 1215 East Edgewood Drive, Lakeland, FL 33803

Grantee's Address: P. O. Box 474, Summerfield, NC 27358

Return to: Isaacson Sheridan, 804 Green Valley Road, Suite 200, Greensboro, NC 27408

QUITCLAIM DEED

THIS QUITCLAIM DEED is made this 29th day of February, 2024 by and between **THOMAS HALL WALKER and spouse, PATRICIA A. WALKER; LINDA CAROL SMITH, unmarried; MICHELLE MAE PERCHES and spouse, RICHARD ANTHONY PERCHES; JANET WALKER, unmarried; JENNIE WALKER WOLLENWEBER and spouse, CHAD WOLLENWEBER; JAMIE LOUISE WALKER and spouse, DANIEL STEBBINS; and JEFFREY ZIMMERMAN WALKER and spouse, MICHELLE WALKER** (collectively, the "Grantor"), and **BERMUDA RUN INVESTMENTS, LLC, a North Carolina limited liability company** (the "Grantee").

WITNESSETH that, Grantor, for a valuable consideration paid by Grantee, the receipt of which is hereby acknowledged, has remised and released and does hereby remise, release, and forever quitclaim unto Grantee and Grantee's heirs, successors and assigns, all the right, title, interest, claim or demand which the Grantor has or may have had in and to the following described property (the "Property"):

See Exhibit "A" attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the above-described Property and all privileges and appurtenances thereto belonging to Grantee, in fee simple.

Grantor makes no warranty, express or implied, as to title to the Property.

BT:963471v1

Submitted electronically by "Isaacson Isaacson Sheridan Fountain & Leftwich, LLP"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Davie County Register of Deeds.

1271
0060

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.

[SIGNATURE PAGES TO FOLLOW]

SEPARATE SIGNATURE PAGE TO QUITCLAIM DEED.

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written.

Thomas Hall Walker (SEAL)
THOMAS HALL WALKER

Patricia A. Walker (SEAL)
PATRICIA A. WALKER

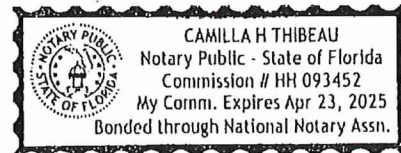
STATE OF Florida

COUNTY OF Brevard

I, CAMILLA H THIBEAU, a Notary Public for the County of Brevard and State of Florida, do hereby certify that Thomas Hall Walker and spouse, Patricia A. Walker, either being personally known to me or proven by satisfactory evidence (said evidence being DL), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/them for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 23 day of February, 2024.

Camilla H. Thibeau
Notary Public
Name: CAMILLA H THIBEAU
My Commission Expires: April 23, 2025



SEPARATE SIGNATURE PAGE TO QUITCLAIM DEED.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

[Signature] (SEAL)
LINDA CAROL SMITH

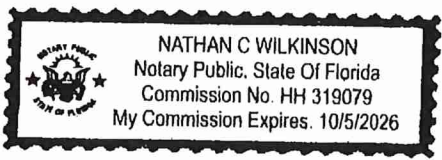
STATE OF Florida

COUNTY OF Polk

I, Nathan C Wilkinson, a Notary Public for the County of Polk and State of Florida, do hereby certify that Linda Carol Smith, either being personally known to me or proven by satisfactory evidence (said evidence being FDL), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/them for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 26th day of February, 2024.

Nathan C. Wilkinson
Notary Public
Name: Nathan C. Wilkinson
My Commission Expires: 10-5-2026



SEPARATE SIGNATURE PAGE TO QUITCLAIM DEED.

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written.

Michelle Mae Perches (SEAL)
MICHELLE MAE PERCHES

Richard Anthony Perches (SEAL)
RICHARD ANTHONY PERCHES

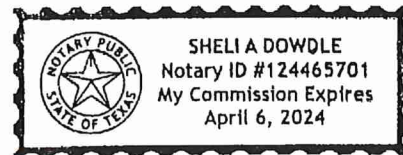
STATE OF Texas

COUNTY OF Montgomery

I, Shelli A Dowdle, a Notary Public for the County of Montgomery and State of Texas, do hereby certify that Michelle Mae Perches and spouse, Richard Anthony Perches, either being personally known to me or proven by satisfactory evidence (said evidence being TR D.L.), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/they for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 24 day of February, 2024.

Shelli A Dowdle
Notary Public
Name: Shelli A Dowdle
My Commission Expires: 4-6-24



SEPARATE SIGNATURE PAGE TO QUITCLAIM DEED.

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written.

Janet Walker (SEAL)
JANET WALKER

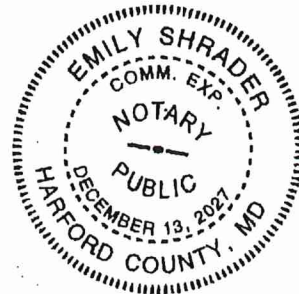
STATE OF Maryland

COUNTY OF Baltimore

I, Emily Shrader, a Notary Public for the County of Baltimore and State of Maryland, do hereby certify that Janet Walker, either being personally known to me or proven by satisfactory evidence (said evidence being MD DL), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/them for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 27 day of February, 2024.

Emily Shrader
Notary Public
Name: Emily Shrader
My Commission Expires: 12/13/27



SEPARATE SIGNATURE PAGE TO QUITCLAIM DEED.

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written.

Jennie Walker Wollenweber (SEAL)
JENNIE WALKER WOLLENWEBER

[Signature] (SEAL)
CHAD WOLLENWEBER

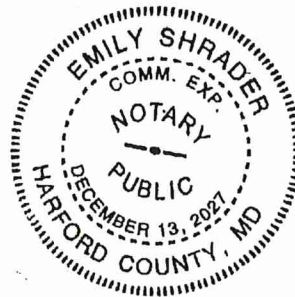
STATE OF Maryland

COUNTY OF Baltimore

I, Emily Shrader, a Notary Public for the County of Baltimore and State of Maryland, do hereby certify that Jennie Walker Wollenweber and spouse, Chad Wollenweber, either being personally known to me or proven by satisfactory evidence (said evidence being MD DC), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/they for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 27 day of February, 2024.

Emily Shrader
Notary Public
Name: Emily Shrader
My Commission Expires: 12/13/27



SEPARATE SIGNATURE PAGE TO QUITCLAIM DEED.

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written.

Jamie Louise Walker (SEAL)
JAMIE LOUISE WALKER

Daniel Stebbins (SEAL)
DANIEL STEBBINS

STATE OF Maryland

COUNTY OF Baltimore

I, James J Bordonaro, a Notary Public for the County of Baltimore and State of Maryland, do hereby certify that Jamie Louise Walker and spouse, Daniel Stebbins, either being personally known to me or proven by satisfactory evidence (said evidence being MN DL), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/they for the purposes therein stated.

Witness my hand and Notarial stamp or seal this 27th day of February, 2024.

James J Bordonaro
Notary Public
Name: James J Bordonaro
My Commission Expires: 4-16-25

JAMES J. BORDONARO
NOTARY PUBLIC
PRINCE GEORGES COUNTY
MARYLAND
MY COMMISSION EXPIRES APRIL 16, 2025

SEPARATE SIGNATURE PAGE TO QUITCLAIM DEED.

IN WITNESS WHEREOF, Grantor has duly executed the foregoing as of the day and year first above written.

Jeffrey Zimmerman Walker (SEAL)
JEFFREY ZIMMERMAN WALKER

Michelle Walker (SEAL)
MICHELLE WALKER

STATE OF *Maryland*

COUNTY OF *Carroll*

I, *Falesha Paulette Lewis* a Notary Public for the County of *Carroll* and State of *Maryland*, do hereby certify that *Jeffrey Zimmerman Walker and spouse, Michelle Walker*, either being personally known to me or proven by satisfactory evidence (said evidence being *Drivers License*), personally appeared before me this day, and acknowledged the voluntary due execution of the foregoing instrument by he/she/they for the purposes therein stated.

Witness my hand and Notarial stamp or seal this *28* day of *February*, 2024.

Falesha Paulette Lewis
Notary Public
Name: *Falesha Paulette Lewis*
My Commission Expires: *8/29/2026*

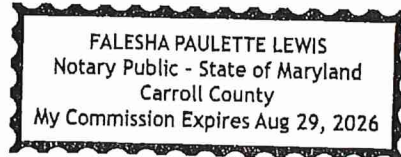


EXHIBIT A

PARCEL #: 5872177454 AND 5872176033

Beginning at an EIP near the right of way of unpaved Hall Walker Road; said beginning point being thence S 88°32'13" W a distance of 421.62' from an EIP on the west right of way of Yadkin Valley Road;

thence S 02°20'12" E a distance of 321.62' to an EIP;
thence S 02°22'38" E a distance of 210.81' to an EIP;
thence S 02°26'12" E a distance of 8.04' to an EIP;
thence S 02°11'05" E a distance of 129.24' to an EIP;
thence S 02°20'38" E a distance of 421.01' to an EIP;
thence S 02°18'09" E a distance of 85.52' to an EIP;
thence S 02°18'11" E a distance of 215.92' to a computed point along Highway 81;
thence N 53°13'08" W a distance of 289.46' to a computed point along Highway 81;
thence N 61°19'25" W a distance of 196.60' to a computed point along Highway 81;
thence N 69°49'25" W a distance of 135.56' to a computed point along Highway 81;
thence N 19°55'30" E a distance of 361.74' to an EIP;
thence N 69°49'56" W a distance of 563.05' to an EIP;
thence S 19°44'07" W a distance of 89.87' to an EIP;
thence N 72°39'25" W a distance of 451.99' to an EIP;
thence N 19°20'58" E a distance of 24.49' to an EIP;
thence N 01°08'33" E a distance of 181.97' to an EIP;
thence N 42°32'12" W a distance of 538.20' to an EIP;
thence N 43°00'25" W a distance of 249.91' to an EIP;
thence N 61°36'51" E a distance of 245.45' to an EIP;
thence N 61°52'31" E a distance of 7.89' to an EIP;
thence N 61°37'57" E a distance of 110.47' to an EIP;
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thence N 62°19'59" E a distance of 311.49' to a split tree;
thence N 08°10'55" E a distance of 385.90' to an EIP;
thence S 86°45'30" E a distance of 573.69' to an EIP;
thence S 86°56'59" E a distance of 115.82' to an EIP;
thence S 02°19'19" E a distance of 628.70' to an EIP;
thence S 02°20'17" E a distance of 282.41' to an EIP;

which is the point of beginning,

having an area of 60.62 acres



TO: Town Council
FROM: Staff
DATE: April 9, 2024
RE: Petition for Annexation

Included for your review:

- Resolution of Adoption
- Preliminary Plat Map showing parcels requesting voluntary annexation
- Petitions for Annexation (Contiguous and Non-Contiguous)
- GIS Map of the parcels and their proximity to the Town of Bermuda Run corporate limits.

Items for Consideration:

- 505 Unit Mixed Use Residential Project
- Current Tax Value of properties: \$7,684,470.00

Fiscal Year	Revenue	Expense	Net Impact w/Depreciation	Net Impact Ex/Depreciation
24-25	\$15,858	\$0	\$15,858	\$15,858
25-26	\$17,349	\$61,496	\$ (44,147)	\$12,103
26-27	\$101,485	(\$83,005)	\$18,480	\$74,730
27-28	\$303,203	(\$110,065)	\$193,138	\$249,388

• **Sales and Use Tax Distribution Estimates**

Fiscal Yr.	Revenue
24 – 25	\$ 5,000
25 – 26	\$ 5,000
26 – 27	\$ 20,000
27 – 28	\$ 53,000

• **Expenditure Estimate**

Fiscal Year	Snow	Street Maint	Solid Waste	Lighting	Tax	Elections	Total
24 – 25	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
25 – 26	\$ -	\$ -	\$ -	\$ 1,300	\$ -	\$ -	\$ 1,300
26 – 27	\$ 400	\$ 1,000	\$ 12,000	\$ 1,300	\$ 2,150	\$ -	\$ 16,850
27 – 28	\$ 400	\$ 1,000	\$ 18,000	\$ 1,300	\$ 2,150	\$400	\$ 17,850

- Project provides beginning portion of the connecting collector boulevard between US Hwy 158 and NC 801 South as identified in the Comprehensive Plan. Boulevard is proposed to be public, maintained by the Town of Bermuda Run
- Primary access streets are public and internal private streets will be maintained by HOA.
- Solid Waste and Recycling Pickup – The current solid waste contract with Republic Services ends June 30, 2024. Parameters for a future contract will involve how recycling plays into overall expenses. The current forecast of future expenses has not been quantified.
- The proposed development will likely add 1,016 new residents to the Town.
- Public Safety-Impact to enhanced contracted law enforcement services.



O-2024-02

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF BERMUDA RUN, NORTH CAROLINA

WHEREAS, the Bermuda Run Town Council has been petitioned under G.S. 160A-31 and G.S. 160A-58.1 to annex the area described below; and

WHEREAS, the Bermuda Run Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at the Bermuda Run Town Hall at 6:00pm on Tuesday, January 9, 2024, after due notice by the Davie County Enterprise newspaper on March 28, 2024, and April 4, 2024; and

WHEREAS, the Bermuda Run Town Council finds that the petition meets the requirements of G.S. 160A-31 and G.S. 160A-58.1; and

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

Section 1. By virtue of the authority granted by G.S. 160A-31 and 160A-58.1, the following described territory is hereby annexed and made part of the Town of Bermuda Run as of April 9, 2024.

RE: Davie County Parcels: C7/115, C711501 and C7/112

NCPIN Parcels: 5872176033, 5872177454, 5872069613

Beginning at an EIP near the right of way of unpaved Hall Walker Road; said beginning point being thence S 88°32'13" W a distance of 421.62' from an EIP on the west right of way of Yadkin Valley Road; thence S 02°20'12" E a distance of 321.62' to an EIP; thence S 02°22'38" E a distance of 210.81' to an EIP; thence S 02°26'12" E a distance of 8.04' to an EIP; thence S 02°11'05" E a distance of 129.24' to an EIP; thence S 02°20'38" E a distance of 421.01' to an EIP; thence S 02°18'09" E a distance of 85.52' to an EIP; thence S 02°18'11" E a distance of 215.92' to a computed point along Highway 801; thence N 53°13'08" W a distance of 289.46' to a computed point along Highway 801; thence N 61°19'25" W a distance of 196.60' to a computed point along Highway 801; thence N 69°49'25" W a distance of 135.56' to a computed point along Highway 801; thence N 19°55'30" E a distance of 361.74' to an EIP; thence N 69°49'56" W a distance of 563.05' to an EIP; thence S 19°44'07" W a distance of 89.87' to an EIP; thence N 72°39'25" W a distance of 451.99' to an EIP; thence S 19°34'06" W a distance of 100.03' to an EIP; thence S 19°33'55" W a distance of 204.66' to an EIP ; thence N 81°17'02" W a distance of 279.31' to an EIP ; thence N 01°45'49" E a distance of 165.25' to an EIP; thence N 01°45'49" E a distance of 130.03' to an EIP; thence N 01°46'35" E a distance of 130.23' to an EIP; thence N 01°46'52" E a distance of 260.07' to an EIP; thence N 01°42'19" E a distance of 161.21' to an EIP; thence N 43°00'25" W a distance of 249.91' to an EIP; thence N 61°36'51" E a distance of 245.45' to an EIP; thence N 61°52'31" E a distance of 7.89' to an EIP; thence N 61°37'57" E a distance of 110.47' to an EIP; thence N 61°36'48" E a distance of 90.81' to an EIP; thence N 61°35'07" E a distance of 49.97' to an EIP; thence N 61°37'49" E a distance of 76.96' to an EIP; thence N 61°37'21" E a distance of 95.34' to an EIP; thence N 61°37'36" E a distance of 108.48'

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Section 2. Upon and after April 9, 2024, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances, and regulations in force in the Town of Bermuda Run and shall be entitled to the same privileges and benefits as other parts of the Town of Bermuda Run. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Bermuda Run shall cause to be recorded in the office of the Register of Deeds of Davie County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the Davie County Board of Elections, as required by G.S. 163-288.1.

Adopted this the 9th day of April 2024.

Mike Brannon, Mayor
Town of Bermuda Run

ATTEST:

APPROVED AS TO FORM:

Cindy Poe, Town Clerk

Brian F. Williams, Town Attorney



**PETITION REQUESTING A CONTIGUOUS ANNEXATION
AND NONCONTIGUOUS ANNEXATION**

PROPERTY NAME: 139 & 297 Hall Walker Lane DATE: March 28, 2024

To the Town Council of Bermuda Run, North Carolina:

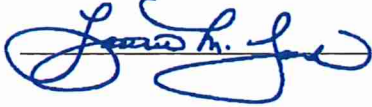
1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed to the Town of Bermuda Run, North Carolina.
2. The area to be annexed is contiguous to the primary limits of the Town of Bermuda Run, North Carolina and the boundaries of such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

Name (print or type)	Address	Signature*
1. <u>Bermuda Run Investments, LLC</u>	<u>7 Corporate Center Court, Suite B Greensboro, NC 27408</u>	
2. _____	_____	_____
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.



**PETITION REQUESTING A CONTIGUOUS ANNEXATION
AND NONCONTIGUOUS ANNEXATION**

PROPERTY NAME: HWY 801 Property (ID NO 5872069613) DATE: 12/1/2023 | 10:45:04 PST

To the Town Council 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 attached 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.

Name (print or type)	Address	Signature*
1. <u>Wake Forest University Baptist Med</u>	<u>_____</u>	<u>Julie Freischlag</u>
2. <u>CTR Community Physicians</u>	<u>_____</u>	<u>Russell Howerton</u>
3. <u>_____</u>	<u>_____</u>	<u>_____</u>
4. <u>_____</u>	<u>_____</u>	<u>_____</u>

- 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.

PARCEL #: 5872177454 AND 5872176033 and 8572069613

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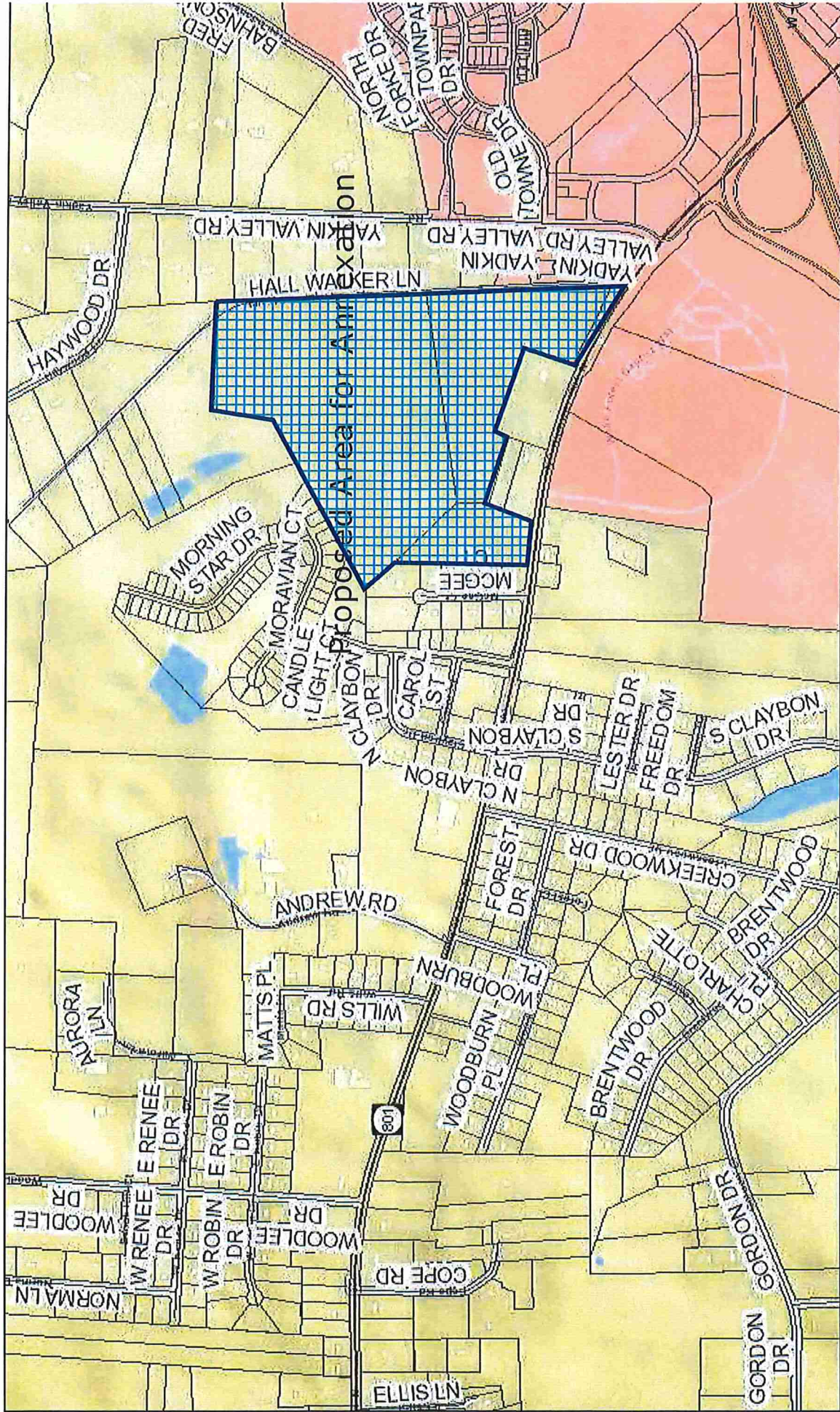
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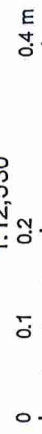
Proposed Annexation



December 28, 2023

-  Parcels
-  Watershed Structure
-  BERMUDA RUN
-  MOCKSVILLE
-  County Line
-  COOLEEMEE

1:12,530



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand) OpenStreetMap contributors, and the GIS User Community
 NC OnlineMap, NC Center for Geographic Information and Analysis, N



**NOTICE OF PUBLIC HEARING
BERMUDA RUN TOWN COUNCIL**

NOTICE IS HEREBY GIVEN, that the Town Council of the Town of Bermuda Run has called a public hearing at 6:00pm on Tuesday, April 9, 2024, at the Bermuda Run Town Hall, 120 Kinderton Blvd, Suite 100, on the question of annexing the following described territory, requested by petition filed pursuant to G.S. 160A-31 and 160A-58.1: The area proposed for voluntary annexation is described as follows:

RE: PARCELS: C7/115, C711501 and C7/112

Beginning at an EIP near the right of way of unpaved Hall Walker Road; said beginning point being thence S 88°32'13" W a distance of 421.62' from an EIP on the west right of way of Yadkin Valley Road; thence S 02°20'12" E a distance of 321.62' to an EIP; thence S 02°22'38" E a distance of 210.81' to an EIP; thence S 02°26'12" E a distance of 8.04' to an EIP; thence S 02°11'05" E a distance of 129.24' to an EIP; thence S 02°20'38" E a distance of 421.01' to an EIP; thence S 02°18'09" E a distance of 85.52' to an EIP; thence S 02°18'11" E a distance of 215.92' to a computed point along Highway 801; thence N 53°13'08" W a distance of 289.46' to a computed point along Highway 801; thence N 61°19'25" W a distance of 196.60' to a computed point along Highway 801; thence N 69°49'25" W a distance of 135.56' to a computed point along Highway 801; thence N 19°55'30" E a distance of 361.74' to an EIP; thence N 69°49'56" W a distance of 563.05' to an EIP; thence S 19°44'07" W a distance of 89.87' to an EIP; thence N 72°39'25" W a distance of 451.99' to an EIP; thence S 19°34'06" W a distance of 100.03' to an EIP; thence S 19°33'55" W a distance of 204.66' to an EIP ; thence N 81°17'02" W a distance of 279.31' to an EIP ; thence N 01°45'49" E a distance of 165.25' to an EIP; thence N 01°45'49" E a distance of 130.03' to an EIP; thence N 01°46'35" E a distance of 130.23' to an EIP; thence N 01°46'52" E a distance of 260.07' to an EIP; thence N 01°42'19" E a distance of 161.21' to an EIP; thence N 43°00'25" W a distance of 249.91' to an EIP; thence N 61°36'51" E a distance of 245.45' to an EIP; thence N 61°52'31" E a distance of 7.89' to an EIP; thence N 61°37'57" E a distance of 110.47' to an EIP; thence N 61°36'48" E a distance of 90.81' to an EIP; thence N 61°35'07" E a distance of 49.97' to an EIP; thence N 61°37'49" E a distance of 76.96' to an EIP; thence N 61°37'21" E a distance of 95.34' to an EIP; thence N 61°37'36" E a distance of 108.48' to an EIP; thence N 61°41'57" E a distance of 119.73' to an EIP; thence N 62°19'59" E a distance of 311.49' to a split tree; thence N 08°10'55" E a distance of 385.90' to an EIP; thence S 86°45'30" E a distance of 573.69' to an EIP; thence S 86°56'59" E a distance of 115.82' to an EIP; thence S 02°19'19" E a distance of 628.70' to an EIP; thence S 02°20'17" E a distance of 282.41' to an EIP; which is the point of beginning, having an area of 66.11 acres

All interested parties are invited to attend the public hearing and present their comments to the Bermuda Run Town Council. Please call Bermuda Run Planning at (336) 753-6050 if you have questions or if you need special accommodation for the meeting. Hearing impaired persons desiring additional information or having questions regarding this subject should call the North Carolina Relay Number for the Deaf at 1-800-735-8262 or 711 for mobile phones.

PUBLICATION DIRECTIONS

Publish in the Notices section of the Newspaper
Publish on the following Dates:

March 28, 2024
April 4, 2024

Send bill and affidavit of publication to:

Bermuda Run Town Clerk, Cindy Poe
Town of Bermuda Run
120 Kinderton Boulevard, Suite 100
Bermuda Run, NC 27006