

CITY OF HIGH POINT

AGENDA ITEM



Title: Annexation 22-03

(Apple Rei Fund LLC and the heirs of Grady and Wilma Saferight et al)

From: Sushil Nepal, AICP
Planning & Development Director

Meeting Date: July 18, 2022

Public Hearing: Yes

Advertising Date: June 28, 2022

Attachments: A. Staff Report
B. Map
C. Annexation Ordinance

Advertised By: Planning & Development

PURPOSE:

A request by Apple Rei Fund LLC and the heirs of Grady and Wilma Saferight et al to consider a voluntary contiguous annexation of approximately 37.3 acres located northwest of the intersection of Harvey Road and Jewel Avenue, lying between Harvey Road and the eastern terminus of Shorewell Drive. The annexation site is known as Guilford County Tax Parcels 161060, 161075 (portion), 161076, 161086, 161087 and 161098.

BACKGROUND:

The staff report and recommendation are enclosed.

BUDGET IMPACT:

Except for water and sewer, municipal services will be available upon the effective date of annexation. Water and sewer will be available in accordance with City policy.

RECOMMENDATION / ACTION REQUESTED:

Staff recommends *approval* of Annexation 22-03.

**CITY OF HIGH POINT
PLANNING AND DEVELOPMENT DEPARTMENT**

**STAFF REPORT
ANNEXATION 22-03
July 18, 2022**

Request	
Applicant: Apple Rei Fund LLC and the heirs of Grady and Wilma Saferight et al	Owners: Apple Rei Fund LLC and the heirs of Grady and Wilma Saferight et al
Proposal: Voluntary contiguous annexation	Effective Date: Upon adoption
	Associated Zoning Case: None, the site is within the City of High Point Extraterritorial Jurisdiction (ETJ) Area.

Site Information	
Location:	Lying northwest of the intersection of Harvey Road and Jewel Avenue, lying between Harvey Road and the eastern terminus of Shorewell Drive.
Tax Parcel Number:	Guilford County Tax Parcels 161060, 161075 (portion), 161076, 161086, 161087 and 161098.
Site Acreage:	Approximately 37.3 acres
Current Land Use:	A single family dwelling and undeveloped parcels.
Current Zoning:	Residential Single Family – 5 (R-5) District (City of High Point ETJ Area) There is no rezoning application associated with this annexation case, the current R-5 District will be used to govern development of this site.
Current Fire District:	Pinecroft-Sedgefield District
Proposed Development:	A 90 lot single family subdivision is proposed to be developed.
Proposed Unit Type, Number and Average Value:	The applicant has noted that the overall development cost (value of final product to be sold to end users), will be \$31,950,000. <i>(approximately \$355,000 average sales price per dwelling).</i>
Proposed Build-out Schedule:	An approximate 3-year build-out is anticipated to complete this subdivision.
Proposed City of High Point Council Ward:	The proposed annexation site is adjacent to Ward 2. If approved, the land associated with this annexation will be part of Ward 2.
Physical Characteristics:	The site is heavily wooded and has a moderate to severely sloping terrain. A perennial stream runs in a northerly direction through the middle of the site.
Water and Sewer Proximity:	A 6-inch City water line and an 8-inch City sewer line both lie adjacent to the site within the Shorewell Drive right-of-way. Also, a 16-inch City water line lies adjacent to the site within Harvey Road.
General Drainage and Watershed:	The site drains in a general northerly direction and development is subject to the Oakdale Reservoir General Watershed Area (GWA) requirements. Engineered stormwater treatment measures are required for development with a total impervious surface area greater than 24% of the site, and for

	single family developments with a gross density of two units per acre or more.
Overlay District:	Oakdale Reservoir General Watershed Area (GWA)

Adjacent Property Zoning and Current Land Use			
North:	R-3 PDR	Residential Single Family – 3 District Planned Development Residential District	Single family dwellings
South:	R-5	Residential Single Family – 3 District	Single family dwellings, undeveloped parcels, and a nonconforming mobile home park
East:	R-5	Residential Single Family – 3 District	Single family dwellings
West:	PDR RM-16	Planned Development Residential District Residential Multifamily-16 District	Single family dwellings Multifamily (apartment complex).

Transportation Information			
Adjacent Streets:	Name	Classification	Approx. Frontage
	Harvey Road	Minor Throughfare	60 ft.
	Shorewell Drive	Local Street	50 ft.
Vehicular Access:	Via public street extension through the site from Harvey Road to Shorewell Drive.		

City Department Comment Summary

Comments were not requested for this proposed annexation due to the fact the site is abuts the City's corporate limits. Annexation petitions for uses within proximity to existing service areas do not warrant individual department comment.

Details of Proposal

The applicant is requesting annexation to have access to City utilities to facilitate development of a single family subdivision. This property is situated in the southeastern portion of the City's planning area and is designated on the adopted Land Use Map for Moderate-Density Residential land uses. There have been several annexation approvals to allow a variety of residential uses in this portion of the City's Planning area since the 1990s. The site abuts the City's corporate limits along its northern and western boundary. There are also additional lands to the south, along Harvey Road and E. Martin Luther King Jr. Drive, that are also within the City limits.

This annexation petition represents a logical progression of the City's annexation policy for this area as the proposed annexation site is generally surrounded by the City's corporate limits. City services and service vehicles are already present in this area and the annexation of the 37.3-acre tract of land will not negatively impact the City's ability to provide services in this area.

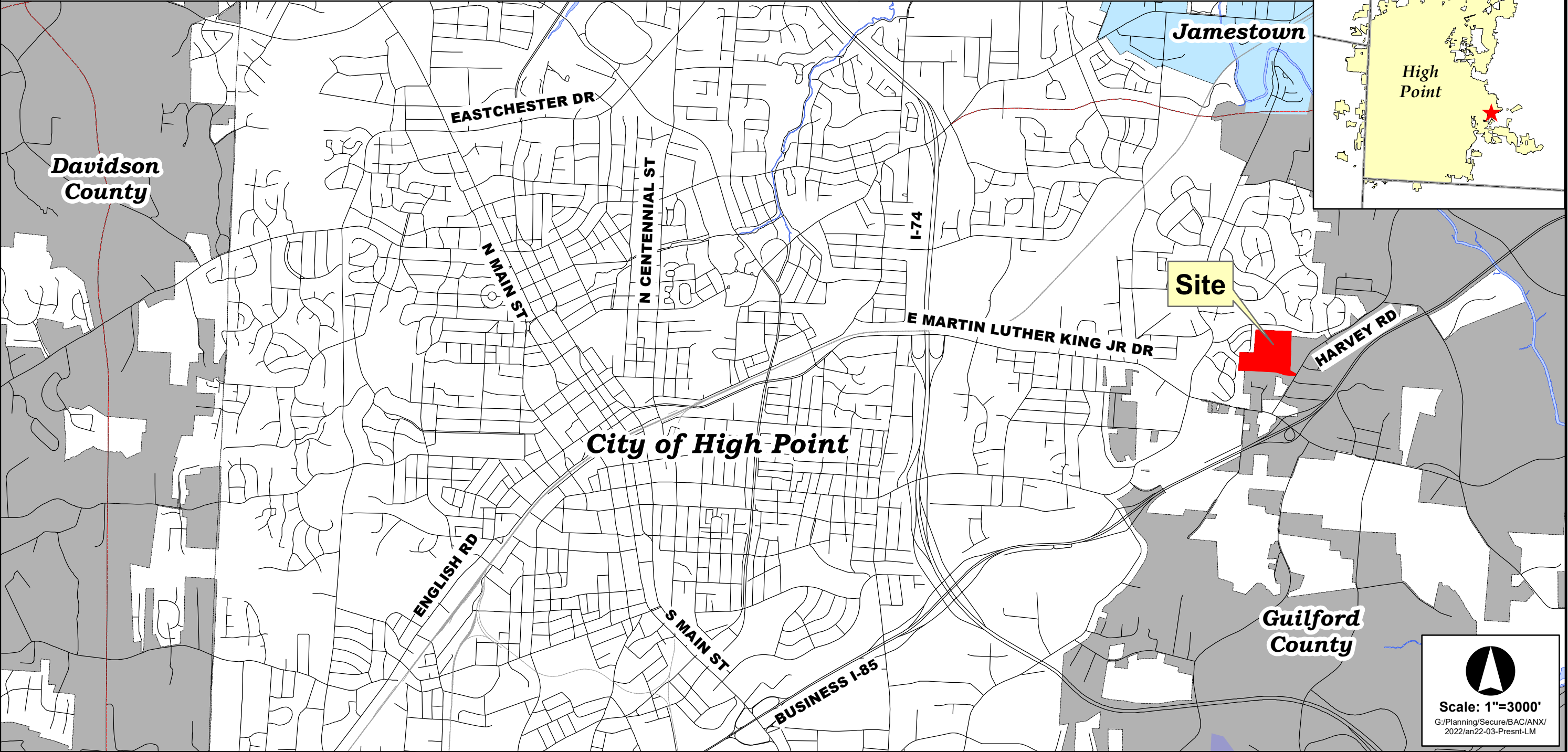
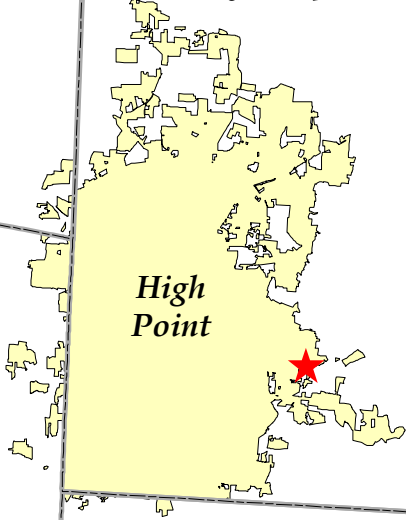
Report Preparation

This report was prepared by Planning and Development Department staff member Herbert Shannon Jr. AICP, Senior Planner and reviewed by Chris Andrews AICP, Development Administrator.

LOCATION MAP

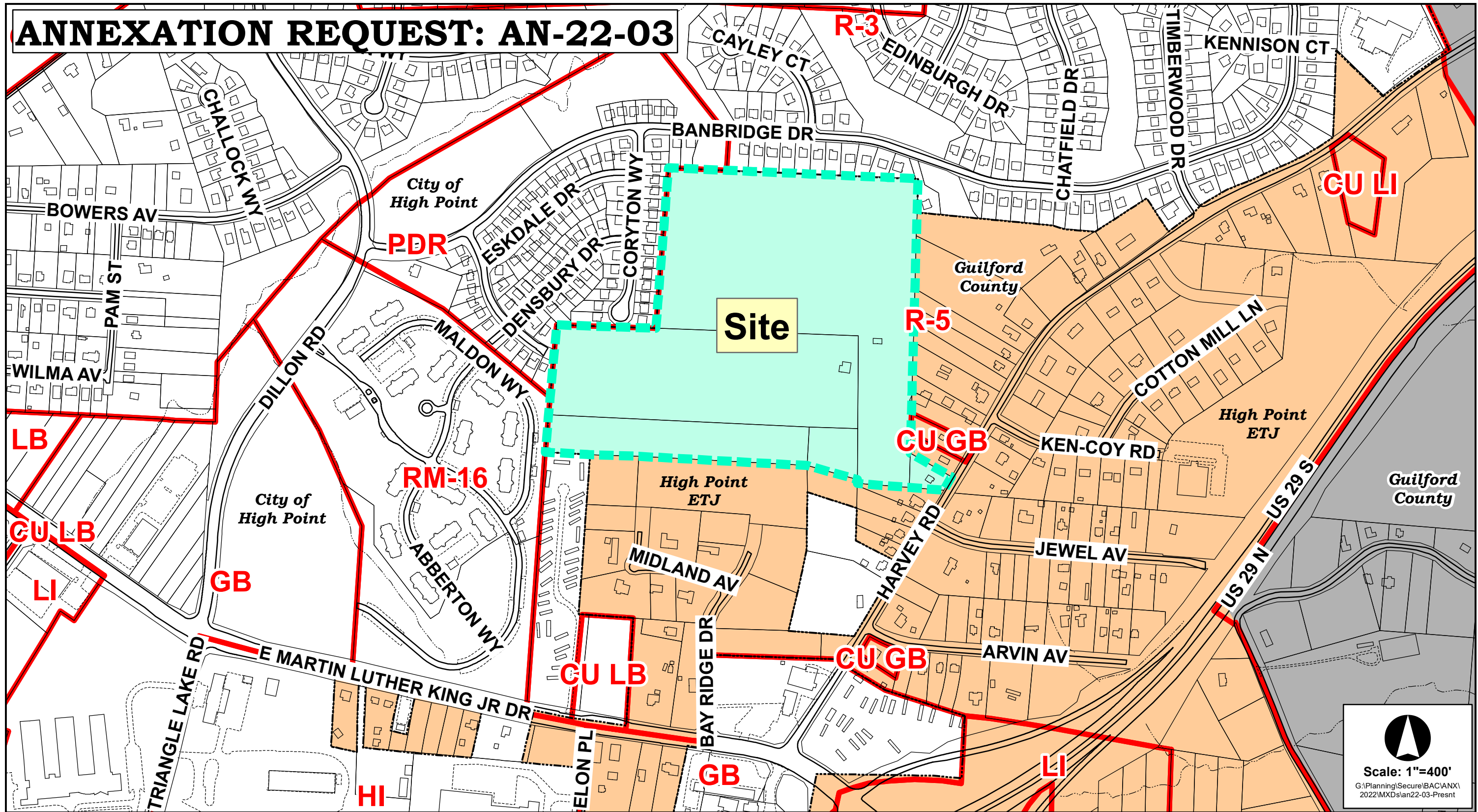
ANNEXATION REQUEST: AN-22-03
Applicant: Grady W. & Wilma H. Saferight and Stephen E. Sams

Vicinity Map



Scale: 1"=3000'
G:/Planning/Secure/BAC/ANX/
2022/an22-03-Presnt-LM

ANNEXATION REQUEST: AN-22-03



Return to: JoAnne Caryle, City Attorney
City of High Point
P.O. Box 230
High Point, NC 27261
Ordinance No. xxxx / xx-xx

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE
CITY OF HIGH POINT, NORTH CAROLINA**

WHEREAS, The City of High Point has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and,

WHEREAS, the City Clerk has investigated the sufficiency of said petition and has certified it to be valid; and

WHEREAS, a public hearing on this annexation was held at the Municipal Building at 5:30 p.m. on the 18th day of July, 2022; and,

WHEREAS, the City of High Point does hereby find as a fact that said petition meets the requirements of G.S. 160A-31 as amended;

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
HIGH POINT, NORTH CAROLINA:**

SECTION 1. By virtue of the authority granted by G.S. 160A-31 as amended, the following described territory is hereby annexed, and made a part of the City of High Point as of July 18, 2022.

**A map showing the annexed area can be found in Plat Book: _____ Page: _____ in
the Guilford County Register of Deeds Office.**

ANNEXATION DESCRIPTION

Apple Rei Fund LLC and the heirs of Grady and Wilma Saferight et al
Annexation Case #22-03 (AN-22-03)

The site is located northwest of the intersection of Harvey Road and Jewel Avenue, lying between Harvey Road and the eastern terminus of Shorewell Drive and consists of Guilford County Tax Parcels 161060, 161075 (portion), 161076, 161086, 161087 and 161098. The annexation site is more specifically described as follows:

Beginning at an existing 1" iron rod, said iron rod being the southeast corner of Stephen Estes Sams, Parcel No: 161076 (Deed Book 6144, Page 2148), being the northeast corner of Wilma H. Saferight, Part of Parcel No: 161075 (Deed Book 779, Page 223) and being located in the western right of way of Harvey Road (S.R. 1132 – Formerly Oakdale Road, A 60' Public right of way per Plat Book 127, Page 129); Thence leaving said Sams and along said Harvey Road western right of way and said Saferight (Part of Parcel No: 161075) eastern line, S 30°50'59" W 15.00 feet to a new 1/2" iron pipe, said iron pipe being the southeast corner of said Saferight (Part of Parcel No: 161075), being in the western right of way of said Harvey Road and being the northeast corner of Larry Wayne Samuels, Part of Parcel No: 161075 (Deed Book 3986, Page 762); Thence leaving said Harvey Road and along the northern line of said Samuels and the southern line of said Saferight (Part of Parcel No: 161075) the following two (2) courses and distances: 1) N 85°21'15" W 161.60 feet to a new 1/2" iron pipe; 2) N 77°53'12" W 108.14 feet to a new 1/2" iron pipe, said iron pipe being located on the northern line of said Samuels, being the western corner of said Saferight (Part of Parcel No: 161075) and being a point in a southern line of Grady W. Saferight and Wilma H. Saferight, Parcel No: 161060 (Deed Book 747, Page 228 - Tract No: 1 and Tract No: 2); Thence along said southern line of said Saferight (Parcel No: 161060), continuing and leaving the northern line of said Samuels, crossing the northern line of George Don Billings and Annie Ruth F. Billings; Part of Parcel No: 161075 (Deed Book 2333, Page 263), N 85°02'12" W 82.75 feet to a new 1/2" iron pipe, said iron pipe being the northwest corner of said Billings (Part of Parcel No: 161075), being the northeast corner of George Don Billings and Annie Ruth F. Billings, Parcel No: 161088 (Deed Book 2304, Page 417), being the southeast corner of Grady W. and Wilma H. Saferight, Parcel No: 161087 (Deed Book 1247, Page 588) and being a southwest corner of said Saferight, (Parcel No: 161060); Thence leaving said Saferight (Parcel No: 161060) and said Billings (Part of Parcel No: 161075) and along the northern line of said Billings (Parcel No: 161088) and southern line of said Saferight (Parcel No: 161087), N 72°15'25" W 208.69 feet to a new 1/2" iron pipe, said iron pipe being the northwest corner of said Billings (Parcel No: 161088), the southwest corner of said Saferight (Parcel No: 161087), the northeast corner of Mitchell Grove United Methodist Church, Parcel No: 161390 (Deed Book 3209, Page 750 and Plat Book 47, Page 85) and the southeast corner of Grady W. Saferight and Wilma H. Saferight, Parcel No: 161098 (Deed Book 1557, Page 586); Thence leaving said Saferight (Parcel No: 161087) and said Billings (Parcel No: 161088) and along the southern line of said Saferight (Parcel No: 161098) and along the northern line of said Mitchell Grove United Methodist Church the following five (5) courses and distances: 1) N 86°57'30" W 212.20 feet to an existing 3/4" iron pipe; 2) N 86°57'30" W 60.00 feet to an existing 3/4" iron pipe; 3) N 86°57'30" W 199.94 feet to an existing 3/4" iron pipe; 4) N 86°59'01" W 199.47 feet to an existing 3/4" iron pipe; 5) N 86°59'01" W 60.02 feet to an existing 3/4" iron pipe, said iron pipe being the northwest corner of said Mitchell Grove United Methodist Church, being a point in the southern line of said Saferight (Parcel No: 161098) and being the northeast corner of Norris A. Dills and Sherry B. Dills, Parcel No: 161391 (Deed Book 2314, Page 231 – Tract 4 and Plat Book 47, Page 85); Thence leaving

said Mitchell Grove United Methodist Church, continuing along the southern line of said Saferight (Parcel No: 161098) and along said Dills northern line, N 86°59'01" W 214.97 feet to an existing 1" iron pipe, said iron pipe having NAD 83 (2011) Coordinates of N: 807,028.34 and E: 1,720,980.37, being a point in the southern line of said Saferight (Parcel No: 161098) the northwest corner of said Dill, the northeast corner of Country Living Mobile Home Park, Parcel No: 202931 (Deed Book 7054, Page 2317 and Plat Book 132, Page 22 – New Lot 1); Thence leaving said Dills and continuing along the southern line of said Saferight (Parcel No: 161098) and the northern line of said Country Living Mobile Home Park, N 87°28'07" W 185.04 feet to an existing 5/8" iron rod, said iron rod having NAD 83 (2011) Coordinates of N: 807,036.51 and E: 1,720,795.51, being the southeast corner of said Saferight (Parcel No: 161098) the northwest corner of said Country Living Mobile Home Park and being a point in the eastern line of Broadstone Village Apartments, LLC, Parcel No: 211880 (Deed Book 5291, Page 893 and Plat Book 153, Page 20 – Phase 1, New Lot 3); Thence leaving said Country Living Mobile Home Park and along the eastern line of said Broadstone Village and the western line of said Saferight (Parcel No: 161098), N 03°58'46" E 167.98 feet to an existing 5/8" iron rod, said iron rod being a point in the western line of said Broadstone Village Apartments, the northwest corner of said Saferight (Parcel No: 161098) and being the southwest corner of Grady W. Safewright and Wilma H. Saferight, Parcel No: 161086 (Deed Book 1020, Page 297); Thence leaving said Saferight (Parcel No: 161098) and along the western line of said Broadstone Village Apartments and the eastern line of said Saferight (Parcel No: 161086), N 03°58'46" E 92.96 feet to an existing 5/8" iron rod, said iron rod being the northeast corner of said Broadstone Village Apartments, being the southeast corner of Sheree N. Carr, Parcel No: 211967 (Deed Book 7620, Page 878 and Plat Book 152, Page 29 – Lot 33) and being a point in the western line of said Saferight (Parcel No: 161086); Thence leaving said Broadstone Village Apartments and along said Carr eastern line and said Saferight (Parcel No: 161086) western line, N 03°58'46" E 149.31 feet to an existing 5/8" iron pipe, said iron pipe being the northeast corner of said Carr, a point in the western line of said Saferight (Parcel No: 161086) and being located in the southern right of way of Shorewell Drive (A 50' Public right of way per Plat Book 153, Page 29); Thence leaving said Carr and along western line of said Saferight (Parcel No: 161086) and the eastern line of said Shorewell Drive right of way, N 03°58'46" E 54.01 feet to an existing 1/2" iron pipe, said iron pipe being in the northern right of way of said Shorewell Drive, being the southeast corner of Kristia Venator, Parcel No: 211968 (Deed Book 7570, Page 2850 and Plat Book 152, Page 29 – Lot 32) and being a point in the western line of said Saferight (Parcel No: 161086); Thence leaving said Shorewell Drive and along the eastern line of said Venator and the western and northern line of said Saferight (Parcel No: 161086) the following two (2) courses and distances: 1) N 03°58'46" E 100.03 feet to an existing 3/4" iron pipe; 2) S 86°55'38" E 22.01 feet to an existing 3/4" iron pipe, said iron pipe being the northeast corner of said Venator, the southwest corner of Jose Alberto Garnelo Garcia and Wendy Flores Juarez, Parcel No: 211970 (Deed Book 6334, Page 3082 and Plat Book 152, Page 29 – Lot 30) and being a point in the northern line of said Saferight (Parcel No: 161086); Thence leaving said Venator and along said Garcia and Juarez southern line and said Saferight (Parcel No: 161086) northern line, S 86°55'38" E 46.93 feet to an existing 3/4" iron pipe, said iron pipe being the southeast corner of said Garcia and Juarez, being the southwest corner of Martin Mares, Parcel No: 212070 (Deed Book 6260, Page 3028 and Plat Book 154, Page 121 – Lot 19) and being a point in the northern line of said Saferight (Parcel No: 161086); Thence leaving said Garcia and Juarez and

along the southern line of said Mares and the northern line of said Saferight (Parcel No: 161086), S 86°55'38" E 213.44 feet to an existing 5/8" iron rod, said iron rod being the southeast corner of said Mares the southwest corner of Magdalana P. Lattimore, Parcel No: 212069 (Deed Book 7112, Page 1906 and Plat Book 154, Page 121 – Lot 18) and being a point in the northern line of said Saferight (Parcel No: 161086); Thence leaving said Mares and along the southern and eastern line of said Lattimore and the northern line of said Saferight (Parcel No: 161086), S 86°55'38" E 149.56 feet to an existing 3/4" iron pipe, said iron pipe being the southeast corner of said Lattimore, being a point in the northern line of said Saferight (Parcel No: 161086) and being a southwest corner of said Saferight (Parcel No: 161060); Thence leaving said Saferight (Parcel No: 161086) and along the eastern line of said Lattimore, and the eastern line of The Elms at Broadstone Village, Phase 4, Section 3 (Plat Book 154, Page 121 – Lots 18-5) and along the western line of said Saferight (Parcel No: 161060) the following twelve (12) courses and distances: 1) N 05°11'00" E 55.99 feet to an existing 5/8" iron rod; 2) N 05°11'00" E 49.93 feet to an existing 5/8" iron rod; 3) N 05°11'00" E 49.96 feet to an existing 5/8" iron rod; 4) N 05°11'00" E 49.97 feet to an existing 5/8" iron rod; 5) N 05°11'00" E 50.33 feet to an existing 5/8" iron pipe; 6) N 05°11'00" E 49.71 feet to an existing 5/8" iron pipe; 7) N 05°11'00" E 150.00 feet to an existing 5/8" iron rod; 8) N 05°11'00" E 49.96 feet to an existing 5/8" iron rod; 9) N 05°11'00" E 50.12 feet to an existing iron rod; 10) N 05°11'00" E 49.91 feet to an existing 5/8" iron rod; 11) N 05°11'00" E 50.95 feet to an existing 5/8" iron rod; 12) N 05°11'00" E 36.25 feet to a new 1/2" iron pipe; said iron pipe being a point in the eastern line of said The Elms at Broadstone Village, Phase 4, Section 3, Lot 5, the southwest corner of The Elms at Broadstone Village, Phase 4, Section 3, Lot 2 and being a point in the northern line of said Saferight (Parcel 161060); Thence leaving said The Elms at Broadstone Village, Phase 4, Section 3, Lot 5 and along the southern line of The Elms at Broadstone Village, Phase 4, Section 3, Lots 2 and 1 and the northern line of said Saferight (Parcel No: 161060) the following two (2) courses and distances: 1) S 86°22'48" E 49.57 feet to an existing 5/8" iron rod; 2) S 86°22'48" E 49.91 feet to an existing 5/8" iron rod; Thence crossing and leaving the southern line of The Elm at Broadstone Village, Phase 4, Section 3 Common Area, and along the southern line of Broadstone Village, Phase 7 (Plat Book 152, Page 31 – Common Area and Lots 73-84) the following five (5) courses and distances: 1) S 86°22'48" E 301.40 feet to an existing 3/4" iron pipe; 2) S 86°22'48" E 64.34 feet to an existing 3/4" iron pipe; 3) S 86°22'48" E 455.83 feet to an existing 3/4" iron pipe; 4) S 86°22'48" E 123.44 feet to an existing 3/4" iron pipe; 5) S 86°22'48" E 5.14 feet to an existing 3/4" iron pipe, said iron pipe being a point in the western line of said Broadstone Village, Phase 7, Lot 84 and the northeast corner of said Saferight (Parcel No: 161060); Thence along said Broadstone Village, Phase 7, Lot 84 western line and the eastern line of said Saferight (Parcel No: 161060), S 02°09'09" W 151.33 feet to an existing 2" iron pipe, said iron pipe being the southwest corner of said Broadstone Village, Phase 7, Lot 84, being the northwest corner of Eileen Tate Lane, Parcel No: 161126 (Deed Book 7787, Page 1254 – Parcel A, B and C) and being a point in the eastern line of said Saferight (Parcel No: 161060); Thence leaving said Broadstone Village, Phase 7, Lot 84 and along the western line of said Lane and the eastern line of said Saferight (Parcel 161060), S 02°43'30" W 99.67 feet to an existing 1" axle, said axle being the southwest corner of said Lane and being the northwest corner of Samuel E. Kersey, Parcel No: 161062 (Deed Book 4514, Page 1529); Thence leaving said Lane and along said Kersey (Parcel No: 161062) western line and said Saferight (Parcel No: 161060) eastern line, S 03°02'44" W 191.15 feet to an existing 5/8" axle, said axle being the southwest

corner of said Kersey (Parcel No: 161062, being the northwest corner of Samuel E. Kersey, Parcel No: 161092 (Deed Book 5312, Page 2194), and being a point in the eastern line of said Saferight (Parcel No: 161060); Thence leaving said Kersey (Parcel No: 161062), along and leaving the western line of said Kersey (Parcel No: 161092) and Zach Cohen, LLC, Parcel No: 161090 (Deed Book 7718, Page 721) and along the eastern line of said Saferight (Parcel No: 161060), S 02°12'17" W 151.81 feet to a ½" iron pipe said iron pipe being the southwest corner of said Zach Cohen, LLC, being the northwest corner of Elmore D. Alexander and Una M. Alexander, Parcel No: 161091 (Deed Book 7758, Page 2150 – Tract 2) and being a point in the eastern line of said Saferight (Parcel No: 161060); Thence leaving said Cohen and along the western line of said Alexander (Parcel No: 161091) and the eastern line of said Saferight (Parcel No: 161060), S 02°17'08" W 56.47 feet to an existing flatbar, said flatbar being the southwest corner of said Alexander (Parcel No: 161091) being the northwest corner of Elmore D. Alexander and Una M. Alexander, Parcel No: 161061 (Deed Book 7758, Page 2150 – Tract 1) and being a point in the eastern line of said Saferight (Parcel No: 161060); Thence leaving said Alexander (Parcel No: 161091) and along the western line of said Alexander (Parcel No: 161061) and the eastern line of said Saferight (Parcel No: 161060), S 02°21'57" W 172.28 feet to an existing ¾" iron pipe, said iron pipe being the southwest corner of said Alexander (Parcel No: 161061), being the northwest corner of Kenneth E. Matthews and Shirley Matthews, Parcel No: 161089 (Deed Book 3426, Page 2038 – Tract No. 2) and being a point in the eastern line of said Saferight (Parcel No: 16060); Thence leaving said Alexander (Parcel No: 161061) and along the western line of said Matthews (Parcel No: 161089) and the eastern line of said Saferight (Parcel No: 161060, S 03°37'22" W 107.48 feet to an existing 5/8" iron rod, said iron rod being the southwest corner of said Matthews (Parcel No: 161089) being the northwest corner of Kenneth E. Matthews and Shirley Matthews, Parcel No: 161096 (Deed Book 3426, Page 2038 – Tract No. 1) and being a point in the eastern line of said Saferight (Parcel No: 161060); Thence leaving said Matthews (Parcel No: 161089) and along and leaving the western line of said Matthews (Parcel No: 161096), ASC Properties of NC, LLC, Parcel No: 161077 (Deed Book 7455, Page 2015 – Tract 3) and Terry L. Clark, Parcel No: 161095 (Deed Book 6509, Page 2781) and along the eastern line of said Saferight (Parcel No: 161060), S 02°59'35" W 226.02 feet to an existing 1" iron pipe, said iron pipe being the southwest corner of said Clark and being the northwest corner of said Sams and being a point in the eastern line of said Saferight (Parcel No 161060); Thence leaving said Saferight (Parcel No: 161060) and along the northern line of said Sams and the southern line of said Clark, S 60°24'46" E 220.15 feet to an existing 1" iron pipe; said iron pipe being the northeast corner of said Sams, the southeast corner of said Clark and being a point in the western right of way of said Harvey Road; Thence leaving said Clark and along said Harvey Road western right of way, S 31°29'36" W 61.00 feet to the Point of **Beginning**, **Containing 37.30± Acres.**

SECTION 2. Upon and after **July 18, 2022** the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of High Point, and shall be entitled to the same privileges and benefits as other parts of the City of High Point. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

SECTION 3. The Mayor of the City of High Point shall cause to be recorded in the Office of the Register of Deeds of Guilford 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 Guilford County Board of Elections, as required by G.S. 163-288.1.

Adopted by the City Council
City of High Point, North Carolina
The 18th day of July, 2022.

By: _____

Jay W. Wagner, Mayor

ATTEST:

Mary S. Brooks, Interim City Clerk