



# MEMORANDUM

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**TO:** Mayor and City Councilors

**FROM:** Rich Olson, City Manager  
Vivian White, City Clerk

**DATE:** November 4, 2015

**REF:** Consideration – Adoption of a Resolution Directing the City Clerk to Investigate the Sufficiency of a Petition for Voluntary Annexation – Estate of Ralph O. and Precilla Davis by Jacque S. Pagels, Executor

***BACKGROUND:***

A Petition for Voluntary Annexation (attached) has been received from Jacque S. Pagels, Executor for the Estate of Ralph O. and Precilla Davis for property located off Halstead Boulevard, adjacent to and between Millbrooke Circle, Halstead Boulevard and Body Road. The petition involves three tracts totaling approximately 34.44 acres more or less.

***ANALYSIS:***

The voluntary annexation process first requires that the City Council consider a resolution directing the City Clerk to investigate the sufficiency of the Petition. Once this is done, the City Clerk will bring a certification back to the City Council for further consideration and action.

***STAFF RECOMMENDATION:***

By motion, adopt the attached resolution directing the City Clerk to investigate the sufficiency of the Petition for Voluntary Annexation for 34.44 acres received from Jacque S. Pagels, Executor for the estates of Ralph O. and Precilla Davis.

**RESOLUTION #2015-11-\_\_\_\_\_**  
**DIRECTING THE CITY CLERK TO INVESTIGATE**  
**A PETITION RECEIVED UNDER G. S. 160A-31**  
**JACQUE S. PAGELS, EXECUTOR FOR RALPH O. AND PRECILLA S. DAVIS**  
**34.44 ACRES**

**WHEREAS**, a petition requesting annexation of an area described in said petition has been received on October 26, 2015 by the City Council; and

**WHEREAS**, G. S. 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

**WHEREAS**, the City Council of the City of Elizabeth City deems it advisable to proceed in response to this request for annexation;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Elizabeth City:

**THAT** the City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council the result of her investigation.

**ADOPTED**, this the 9<sup>th</sup> day of November 2015.

\_\_\_\_\_  
Joseph W. Peel  
Mayor

\_\_\_\_\_  
Vivian D. White, CMC/NCCMC  
City Clerk



## ANNEXATION PETITION – CONTIGUOUS PROPERTY

TO: The City of Elizabeth City  
ATTN: City Clerk  
P. O. Box 347  
Elizabeth City, NC 27907

RE: Petition Requesting Annexation

Pursuant to the provisions of Sections 160A-31 of the NC General Statutes, we the undersigned owners of real property described below do hereby request that said property

Located at: HALSTEAD BOULEVARD and 971 Body Road  
P90-29C P90-29-2  
TAX Block(s) P90-29-1 Tax Lot(s) \_\_\_\_\_

be annexed into the City of Elizabeth City.

We certify: that the property is contiguous to the present City limits; that a legal description (metes and bounds) is attached as Exhibit A and a map of said property is attached and denoted as Exhibit B. Exhibit B shall conform to the City of Elizabeth City Mapping and Documentation Policy for voluntary annexation petitions. (The policy is attached.)

Upon certification of the petition, petitioner will provide one digital file and 10 copies (11" x 17") of a map and an electronic legal description (in a format accessible by Word).

Add individuals whose names appear on the deed to the property shall sign.

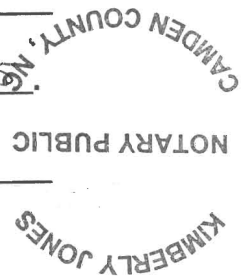
- 1) Jacqueline S. Pagels Jacqueline S. Pagels, Exec. \*  
Printed Name Signature
- 2) \_\_\_\_\_  
Printed Name Signature
- 3) \_\_\_\_\_  
Printed Name Signature

Sworn to and subscribed by me on this the 26 day of October, 2015.

Kimberly Jones  
Notary Public

My Commission expires: February 24, 2018  
\*\*\*\*\*

Date received by City Clerk October 26, 2015 BY: Verian White



MASUKI, INC.  
Annexation Legal Description

BEGINNING at a point marked by an iron rod set situated on the Northwestern margin of Millbrook Circle (60' R/W), which iron rod set is further situated South 36° 25' 44" West a distance of 9,015.93 feet and South 77° 47' 53" West a distance of 741.88 feet from NCGS Monument "Bible" (NC Grid – NAD'83 N940922.46', E2819828.15'); running thence from said point of beginning South 57° 27' 08" East a distance of 723.71 feet to a calculated point, cornering; running thence South 27° 03' 49" West a distance of 542.06 feet to a point marked by an iron rod set, cornering; running thence South 60° 38' 24" East a distance of 305.90 feet to a calculated point situated on the Western margin of Body Road (SR 1139; 60' R/W), cornering; running thence along a curve in the Western margin of Body Road having a Length of 269.12, a Radius of 2,910.45 feet, a Delta of 5° 17' 53", a Tangent of 134.66 feet, a Chord of 269.03 feet and a Direction of South 32° 41' 01" West to a point marked by an iron rod set, cornering; running thence North 63° 05' 24" West a distance of 999.74 feet to point marked by an iron rod set, cornering; running thence North 27° 06' 15" East a distance of 345.30 feet to a calculated point, cornering; running thence North 27° 02' 18" East a distance of 301.04 feet to a calculated point, cornering; running thence North 27° 11' 01" East a distance of 190.77 feet to a calculated point situated within the 60 foot right of way of Millbrook Circle, cornering; running thence North 26° 34' 17" East a distance of 56.79 feet to a point marked by an iron rod set situated on the Northwestern margin of Millbrook Circle, being the POINT AND PLACE OF BEGINNING, containing 16.022 acres.

Being the same lots or parcels of land shown and delineated as "618,240 SF. TO BE REZONED 14.193 ACRES TO BE REZONED" and "79,690 SF. TO BE REZONED 1.829 ACRES TO BE REZONED" on that certain plat prepared by Paul J. Toti, P.L.S., under date of October 20, 2015, entitled in part "Voluntary Annexation to Elizabeth City and Rezoning Plat Petitioned by Masuki Inc."

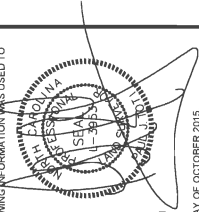
**CERTIFICATE OF ACCURACY**

I, PAUL J. TOTI, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY ME. DEED DESCRIPTION FOUND IN D.B. SEE PG. REF. THAT BOUNDARIES NOT SURVEYED ARE SHOWN BY DASHED LINES. THIS SURVEY WAS CONDUCTED USING THE GPS POSITIONING SYSTEM (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2. STANDARDS FOR GEODETIC NETWORKS AT THE 2-CENTIMETERS (2-CM) LEVEL (NAD 83) USING "FIX". THAT THIS PLAT MEETS THE REQUIREMENT OF GS. 42-30 SECTION F-11 CLASS A SURVEY.

- I, PAUL J. TOTI, ALSO CERTIFY, THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY ME. DEED DESCRIPTION FOUND IN D.B. SEE PG. REF. THAT BOUNDARIES NOT SURVEYED ARE SHOWN BY DASHED LINES. THIS SURVEY WAS CONDUCTED USING THE GPS POSITIONING SYSTEM (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART 2. STANDARDS FOR GEODETIC NETWORKS AT THE 2-CENTIMETERS (2-CM) LEVEL (NAD 83) USING "FIX". THAT THIS PLAT MEETS THE REQUIREMENT OF GS. 42-30 SECTION F-11 CLASS A SURVEY.
- 1) CLASS OF SURVEY, CLASS A
  - 2) DATE OF SURVEY, JUNE 19, 2015
  - 3) TYPE OF GPS FIELD PROCEDURE, "FIX"
  - 4) DATE OF SURVEY, JUNE 19, 2015
  - 5) DATUM, EPOCH, NC GRID, NAD 83, EPOCH 2010
  - 6) HORIZONTAL CONTROL, LOCAL USE, "FIX"
  - 7) GEOD MODEL, GEOD.12B
  - 8) COMBINED FACTOR, 1.000000623
  - 9) UNITS, US SURVEY FEET

I, PAUL J. TOTI, ALSO CERTIFY, THAT THIS SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A RECONSTRUCTION SURVEY, OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

WITNESS MY ORIGINAL SIGNATURE, REG. NUMBER AND SEAL, THIS 20 DAY OF OCTOBER 2015



**REVIEW OFFICER CERTIFICATE**

\_\_\_\_\_, REVIEW OFFICER OF PASQUOTANK COUNTY CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER

**CERTIFICATE OF EXCEPTION**

I, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH WAS CONVEYED TO ME BY DEED RECORDED IN D.B. SEE PG. REF. AND SAID PROPERTY QUALIFIES AS AN EXCEPTION TO THE PROVISIONS OF THE ELIZABETH CITY UNIFIED DEVELOPMENT ORDINANCE.

OWNER

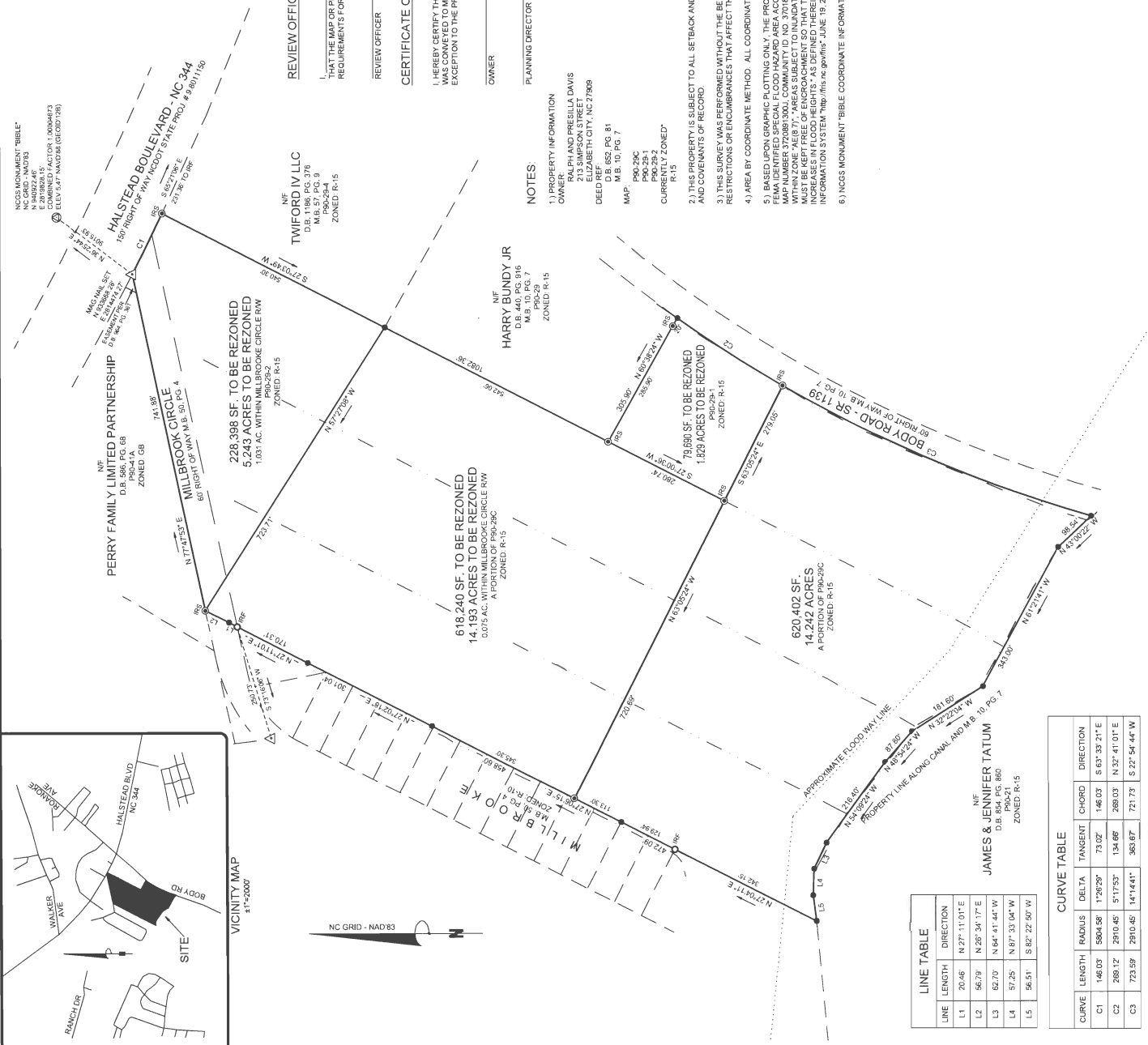
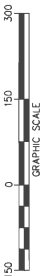
PLANNING DIRECTOR

- NOTES**
- 1) PROPERTY INFORMATION  
RALPH AND PRESILLA DAVIS  
ELIZABETH CITY, NC 27809  
DEED REF. D.B. 662 PG. 81  
MAP. U.S. 161 PG. 1  
P90-29C  
P90-29B  
P90-29A  
CURRENTLY ZONED R-15
  - 2) THIS PROPERTY IS SUBJECT TO ALL SETBACK AND EASEMENT REQUIREMENTS SET FORTH BY THE CITY OF ELIZABETH CITY AND COUNCILS OF RECORD.
  - 3) THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT REFLECT ALL EASEMENTS, RESTRICTIONS OR ENCUMBRANCES THAT AFFECT THE PROPERTY.
  - 4) AREA BY COORDINATE METHOD. ALL COORDINATES ARE GRID. ALL DISTANCES ARE HORIZONTAL GROUND.
  - 5) BASED UPON GRAPHIC PLOTTING ONLY, THE PROPERTY DELINEATED ON THIS PLAT DOES APPEAR TO BE LOCATED WITHIN A FLOODPLAIN. THE PROPERTY IS LOCATED WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN "AREAS THAT MUST BE KEPT FREE OF ENCROACHMENT SO THAT THE 1% ANNUAL CHANCE FLOOD CAN BE CARRIED OUT WITHOUT SUBSTANTIAL DAMAGE TO LIFE AND PROPERTY." FLOOD INFORMATION WAS OBTAINED FROM THE FLOODRISK INFORMATION SYSTEM (http://ris.nc.gov/risk) JUNE 19, 2015.
  - 6) NCGS MONUMENT "BIBBLE" COORDINATE INFORMATION WAS OBTAINED FROM NGS WEBSITE "www.ngs.noaa.gov" JUNE 10, 2015.

CITY AND IS TO BE USED FOR ANNEXATION PURPOSES ONLY. NOT TO BE USED FOR CONVEYANCE OR TRANSFER.

RETURNED BY  
ELIZABETH CITY TOWNSHIP - PASQUOTANK COUNTY - NORTH CAROLINA  
ORDINANCE NO. \_\_\_\_\_  
EFFECTIVE DATE \_\_\_\_\_  
PLAT PREPARED BY PAUL J. TOTI LAND SURVEYING FIELD WORK 2015-06-19, PLAT: 2015-10-20

CHECKED BY: \_\_\_\_\_  
SCALE: 1"=150'  
DRAWING #: 15568-RZ  
DATE: 2015-10-20



**LINE TABLE**

LINE	LENGTH	DIRECTION
L1	20.46'	N 27° 11' 01" E
L2	56.79'	N 26° 54' 17" E
L3	62.70'	N 62° 41' 44" W
L4	57.25'	N 87° 33' 04" W
L5	56.51'	S 82° 22' 50" W

**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	DIRECTION
C1	146.03'	5804.56'	1°26'29"	73.02'	146.03'	S 63° 33' 21" E
C2	289.12'	2910.45'	5°17'53"	134.66'	289.03'	N 32° 41' 01" E
C3	723.59'	2910.45'	141°44'1"	363.87'	721.73'	S 22° 54' 44" W

**TO: Developers and/or Developer's Surveyor**

**Reference: Annexation Petition & Mapping Requirements**

- 1} Provide copy of recent tax map of subject property;
- 2} Provide list of all tax lot & block numbers of area to be annexed;
- 3} Show all tax lot and block lot info for subject property and all adjoining property;

4} Title Block:

**Voluntary Annexation to the City of Elizabeth City**

**Petitioned by: \_\_\_\_\_ (current owners)**  
**\_\_\_\_\_ Township Name, Pasquotank County, North Carolina**

**Ordinance No: \_\_\_\_\_, Effective Date \_\_\_\_\_**

**Plat prepared by: \_\_\_\_\_ (give your company info,**  
**field work date and platting date)**

5} Above or near title block, this statement shall be placed:

**This plat was prepared for the City of Elizabeth City and is to be used for annexation purposes only; not to be used for conveyance or transfer;**

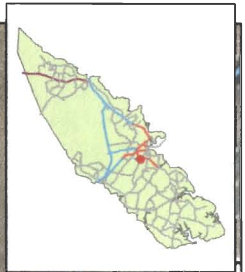
6} Show previous annexation info adjoining subject property, i.e. cite ordinance number and effective date of annexations, where they adjoin subject property (example: A corporate limits of the City of Elizabeth City as per Ordinance No 07-01-1, effective date 3-01-07); Non-contiguous annexation should be entitled: Satellite annexation to the City of Elizabeth City



# Pasquotank County North Carolina

## Tax Parcel Database

PIN #	Owner	Property Location	Map Block Lot			Flood Map
<a href="#">891303431311</a>	DAVIS, RALPH O &	<a href="#">00000 HALSTEAD BLVD</a>	<a href="#">P90-29-2</a>	<p>Aerial Photography March 2012 1 inch = 229 feet Date Unknown</p>	<p>No Image Available</p> <p>0059420</p>	<a href="#">8913</a>
<a href="#">891303326681</a>	DAVIS, RALPH O &	<a href="#">00000 BODY ROAD</a>	<a href="#">P90-29C</a>	<p>Aerial Photography March 2012 1 inch = 576 feet Date Unknown</p>	<p>No Image Available</p> <p>0051608</p>	<a href="#">8913</a>
<a href="#">891303420383</a>	DAVIS, RALPH O &	<a href="#">00971 BODY RD</a>	<a href="#">P90-29-1</a>	<p>Aerial Photography March 2012 1 inch = 153 feet Date Unknown</p>	<p>0008729</p>	<a href="#">8913</a>



Pasquotank County, NC

Date: 7/9/2015

PIN: 891303420383

Map: P90-29-1  
 Owner: DAVIS, RALPH O &  
 PRECILLA S  
 213 SIMPSON ST  
 ELIZABETH CITY NC

Property Addr: 00971 BODY RD  
 Acct: 96160  
 Deed Book/Page: 652 / 81  
 Deed Date: 990604  
 Assessed Value: \$ 112700  
 Taxed Acres: 1.84

1 inch = 65 feet  
 Ownership 2015  
 July 1

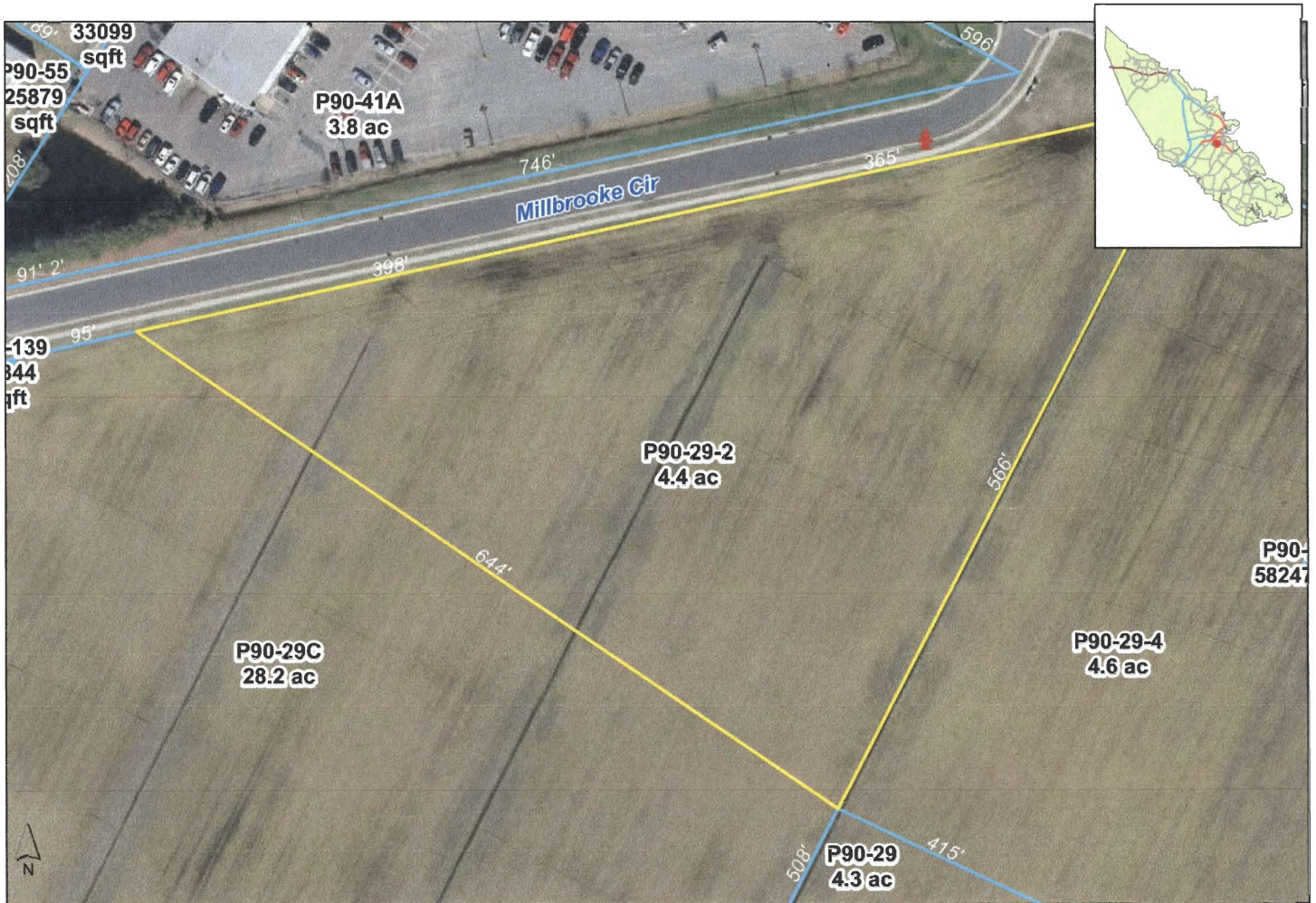
Date: 7/9/2015 2829

**Parcel Map**

**FOR INFORMATION ONLY**

Disclaimer: The data provided on this map are prepared for the inventory of real property found within Pasquotank County, NC and are compiled from recorded plats, deeds and other public records and data. This data is for informational purposes only and should not be substituted for a true title search, property appraisal, survey or zoning verification.





Pasquotank County, NC

Date: 7/9/2015

**PIN:** 891303431311  
**Map:** P90-29-2  
**Owner:** DAVIS, RALPH O & PRECILLA S  
 213 SIMPSON ST  
 ELIZABETH CITY NC

27909

**Property Addr:** 00000 HALSTEAD BLVD  
**Acct:** 96160  
**Deed Book/Page:** 652 / 81  
**Deed Date:** 990604  
**Assessed Value:** \$ 6400  
**Taxed Acres:** 5.35

**1 inch = 99 feet**  
**Ownership 2015**  
**July 1**

**Date: 7/9/2015 2832**



**Parcel Map**

**FOR INFORMATION ONLY**

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