

CERTIFICATE OF SUFFICIENCY

I, Sabrina M. Oliver, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Chapel Hill, on May 12, 2022.



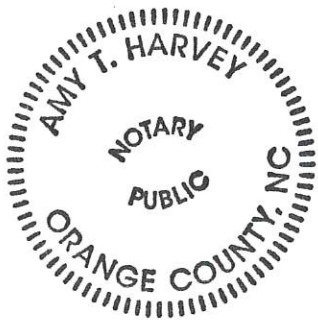
Sabrina M. Oliver, Town Clerk

Orange County, North Carolina

I certify that Sabrina M. Oliver, Town Clerk personally appeared before me this day, and acknowledging to me that she signed the foregoing document:

Date: May 12, 2022

(Official Seal)



Official Signature of Notary

Amy T. Harvey, Notary Public
Notary's printed or typed name

My commission expires: May 15, 2025

OPTIMAL VENTURES, LLC

March 29, 2022

RE: PETITION REQUESTING ANNEXATION

To the Town Council of the Town of Chapel Hill

We, the undersigned owner of real property, respectfully request that the parcel area described here be annexed into the Town of Chapel Hill.

Beginning at the southwest corner of the parcel at a point near the Chapel Point Road right of way;

Thence S 00°57'33" W a distance of 1228.95' to a point;

Thence S 74°14'06" E a distance of 197.87' to a point on the western right of way of Interstate 40;

Thence with a curve running with the right of way of Interstate 40 with an arc length of 983.70', with a radius of 3954.82', with a chord bearing of S 41°34'12" E with a chord length of 981.26' to a point;

Thence with a curve running with the right of way of Interstate 40 with an arc length of 309.18', with a radius of 3954.82', with a chord bearing of S 50°47'13" E with a chord length of 309.11' to a point;

Thence along the Interstate 40 right of way S 49°15'01" E a distance of 1228.95' to a point;

Thence leaving the right of way of Interstate 40 S 88°42'30" W a distance of 1351.50' to a point; which is the point of beginning, having an area of 19.344 acres.

The real property to be annexed is contiguous to the Town of Chapel Hill corporate limits and includes all of the Orange County land parcel described as PIN 9870997083 with an assigned address of 115/135 Chapel Point Road.

We the undersigned owner of real property, declare that zoning vested rights have been established pursuant to G.S. section 160A-344.1. As of the date of this Petition, the property is required to submit this petition before a Zoning Compliance Permit can be issued.

Property Owner Name:

Address:

Optimal Ventures, LLC

194 Finley Golf Course Road
Chapel Hill, NC 27517

By: 

Name: John Morris

Title: Manager

OPTIMAL VENTURES, LLC

CONTACT: 194 FINLEY GOLF COURSE RD | CHAPEL HILL, NC 27517 | (919) 942-1141

REVISIONS	BY

TOWN OF CHAPEL HILL
DB 2827 PG 371(12/19/2002)
PB 91 PG 116(DATE ALLEGIBLE)
PIN 9871-80-9183

- CHICAGO TITLE INSURANCE COMPANY'S
COMM. INSTR. NO. 21-184917, DATED JULY 9, 2001
SCHEDULE B, PART 11 EXCEPTIONS - AS TO MATTERS OF SURVEY RELATIVE TO SUBJECT PROPERTY
IN THIS SURVEYOR'S OPINION:
1. THIS SURVEYOR IS NOT AWARE OF ANY OF THE CIRCUMSTANCES NOTED AFFECTING THE SUBJECT PROPERTY.
 2. DOES NOT APPLY TO MATTERS OF SURVEY - NOT APPLICABLE(N/A).
 3. RECORD PG 1 PG 174(4/29/83) ONLY DEPICTS 1-40 CONTROLLED ACCESS PUBLIC R/W - AS SHOWN ON THIS SURVEY.
 4. NONE OF THE CIRCUMSTANCES LISTED OBSERVED DURING THE COURSE OF THIS SURVEY UNLESS NOTED HEREON.
 5. DB 6887 PG 2197(1/2/2000) - N/A.
 6. DB 501 PG 1045(2/1/1985) GRANTS ADDITIONAL R/W FOR ELECTRIC TRANSMISSION - AS SHOWN ON THIS SURVEY.
 7. DB 245 PG 1633(1/2/1973) THIS R/W IS NOT ON THE SUBJECT PROPERTY - IT IS LOCATED ON PROPERTY NORTH OF I-40.
 8. DB 444 PG 380(1/2/1984) GRANTS EASEMENT PORTION OF PROPERTY TO MODOT FOR I-40 R/W - AS SHOWN ON THIS SURVEY.
 9. DB 1793 PG 380 - DOES NOT AFFECT SUBJECT PROPERTY.
 10. DB 185 PG 301(6/2/1985) GRANTS A 60' R/W FOR ELECTRIC TRANSMISSION - AS SHOWN ON THIS SURVEY.
 11. DB 300 PG 709(1/29/1985) RELIGATES A PORTION OF THE 60' R/W FOR ELECTRIC TRANSMISSION - AS SHOWN ON THIS SURVEY.
 12. DB 136 PG 565(6/16/1981) GRANTS A EASEMENT FOR ELECTRICITY, TELEPHONE AND COMMUNICATION CIRCULAR - NO PLOTTABLE.

RECORD DESCRIPTION
AS PROVIDED BY TITLE INSURER
Lying and being situate in Orange County, North Carolina, and being more particularly described as follows:
This tract is the southern part of the 54.3 acre tract conveyed to Robert Arthur Eber and wife, Jean Eber, by deed dated July 24, 1980, and recorded August 19, 1980, in Book 344, Page 265, Orange County Registry. It is all of that tract and area south of the same conveyed to the NC Department of Transportation for the Interstate 40 project by deed recorded on May 14, 1984, in Book 404, Page 596, Orange County Registry.

NEW BOUNDARY DESCRIPTION
PREPARED TO MORE PRECISELY DESCRIBE THE SUBJECT PROPERTY AND DESCRIBES THE SAME REAL ESTATE AS RECORD DESCRIPTION
Being all of a certain parcel of land lying in Chapel Hill Township, Orange County, North Carolina bounded on the north by the Town of Chapel Hill, on the east by Interstate Highway 40, on the south by NR Edge Property Owner, LLC and NR Edge Apartments Property Owner, LLC and on the west by NR Edge Property Owner, LLC, and being more particularly described as:

Beginning of an existing iron stake(s) (1/2" dia.) having NO. 6888, 688 74 (L) 879, 348 58, as shown on Plat Book 119 PGS 127 of the Orange County Registry and being the southeast corner of NR Edge Property Owner, LLC; thence, with NR Edge Property Owner, LLC a bearing line, N 00°37'35" E 1229.02 to an existing iron stake(s) (3/4" dia.) in the southern line of Town of Chapel Hill property; thence, with said southern line, S 74°14'25" E 187.49, to a concrete right-of-way(R/W) monument in the southern R/W of Interstate 40; thence, with said R/W, along a curve to the left having a radius of 3954.72 (chord S 43°46'45" E 1287.79) for an arc length of 1293.55 to a concrete 50M monument; thence, continuing with said R/W, S 40°15'13" E 339.44 to an existing iron stake(s) (1/2" dia.); thence, leaving said R/W and with the northern lines of NR Edge Property Owner, LLC and NR Edge Apartments Property Owner, LLC, S 88°42'45" W 1351.26 to the point or place of beginning, containing 842,510 s.f. and having an area of 19,341 acres, more or less.

VICINITY MAP N.T.S.

NOTES

1. HORIZONTAL GROUND DISTANCES SHOWN UNLESS OTHERWISE NOTED.
2. THIS PROPERTY IS LOCATED IN THE CAFE FEAR RIVER BASIN.
3. NO PORTION OF THE SUBJECT PROPERTY IS LOCATED IN A DESIGNATED FLOOD HAZARD ZONE BY F.E.M.A., AS SHOWN IN PANEL 271087000Y, DATED 11/17/2017.
4. UNLESS NOTED OTHERWISE, ALL REFERENCES ARE ORANGE COUNTY.
5. SUBJECT PROPERTY HAS DIRECT ACCESS TO CHAPEL POINT ROAD(60' PUBLIC R/W).
6. AREAS BY THE CO-ORDINATE METHOD.
7. PROPERTY ADDRESSES TAKEN FROM ORANGE COUNTY GIS.

SURVEYOR'S CERTIFICATION

I, Phillip W. Riley, PLS HEREBY CERTIFY TO:
OPTIMAL VENTURES, LLC, AND CHICAGO TITLE INSURANCE COMPANY
THAT I DO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WAS MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/SURVEY LAND TITLE SURVEYS" WHICH ESTABLISHES THE QUALITY AND SCOPE, AND INCLUDES ITEMS 11 AND 13 OF TABLE THEREOF. THE FIELDWORK WAS COMPLETED ON AUGUST 5, 2021.

BY: *Phillip W. Riley* DATE: 8/10/2021
REGISTRATION LICENSE NUMBER: L-3066



842,510 s.f. - 19,341 AC.
ERBER, LLC
DB 6373 PG 61(10/2/2017)
PIN 9870-89-7083
NO BUILDINGS OBSERVED

BICYCLE PATHS USED BY OTHER THAN PROPERTY OWNER THROUGHOUT PROPERTY

NR EDGE PROPERTY OWNER LLC
DB 6099 PG 357(3/22/2016)
PB 122 PG 195(1/26/2021)
PIN 9870-89-7083

NR EDGE PROPERTY OWNER LLC
DB 6092 PG 357(3/22/2016)
PB 122 PG 195(1/26/2021)
PIN 9870-89-7083

N=808, 648.74
E=1, 979, 348.58
NC ORIGIN - 1442 93
AS SHOWN IN PB 119 PG 197

NR EDGE APARTMENTS PROPERTY OWNER LLC
DB 6580 PG 338(2/2/2019)
PB 119 PGS 193(2/22/2019)
PIN 9870-89-7083

NR EDGE PROPERTY OWNER LLC
DB 6580 PG 343(2/22/2019)
PB 119 PGS 193(2/22/2019)
PIN 9870-89-7083

NR EDGE PROPERTY OWNER LLC
DB 6580 PG 343(2/22/2019)
PB 119 PGS 193(2/22/2019)
PIN 9870-89-7083

LEGEND

- EXISTING IRON ROD(1/2")
- EV. CONCRETE R/W MOVEMENT
- EXISTING IRON PIPE(DIA. 2")
- POSSIBLE SPRING/SEEP
- WATER VALVE
- PIPE HYDRANT
- UTILITY POLE
- CURB INLET
- OUT WARE
- OVERHEAD POWER TRANSMISSION WIRES
- WATERLINE (APPROXIMATE LOCATION)
- PUBLIC ROWWAY RIGHT OF WAY LIMITS
- LOT LINE PLOTTED BY DEED - NOT SURVEYED
- PROPERTY LINE
- BICYCLE PATH(2' WIDE)
- WIRE FENCE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
CI	3954.72'	1293.55'	1287.79'	S 43°46'45" E

SCALE: 1" = 50'

ALTA/SURVEY LAND TITLE SURVEY
135 & 115 CHAPEL POINT ROAD, CHAPEL HILL, NC

RILEY SURVEYING, P.A.
3326 DUFFHAM CHAPEL HILL BLVD, STE B-100
CHAPEL HILL, NC 27707
98-66-69-046 C-128 pin@rileysurveying.com

PROPERTY: ERBER, LLC
PREPARED FOR: OPTIMAL VENTURES, LLC
CHAPEL HILL TOWNSHIP, ORANGE COUNTY, NORTH CAROLINA

DATE: AUGUST 10, 2021
SCALE: 1" = 50'
DRAWN BY: PWR
JOB: 2001A
SHEET: 1