



Case No. _____

Date _____

Map Amendment Application

Contact Information

Property Owner James and Sue Merritt
Address 3523 Violet Ct City/State/Zip Wilmington, NC 28409
Phone 910-262-3679 Email jmerritt@ec/rr/cp,

Developer BRD Land and Investment
Contact Name Michael Fleming
Address 721 Hydrangea Field Ct. City/State/Zip Wake Forest, NC 27587
Phone 919-346-6014 Email mflaming@trianglelandgrp.com

michaelfleming

Property Information

Address 6200 Emily La Wake Forest, NC
Wake County PIN(s) 1768-23-6815
Current Zoning District RL Requested Zoning District RH (Residential High Density) CU
Total Acreage 98.166 Please see attached conditions

Owner Signature

I hereby certify that the information contained herein is true and completed. I understand that if any item is found to be otherwise after evidentiary hearing before the Town Board of Commissioners, that the action of the Board may be invalidated.

BOTH Signature James F. Merritt Sue Wall Merritt Date 01/26/2024

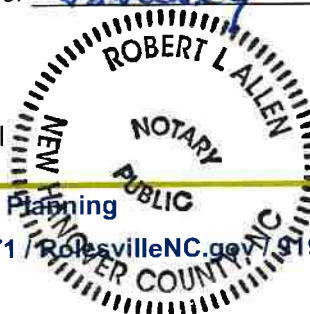
STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, a Notary Public, do hereby certify that JAMES F. MERRITT, SUE WALL MERRITT personally appeared before me this day and acknowledged the due execution of the foregoing instrument. This the 26th day of JANUARY 20 24.

My commission expires April 24, 2024Signature Robert L. Allen

Seal



Town of Rolesville Planning

PO Box 250 / Rolesville, North Carolina 27571 / RolesvilleNC.gov / 919.554.6517



Map Amendment Application

Metes and Bounds Description of Property

Please see attached deed.

Town of Rolesville Planning

PO Box 250 / Rolesville, North Carolina 27571 / RolesvilleNC.gov / 919.554.6517

CMP Professional Land Surveyors

Michael A. Moss, PLS L-3794
Jason L. Panciera, PLS L-3835, CFSNC-140
L. Jordan Parker Jr., PLS L-4685
333 South White Street, Post Office Box 1253
Wake Forest, NC 27588-1253

Telephone (919) 556-3148

LEGAL DESCRIPTION

BEGINNING AT A NEW IRON PIPE, SAID NEW IRON PIPE HAVING NC GRID NAD 83/2011 COORDINATE N(y):784793.74' E(x):2163454.94', SAID NEW IRON PIPE BEING THE COMMON CORNER OF PARCEL PIN#1768.03-34-7557 AND SUBJECT PARCEL; THENCE S 00°48'39"E A DISTANCE OF 1,487.52' TO A BENT EXISTING IRON BAR; THENCE S 03°01'29"E A DISTANCE OF 782.78' TO AN EXISTING IRON PIPE; THENCE S 86°15'26"W A DISTANCE OF 1,900.36' TO A POINT; THENCE N 01°45'54"E A DISTANCE OF 829.41' TO AN EXISTING MASON NAIL IN STONE; THENCE N 02°11'39"E A DISTANCE OF 1,618.25' TO AN EXISTING IRON PIPE; THENCE S 88°15'47"E A DISTANCE OF 1,747.25' TO A NEW IRON PIPE; WHICH IS THE POINT OF BEGINNING, CONTAINING AN AREA OF 4,276,105 SQUARE FEET, 98.166 ACRES.

WAKE COUNTY, NC 91
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
02/08/2016 09:51:34

BOOK:016287 PAGE:00077 - 00080

This instrument prepared by: James S. Warren, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.
HOLD FOR: Warren Shackleford, Attorneys, P.L.L.C. #204

PREPARED BY: Warren Shackleford, Attorneys, P.L.L.C.,
P.O. Box 1187, Wake Forest, NC 27588

TAX IDENTIFICATION #: 46995

REVENUE STAMP \$ 0.00

NORTH CAROLINA GENERAL WARRANTY DEED

This deed made this 3rd day of February, 2016 by and between:

GRANTOR: **NANCY M. KELLY**

GRANTEE: **ROXEY M, WILKINS AND HUSBAND, WESLEY C. WILKINS**
115 West Young St., Rolesville, NC 27571

Grantor, for valuable consideration paid by Grantee, receipt of which is hereby acknowledged, does grant, convey and transfer unto Grantee in fee simple the property described as follows:

TOWNSHIP OF _____, COUNTY OF WAKE

SEE ATTACHED EXHIBIT "A"

All or a portion of the property herein conveyed ___ includes or / does not include the primary residence of a Grantor.

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

Grantor covenants with Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title to the property against the lawful claims of all others except for the exceptions set out below.

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

1. Subject to easement(s) and restriction(s) of record.

IN WITNESS WHEREOF, Grantor has set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by a duly authorized officer.

Nancy M. Kelly by Roxey M. Wilkins ^{POA}
 Nancy M. Kelly by Roxey M. Wilkins, also known as Roxie Mangum Wilkins

STATE OF NORTH CAROLINA

COUNTY OF Wake

I, James S. Warren, a Notary Public of the County of Wake, do hereby certify that **Roxey M. Wilkins, also known as Roxie Mangum Wilkins**, Attorney in Fact for **Nancy M. Kelly**, personally appeared before me this day and being by me duly sworn, says that she executed the foregoing and annexed instrument on behalf of **Nancy M. Kelly**, and that her authority to execute and acknowledge said instrument is contained in that certain instrument duly executed, acknowledged and recorded in the office of the Register of Deeds of Wake County, North Carolina, in Book 14129, Page 1139, and that this instrument was executed under and by virtue of the authority given by said instrument granting her Power of Attorney; that the said **Roxey M. Wilkins, also known as Roxie Mangum Wilkins** acknowledged the due execution of the foregoing instrument for the purposes therein expressed and on behalf of **Nancy M. Kelly**.

Witness my hand and official notary seal, this 5 day of February, 2016.

My commission expires 10-3-2020

James S. Warren
 Notary Public

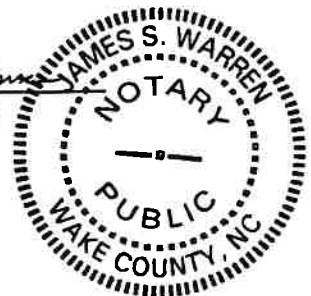


Exhibit A

BEGINNING at a stake located 36 feet North of Stell Branch and runs with the line now or formerly that of Eva Liles thence North 8 degrees 42 minutes East 832.59 feet to a stone, runs with the line now or formerly that of Juna Privette thence North 9 degrees 10 minutes East, 1618.30 feet to an iron pipe, runs thence South 81 degrees 18 minutes East, 1747.10 feet to a geared axle; runs with the line now or formerly that of Joseph E. Wall thence South 06 degrees 09 minutes West 1486.96 feet to an iron rod; runs with the line now or formerly that of Billie E. Rogers thence South 03 degrees 55 minutes West 783.26 feet to an iron stake; runs thence North 86 degrees 53 minutes West 1900.89 feet to the point and place of BEGINNING, containing 98.24 acres as surveyed by Willie L. Lumpkin, Jr., R.L.S., as appears by plat recorded in Book of Maps 1987, Page 1948, in the Office of the Register of Deeds of Wake County, North Carolina.

Also conveyed to the parties of the second part are all the easements, rights-of-way, and/or other real estate interests which are necessarily or conveniently appurtenant to the premises encumbered hereby and which have been either expressly or impliedly conveyed to the party of the first part, including, but not limited to a 30 foot wide access easement recorded in Book 3361, Page 212, of the Wake County Registry.

A map showing the above described property is recorded in Map Book 1987, Page 1948.

This interest conveyed is a one-fifth interest in the above described property.



Map Amendment Application

Rezoning Justification

The proposed modification to the RH zoning district would allow age-restricted developments. The zoning modification would allow small lots, which older residents seem to prefer. The zoning modification would permit higher density single-family residential as well as allowing a limited amount of non-residential uses, designed primarily for neighborhood services. The proposed zoning would allow for a variety of housing options that will appeal to an age-restricted population.

Lined area for additional justification text.

Property Owner Information

PO Box 250 / Rolesville, North Carolina 27571 / RolesvilleNC.gov / 919.554.6517

Property Owner's Consent & Authorization Form

Property Owner's Consent is required for each Development Application. A completed and signed copy of this form is required to be included with every Application submittal.

For Property with more than one owner, each owner must sign a separate copy of this form.

For Applications with more than one Applicant/representative, enter all names in this form, or submit separate forms.

In the event that the Owner of Property is an organization/entity, proof of signature authority on behalf of the organization/entity (ie Secretary of State business registration) must be attached to this form.

	Authorization by Property Owner(s)	
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I, Sue Merritt

(property owner's printed legal name; include signatory name and title if signing for a company)

swear and affirm that I am the owner of property at 6200 Emily Ln., Rolesville


(property address, legal description; provide separate sheet if required)

as shown in the records of Wake County, North Carolina, which is the subject of this Application

(Type and Case # PIN: 1768-23-6815).

I further affirm that I am fully aware of the Town's Application, fee(s), and procedural requirements, and consent to this Application. I authorize the below listed person(s) to submit this Application and serve as representative/point of contact for this Application.

Property Owner's Signature: Sue W. Merritt Date: 1/26/2024

Applicant/Agent/Contact persons:	
Print:	Signature:
BARBARA TODD	
919-522-2801	

Property Owner's Consent & Authorization Form

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	Authorization by Property Owner(s)	
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I, James Merritt

(property owner's printed legal name; include signatory name and title if signing for a company)

swear and affirm that I am the owner of property at 6200 Emily Ln., Rolesville

(property address, legal description; provide separate sheet if required)

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I further affirm that I am fully aware of the Town's Application, fee(s), and procedural requirements, and consent to this Application. I authorize the below listed person(s) to submit this Application and serve as representative/point of contact for this Application.

Property Owner's Signature: James Merritt Date: 1/26/2024

Applicant/Agent/Contact persons:	
Print:	Signature:
<u>BARBARA TODD</u>	<u>Barbara Todd</u>
<u>919-522-2801</u>	

PROPOSED ZONING CONDITIONS FOR THE MERRITT PROPERTY

MAP AMENDMENT REQUEST

REZ-24-01

PINS 1758-23-6815, 1768-23-6815 AND 1768-32-8863

February 1, 2024

Amended April 11, 2024

Amended June 26, 2024

1. A Reimbursement Agreement for the construction of Fowler Road extension will be completed between the developer and the Town of Rolesville prior to the approval of the final plat.
2. TOWNHOUSES:
 - a. Rolled curb shall be permitted.
 - b. Garage doors may be single or double.
 - c. No townhouse structure shall contain more than six units.
 - d. The developer retains the option to build private streets in the Townhouse sections.
3. SINGLE-FAMILY RESIDENTIAL
 - a. General architectural requirements of the neighborhoods will be governed by recorded conditions, covenants, and restrictions. The developer shall submit a copy of the conditions, covenants, and restrictions to the Town of Rolesville to allow the Town Attorney to review them before recordation.
 - b. A Homeowners Association shall be responsible for maintaining all common open space.
4. Construction of the on-site amenities including a minimum of a swimming pool, clubhouse, two tennis courts, and two pickleball courts shall begin when the 300th building permit is issued.
5. Lighting shall be prohibited at the active play court.
6. Subject to the approval of the United States Postal Service, the developer shall provide at least four mail kiosks separated by at least five-hundred linear feet within the subdivision for mail service.
7. The Zoning Exhibit (Sketch Plan) shall be generally the plan to be presented to the Town as a Preliminary Plat. Additional information, such as wetlands, soil borings, market conditions and further reviews by Town staff may cause alterations to the plan.
8. This will be an age-restricted development for residents age 55 and older. Age restrictions will be enforced by deed restrictions according to standards set by Fair Housing regulations per the US Department of Housing and Urban Development. (condition added June 26, 2024)