



Case No. \_\_\_\_\_

Date \_\_\_\_\_

# Map Amendment Application

## Contact Information

Property Owner William Rogers, c/o TexWest.LLC PO Box 101149  
 Address 290 Crescent Ct., Ste 1040 Fort Worth, TX 76185  
 City/State/Zip Dallas, TX 75201 Fort Worth  
 Phone \_\_\_\_\_ Email \_\_\_\_\_

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

## Property Information

Address 1224 Rolesville Rd, Rolesville, NC  
 Wake County PIN(s) 1769-32-8863  
 Current Zoning District RL Requested Zoning District RH (Residential High Density) CU  
 Total Acreage 12.996 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.*

Signature WJ Rogers Date Feb 26, 2024

STATE OF NORTH CAROLINA  
 COUNTY OF \_\_\_\_\_

*I, a Notary Public, do hereby certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument. This the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.*  
 My commission expires \_\_\_\_\_.

Signature \_\_\_\_\_ Seal \_\_\_\_\_

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California  
County of SANTA BARBARA )

On JANUARY 26, 2024 before me, AARON FREEMAN, NOTARY PUBLIC  
(insert name and title of the officer)

personally appeared WILLIAM ROGERS  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

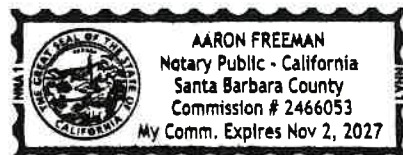
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_



(Seal)





## CMP Professional Land Surveyors

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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

NORTH ANNEXATION LINE AREA :  
(AREA BEING ANNEXED)

BEGINNING AT A NEW IRON PIPE, SAID NEW IRON PIPE HAVING NC GRID NAD 83/2011 COORDINATE N(y): 783309.27' E(x): 2164159.73', SAID NEW IRON PIPE BEING LOCATED ON THE WESTERN RIGHT-OF-WAY OF ROLESVILLE ROAD (S.R.#1003), SAID NEW IRON PIPE BEING THE COMMON FRONT CORNER OF PARCEL PIN# 1768.03-33-7689 AND SUBJECT PARCEL; THENCE ALONG ROLESVILLE ROAD RIGHT-OF-WAY S 06°55'13"E A DISTANCE OF 384.56' TO A POINT; THENCE S 07°12'17"E A DISTANCE OF 100.22' TO A POINT; THENCE S 07°09'39"E A DISTANCE OF 100.17' TO A POINT; THENCE S 07°53'34"E A DISTANCE OF 100.14' TO A POINT; THENCE S 08°05'58"E A DISTANCE OF 226.00' TO A POINT; THENCE S 07°02'42"E A DISTANCE OF 8.65' TO A POINT; THENCE N 79°37'37"W A DISTANCE OF 135.63' TO A POINT; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 405.68', WITH A RADIUS OF 1,180.00', WITH A CHORD BEARING OF N 69°46'41"W, WITH A CHORD LENGTH OF 403.68',; TO A POINT; THENCE N 59°55'45"W A DISTANCE OF 7.64' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 264.63', WITH A RADIUS OF 700.00', WITH A CHORD BEARING OF N 70°45'33"W, WITH A CHORD LENGTH OF 263.06', TO A POINT; THENCE N 03°01'29"W A DISTANCE OF 655.62' TO A BENT EXISTING IRON BAR; THENCE N 89°45'22"E A DISTANCE OF 683.75' TO A NEW IRON PIPE; WHICH IS THE POINT OF BEGINNING, CONTAINING AN AREA OF 566,105 SQUARE FEET, 12.996 ACRES.

WAKE COUNTY, NC 883  
LAURA M RIDDICK  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
06/13/2003 AT 15:57:04

BOOK:010194 PAGE:02092 - 02096

P.N - 1768328863  
Recd - 105864

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: 0

Parcel Identifier No. 9105864 Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: \_\_\_\_\_

Mail/Box to: William Rogers, c/o TexWest, LLC, ~~200 Crescent Court, Ste. 1040, Dallas, TX~~ PO Box 10149 Fort Worth, TX 76185 75201

This instrument was prepared by: Jos. E. Wall, Attorney at Law, PO Box 10669, Raleigh, NC 27605

Brief description for the Index: 3-B and Rogers Homeplace, BoM 1985, Page 1807.

THIS DEED made this 5th day of June, 2003, by and between

GRANTOR	GRANTEE
<p>WILLIAM L. ROGERS (unmarried)  (one-half undivided interest)</p>	<p>TexWest, LLC (a Texas Limited Liability Company) 200 Crescent Court, Suite 1040 Dallas, Texas 75201</p>

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

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.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple a one-half undivided interest in that certain lot or parcel of land situated in the City of Wake Forest Township, Wake County, North Carolina and more particularly described as follows:  
Exhibit A to Warranty Deed is incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book 9586 page 1839.

A map showing the above described property is recorded in Plat Book 1985 page 1807.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple. a one-half undivided interest in

And the Grantor covenants with the 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 against the lawful claims of all persons whomsoever, other than the following exceptions: rights of way, easements, restrictions of record, and ad valorem taxes for 2003.

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

(Entity Name) William L. Rogers (SEAL)
By: Title: (SEAL)
By: Title: (SEAL)
By: Title: (SEAL)

State of North Carolina - County of WAKE

I, the undersigned Notary Public of the County and State aforesaid, certify that William L. Rogers personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 11 day of June, 2003.

My Commission Expires: Aug 8, 2003
Valentina Ashley Davis
Notary Public

State of North Carolina - County of

I, the undersigned Notary Public of the County and State aforesaid, certify that personally came before me this day and acknowledged that he is the of a North Carolina or corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this day of, 20.

My Commission Expires:
Notary Public

State of North Carolina - County of

I, the undersigned Notary Public of the County and State aforesaid, certify that
Witness my hand and Notarial stamp or seal, this day of, 20.

My Commission Expires:
Notary Public

The foregoing Certificate(s) of is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Register of Deeds for County
By: Deputy/Assistant - Register of Deeds

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

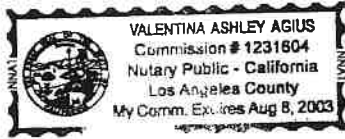
State of California }  
County of Los Angeles } SS.

On 11 June 2003, before me, Valentina A. Agius, Notary Public  
Date Name and Title of Officer (e.g., Jane Doe, Notary Public)

personally appeared William L. Rogers  
Name(s) of Signer(s)

personally known to me  
 proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Valentina A. Agius  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer -- Title(s): \_\_\_\_\_
- Partner --  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



## EXHIBIT A TO WARRANTY DEED

A ONE-HALF UNDIVIDED INTEREST IN THE FOLLOWING PROPERTIES:

**PARCEL #1:** BEING all of that 3.732 acre tract identified as Tract 3-B according to the survey map dated November, 1985, entitled "Retracement of Boundaries of the W.W. Rogers Division & J.N. Rogers Division" by Ronald W. Mercer, R.S.L., recorded in Book of maps 1985 at Page 1807, Wake County Registry.

Note: "Rogers" is misspelled as "Rodgers" at various places on the survey map recorded in Book of Maps 1985 at Page 1807, Wake Co. Registry.

**PARCEL #2:** BEGINNING at a point in the center of S.R. 1003 (also known as Old Smithfield Road) the northeast corner of tract no. 3 in the division of the W.W. Rogers land as surveyed and divided on December 1, 1926 by Pittman Stell, County Surveyor as shown on a plat recorded in Book of Maps 1926, Page 21 in the Office of the Register of Deeds, Wake County, North Carolina said point being witnessed by a utility pole on the west side of said road at the junction of a path or cart road, runs thence South  $0^{\circ} 50'$  East 1016.85 to a point in the center of said road said point being witnessed by an iron pipe stake on West side of said road thence North  $83^{\circ} 46'$  West 813.5 feet to an iron pipe stake thence North  $3^{\circ} 45'$  East 1016.85 feet to an iron pipe stake, thence South  $83^{\circ} 15'$  East along a path 731 feet to the beginning and containing 18.02 acres. Being according to a map of tract for Billie E. Rogers surveyed by T.M. Arrington, Jr., R.L.S. #L 315, dated May 29, 1978. Being further described as the northern most portion of tract no. 3 in the division of the W.W. Rogers land as surveyed and divided on December 1, 1926 by Pittman Stell, County Surveyor, as appears by plat recorded in Book of Maps 1926, Page 21 in the Office of the Register of Deeds of Wake County, North Carolina. Said parcel being part of the land devised by item 5 of the will of L.S. Rogers dated the 11th day of September 1962, recorded in Will Book 5 at Page 36 in the Office of the Clerk of the Superior Court of Wake County, North Carolina.

Parcel #2 is identified on the survey map recorded in Book of Maps 1985 at Page 1807, Wake County Registry, as containing 16.751 acres excluding the right-of-way of S.R. 1003, and as being the "Rodgers Homeplace".



Laura M Riddick  
Register of Deeds  
Wake County, NC



Book : 010194 Page : 02092 - 02096

**Yellow probate sheet is a vital part of your recorded document.  
Please retain with original document and submit for rerecording.**



**Wake County Register of Deeds  
Laura M. Riddick  
Register of Deeds**

**North Carolina - Wake County**

The foregoing certificate of Valentina Ashley Agias

\_\_\_\_\_ Notary(ies) Public is (are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

Laura M. Riddick, Register of Deeds

By: George W. Karpis  
Assistant/Deputy Register of Deeds

**This Customer Group**  
\_\_\_\_\_ # of Time Stamps Needed

**This Document**  
\_\_\_\_\_ New Time Stamp  
\_\_\_\_\_ # of Pages





# Map Amendment Application

## Property Owner Information

Wake County PIN	Property Owner	Mailing Address	Zip Code
1768-32-8863	William Rogers	1500 Miramar, Unit A	
		Santa Barbara, CA	93108



## 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)
------------------------------------

William Rogers

*(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 1224 Rolesville Rd,

*(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 # P.I.N: 1768-32-8863).

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: WR Rogers Date: 2-26-24

Applicant/Agent/Contact persons:	
Print:	Signature:
<u>Hugh J. Gilleece</u>	<u>Hugh J. Gilleece</u>
<u>American Engineering</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 300<sup>th</sup> 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)