



**The Town Of Clayton
Regular Town Council Meeting Agenda
Monday, November 7, 2016 @ 6:30 PM
Council Chambers**

1. CALL TO ORDER

Pledge of Allegiance and Invocation

2. ADJUSTMENT OF THE AGENDA

3. CONSENT AGENDA

(Items on the consent agenda are considered routine in nature or have been thoroughly discussed at previous meetings. Any member of the Council may request to have an item removed from the consent agenda for further discussion.)

- a. DRAFT Minutes
 - October 17, 2016 Closed Session
- b. Taking Strides Against Family Violence - April 1, 2017
 - Closure of East Front Street from Fayetteville to Smith Street - 8 a.m. - 12 noon
[Special Event Application- Taking Strides Against Family Violence](#)
- c. Appointment of Maleah Christie to Public Art Advisory Board
[Application - Public Art Advisory Board - Maleah Christie](#)
- d. Code of Ordinance Amendments - Chapter 32 - Boards
[Ordinance #2016-11-01- Amending Chapter 32 Boards](#)
- e. Code of Ordinance Amendments - Chapter 92 - Cemetery - Sale of Use License for Cemetery Lots
[Ordinance #2016-11-02 - Amending Chapter 92 - Cemeteries](#)
- f. Resolution Authorizing Sole Source for Ultra Violet System
[Resolution #2016-44 - Sole Source - UV System](#)
- g. Special Events Policy
[Resolution #2016-45 - Special Events Policy](#)
- h. Resolution Directing Town Clerk to Investigate Sufficiency of Annexation Petition
#2016-225-ANX - Umstead Property
[Resolution #2016-47 2016](#)

POTENTIAL ACTION:

Approval of Consent Agenda as Presented

4. INTRODUCTIONS AND SPECIAL PRESENTATIONS

- a. Recognition of Town of Clayton Employees/Veterans
Presenter: Stacy Beard, Public Information Officer
- b. Request for Temporary Road Closure of First Street - November 23, 2016
Presenter: One Compassion
[Application - First Street Temporary Road Closure](#)
[Map -First Street Temporary Road Closure](#)

5. PUBLIC HEARINGS

- a. Special Use Permit - #2016-180-SUP - Grifols D230 NFB Building
Presenter: Planning Department
[Cover - #2016-180-SUP - Grifols](#)
[Staff Report - Grifols - #2016-180-SUP](#)
[Deputy Fire Chief Building Height Approval - Grifols - #2016-180-SUP](#)
[Elevations - Grifols - #2016-180-SUP](#)
[Application - Grifols 2016-181-SP](#)
[Newspaper Ad - #2016-180-SUP](#)
[Staff Map - Grifols 2016-181-SP](#)
[Associated Site Plan - Grifols - #2016-181-SP](#)
[PB Approval 2016-181-SP](#)
[Motion Form - SUP #2016-180-SUP - Grifols](#)
[Approval - #2016-180-SUP](#)

POTENTIAL ACTION: Approval of #2016-180-SUP

- b. Annexation - #2016-198- ANX - The Pines at Glen Laurel
Presenter: Planning Department
[Application - 2016-198-ANX - The Pines at Glen Laurel](#)
[Map - No Aerial - 2016 - 198 ANX - The Pines at Glen Laurel](#)
[Map - 2016 - 198 ANX - The Pines at Glen Laurel](#)
[Deed - 2016-198-ANX - The Pines at Glen Laurel](#)
[Certificate of Sufficiency The Pines at Glen Laurel](#)
[Resolution Setting Date of Public Hearing - The Pines at Glen Laurel](#)
[Newspaper Ad - The Pines at Glen Laurel](#)
[Ordinance - #2016-11-03 - The Pines at Glen Laurel](#)

POTENTIAL ACTION: Adoption of Ordinance #2016- 11-03

- c. Annexation - #2016-199-ANX - The Shoppes at Glen Laurel
Presenter: Planning Department
[Application - 2016-199-ANX - The Shoppes at Glen Laurel](#)
[Map - No Aerial 2016 - 199-ANX - The Shoppes at Glen Laurel](#)
[Map - 2016 - 199-ANX - The Shoppes at Glen Laurel](#)

[Deed - 2016-199-ANX - The Shoppes at Glen Laurel](#)
[Certificate of Sufficiency The Shoppes at Glen Laurel](#)
[Resolution Setting Date of Public Hearing - The Shoppes at Glen Laurel](#)
[Newspaper Ad - The Shoppes at Glen Laurel](#)
[Ordinance - #2016-11-04 - The Shoppes at Glen Laurel](#)

POTENTIAL ACTION: Adoption of Ordinance #2016-11-04

- d. Annexation - #2016-200-ANX - Glen Laurel Self Storage
Presenter: Planning Department
[Application - 2016-200-ANX - Glen Laurel Self Storage](#)
[Map - No Aerial - 2016-200-ANX - Glen Laurel Self Storage](#)
[Map - 2016-200-ANX -Glen Laurel Self Storage](#)
[Deed - 2016-200-ANX - Glen Laurel Self Storage](#)
[Certificate of Sufficiency Glen Laurel Self Storage.doc](#)
[Resolution Setting Date of Public Hearing - Glen Laurel Storage](#)
[Newspaper Ad - Glen Laurel Storage](#)
[Ordinance - #2016-11-05 - Glen Laurel Self Storage](#)

POTENTIAL ACTION: Adoption of Ordinance #2016-11-05

6. OLD BUSINESS

7. NEW BUSINESS

- a. Hurricane Matthew Disaster Relief FEMA Resolution
Presenter: Tim Simpson, Public Works Director
[Cover - Resolution #2016-46 - North Carolina Division of Emergency Management](#)
[Resolution #2016-46 - North Carolina Division of Emergency Management](#)

POTENTIAL ACTION: Approval of Resolution #2016-46

8. STAFF REPORTS

- a. Town Manager
- b. Town Attorney
- c. Town Clerk
- d. Other Staff

9. OTHER BUSINESS

- a. Informal Discussion & Public Comment
- b. Council Comments

10. ADJOURNMENT



**Town of Clayton
Planning Department**

111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

SPECIAL EVENT PERMIT APPLICATION

Pursuant to Article 7, Section 155.712 of the Unified Development Code, a property owner/business owner within the jurisdiction of the Town (or a duly authorized agent) may apply for a Special Event Permit from the Planning Department. Special Event Permits are valid for a maximum 30 days within a one year time period.

Applications must be accompanied by one (1) copy of a site plan depicting the special event location, an Owner's Consent Form and the \$100.00 application fee (if applicable). All fees are due when the application is submitted. NOTE: If the event is to be held on public property, approval to use the property must be obtained from Town Council; therefore the application must be submitted 90 days prior to the event.

A special event is a non-routine happening or social activity such as a festival, concert, sporting event, parade, walk or run bringing people together in a defined area on Town property, right of way, or private property. Special events generally require Town services to ensure safety and coordination.

Applications and events are prioritized based on a first come-first served basis and the Town may approve or disapprove an event's requested date based on availability of resources. Events that occur on an annual basis will receive priority the following year.

APPLICANT INFORMATION

Name of Event: Taking Strides Against Family Violence 5K Walk/Run
Applicant Name and Title: Joseph Sanders, President
Organization: Johnston County Planners Chapter of Delta Sigma Theta Sorority
Mailing (Billing) Address: PO Box 2516
City: Smithfield State: NC Zip Code: 27577
Daytime Phone: 919-279-8074 Cell: Email: joacpresident@yahoo.com

EVENT INFORMATION

Event Location: Cooper Elementary School
Event Address: 8419 Mial Street Clayton, NC
Date(s) of Event: April 1, 2014
Event Start Time: 8 am Event End Time: 12 pm
Will roads need to be closed: ☒ Yes ☐ No
Set Up Begins: 7 am Clean Up Ends: 2 p.m.
Estimated Attendance: 200
Description of Event: This 5K Walk/Run is a fundraiser to support services provided by Harbor, Inc.

TOWN OF CLAYTON STAFF USE ONLY

Date Received: SEP 14 2013

Amount Paid: Fee waived

Permit Number: 206-20

April 2014

ORGANIZATION INFORMATION

Please complete the following information if the Special event is benefitting an organization or check the box if not applicable: ☐ N/A

Is the Organization a 501(c) 3?

☒ Yes

☐ No

	Yes	No
1. Is the Special Event being held by or for the benefit of an organization?	☒	☐
2. Is the organization a 501(C)3	☒	☐

Briefly describe the purpose of the organization:

Harbor provides safe compassionate and advocacy services, resources, and programs

Name of Organization:

Organization Address:

Organization Contact Name:

Organization Email:

Federal Identification Number:

Harbor, Inc

PO Box 1983

Smithfield, NC 27577

Kay Johnson

Phone Number:

919-938-3566

www.harborshelter.org

TENTS & MEMBRANE STRUCTURES

**** A TENT is a structure, enclosure, or shelter, with or without sidewalls or drops****

To be completed by the applicant:			To be completed by staff: Permit/Inspections Required?	
	Yes	No	Yes	No
1. Will tents be used at the event?	☒	☐		
2. How many tents will be used?	<i>15</i>			
3. What is the size of the tents being used? Please note that tents greater than 240 square feet in size require a building permit and associated inspections.	<i>10X10</i>			
4. Are there multiple tents without sidewalls being placed side by side? Please note that 12 feet of separation is required between all tents larger than 700 square feet.	☒	☐		

**** A MEMBRANE structure is an air-inflated or air supported structure ****

To be completed by the applicant:			To be completed by staff: Permit/Inspections Required?	
	Yes	No	Yes	No
1. Will a membrane structure(s) be used at the event?	☐	☒		
2. How many membrane structures will be used?				

POWER SOURCES

To be completed by the applicant:	Yes	No	Staff Notes
1. Will you use electric generators? yes	☒	☒	
2. Will you use a Town of Clayton power source?	☐	☒	

PLEASE NOTE: NO direct wiring to any power source is permitted.

VOICE/MUSIC AMPLIFICATION

	Yes	No	Staff Notes
1. Are there any musical entertainment features related to your event? (If no, proceed to next section)	☒	☐	
If yes, state the number of bands:			
2. Will a temporary stage be utilized?	☐	☒	
If yes, please state the number of stages			
3. Will the event use amplified sound?	☐	☒	
If yes, please list start time and finish time.	Start Time	Finish Time	

HAZARDOUS MATERIALS

	Yes	No	Staff Notes
1. Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks? <i>If yes, note that all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.</i>	☐	☒	
2. Will there be any portable heaters?	☐	☒	
3. Will there be any deep fat fryers?	☐	☒	
4. Will there be any fireworks, lasers, torches, candles or pyrotechnics? <i>If yes, please contact the Fire Marshall for more 919-553-1520 information.</i>	☐	☒	

ALCOHOL

	Yes	No	Staff Notes								
1. Will alcoholic beverages be served? <i>If yes, an ABC permit is required.</i>	☐	☒									
2. Will alcoholic beverages be sold? <i>If yes, an ABC permit is required.</i>	☐	☒									
3. What type of alcohol will be served?											
<table style="display: inline-table; border: none;"> <tr> <td style="text-align: center;">Draft Beer</td> <td style="text-align: center;">Can/Bottle Beer</td> <td style="text-align: center;">Wine</td> <td style="text-align: center;">Liquor</td> </tr> <tr> <td style="text-align: center;">☐</td> <td style="text-align: center;">☐</td> <td style="text-align: center;">☐</td> <td style="text-align: center;">☐</td> </tr> </table>	Draft Beer	Can/Bottle Beer	Wine	Liquor	☐	☐	☐	☐			
Draft Beer	Can/Bottle Beer	Wine	Liquor								
☐	☐	☐	☐								
4. Who will be serving the alcohol? <i>Please identify on the site plan the locations within event site where alcohol will be served.</i>											
5. List times that alcohol will be served	Start Time	Finish Time									
6. Copies of the ABC permit should be submitted upon receipt to the Planning Department.											

April 2014

VENDORS

	Yes	No	Staff Notes
1. Will the event include mechanical rides, or other similar attractions? <i>Applicants contracting with amusement ride companies are required to provide the Town of Clayton with a certificate of insurance, naming applicant and the Town of Clayton (if applicable) as additional insured on general liability.</i>	☐	☒	
2. Please list/describe rides and attractions:			
3. Does the event have food vendors?	☒	☐	
If yes, check all that apply:			
Served	Sold	Free	Catered
☒	☒	☐	☐
4. If the event includes food concessions and/or cooking areas: <i>Event organizers are required to submit a Temporary Food Event Sponsor form with Johnston County Environmental Health (919-989-5180) at least 14 days prior to the event. A copy of the application must be submitted to the Planning Department at the same time. Fire Code requires a fire extinguisher at each cooking location.</i>	☒	☐	

TOWN SERVICES

The Town of Clayton does not provide amenities such as portable washrooms, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as solid waste, wastewater, event clean up, traffic control, etc.

TRASH RECEPTILES/ROLL-OUT CARTS	Yes	No	Staff Notes
1. Does the event require roll-out carts?	☒	☐	
2. What types of trash will be discarded?			
Aluminum Cans	Glass Bottles / Jars	Plastic Bottles / Cups	Paper Cups / Plates
☒	☒	☒	☒
3. How many trash roll-out carts are needed?	Number 24		
4. How many recycle roll out carts are needed?	Event Location		
5. Delivery location?			
6. Date rollout carts are to be delivered/picked up?	Delivered	Picked-up	
PUBLIC PROPERTY CLEAN-UP			
7. Will portable toilets be used during the event?	☒	☐	
8. Date portable toilets will be delivered/and removed?	Delivered	Picked-up	
9. What is the clean-up plan for the event?			
<i>Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Any cost incurred by the Town due to the failure of an applicant to clean and/or restore the site following the event will be borne by the applicant. If you believe that no litter will be generated during your event, please state this in your plan.</i>			

SAFETY AND SECURITY		Yes	No
10. Will security be used during the event?		☒	☐
11. Will overnight security be used?		☐	☒
12. How many off duty officers will be used?		2	
13. Please check the type(s) of security that will be used:			
Alcohol Security	Stage Security	Event Area Security	Gate Security
☐	☐	☒	☐
		Money Handling Security	Other
		☐	☐
14. Date(s) and time(s) security will be on site:			
<i>Applicant may be required to hire off-duty Town of Clayton police officers to provide security to insure public safety. The Town of Clayton Police Department will determine the number of security personnel required on site.</i>			

SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets or areas that are part of the venue and the surrounding area. The plan should include the following information (if applicable):

- Location of the event/activity on the property. Showing adjacent streets/roads and boundaries.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, alcohol sales, etc.
- Identify location of all cooking devices and open flames. (Grills only)
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.
- Identify location of any generators and fuel storage.

SITE PLAN SKETCH

(Note: you may sketch site plan here or attach a drawing to the application.)

April 2014

EVENT BOUNDARY AND ROAD TRAFFIC PLAN

EVENT TYPE						Yes	No	Staff Notes
1. Will the event include use of public streets?						☒	☐	
2. How will the route be utilized?								
Parade	March or Walk	Vehicles Only	Vendors	Foot/Bicycle Race	Other			
☐	☒	☐	☐	☐	☐			
3. How many participants are expected?						Number		
						200		
4. How many floats will participate?						8		
5. How many vehicles will participate?						8		
						Yes	No	
6. Will animals participate in the event?						☐	☒	
7. If yes, please list the types of animals:								
EVENT BOUNDARIES								
Please describe the event boundaries. If event is a road event then include route below. If there is more than one segment to the event, include start and finish times for each segment. (Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).								
See attached								

ROAD CLOSURE REQUESTS

All road closure requests are reviewed by the Town of Clayton. Approval, denial, or modification of road closure requests is at sole discretion of the Town, including but not limited to the route, placement and number of all barricades, signs and police/volunteer locations. If your event involves road closures, please attach a Route and Traffic Plan. Include the required information (listed below) and any additional information that you believe applies to your event.

ROAD CLOSURE			Staff Notes
1. List the street(s) and times in which street(s) will need to be closed (Please note that NC and US roadways require approval from the North Carolina Department of Transportation):			
Street(s):	Begins	Ends	
E. Front St			
2. How many participants are expected?			
Number			
EVENT ROUTE			Staff Notes
DESCRIBE THE EVENT ROUTE BELOW. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Example: The "GENERIC AWARENESS RUN" may include a 5K, a 10K, and a Fun Run).			
Please note that <u>white temporary water-base paint</u> can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes, Home Depot, etc.).			

April 2014

ROAD CLOSURE/DETOUR PLAN

Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include all proposed locations for barricades, signs and police/volunteers. Identify the proposed locations for emergency access lanes (Minimum 20' width) throughout the event site. Describe planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.

(Note: you may sketch site plan here or attach a drawing to the application.)

SPECIAL EVENT PROCESSING

The applicant must follow the steps below in chronological order to ensure successful processing of the Special Event request:

1. Request a pre-application meeting with the Planning Department to discuss the scope of the Special Event. If the event is downtown, the meeting must include the Downtown Development Coordinator.
2. Submit a completed application with any important supplemental information.
3. Provide proof of \$1,000,000 General Liability Insurance. Certificate naming Town of Clayton as Additional Insured may be required.
4. Meet with the Special Events Committee to review the request, receive comments and a recommendation of approval for the event.
5. If Special Events Committee approves, a staff request will be made to the Town Clerk in order to be placed on a Town Council agenda if Town services or road closures are necessary.
6. Upon agenda scheduling, applicant will present the Special Event request to Town Council to receive authorization.

April 2014

7. If the event will utilize Horne Square, a \$250.00 deposit is required following approval.
8. Prior to the Event, a meeting to review the incident action plan (IAP) is required

Upon completion of the steps above, the Planning Department will issue a Special Event Permit approval (with or without Conditions), or notify the applicant in writing that the request is denied.

DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PARADE PERMIT FROM THE TOWN OF CLAYTON POLICE DEPARTMENT. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.

USE OF TOWN OWNED PROPERTY

	Yes	No
1. Use policies and procedures obtained and submitted for use of any Town owned property or streets.	☒	☐

DENIAL OR REVOCATION OF PERMIT

Denial

A Special Event Permit application may be denied if it is found that its granting would not be in the Town of Clayton's or the public's interest. Any applicant denied a permit to utilize Town-owned property for a special event shall receive a written statement outlining the grounds on which the denial is based. The applicant may appeal the denial of the application to the Town Council within fifteen working days of the written denial and the Town Council may take such corrective action as it shall find necessary. The findings and the determination of the Town Council shall be final.

Permit Revocation

The Town may revoke a permit issued pursuant to this section if the applicant or operator of the special event has:

1. Misrepresented or provided false information in the permit application;
2. Violated any provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations;
3. Violated any law, regulation or ordinance regarding the possession, sale, transportation or consumption of intoxicating beverages or controlled substances; or
4. Operated the special event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse.

APPLICANT'S AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Department of the Town of Clayton to approve the subject Special Event Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

The undersigned does understand and agree to the rules and regulations that apply to a Special Event Permit.

Applicant's Signature:

Evelyn Sanders

Date:

9/14/16

April 2014

NORTH CAROLINA
JOHNSTON COUNTY



INDEMNIFICATION AGREEMENT

I, Evelyn Sanders have submitted an application for a Special Event Permit for Johnston County Alumnae Chapter on property owned by the Town of Clayton. As the authorized applicant/authorized representative for the Special Event, I hereby agree to indemnify and hold the Town of Clayton, its officers, agents and employees, harmless from all claims, liabilities, demands, expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted against the Town, its officials, agents and employees by any person, firm, or corporation, that may arise out of any acts or omissions, active or passive, related to operating an event on the Town's property.

Evelyn Sanders

Signature of Applicant & Authorized Representative of Event

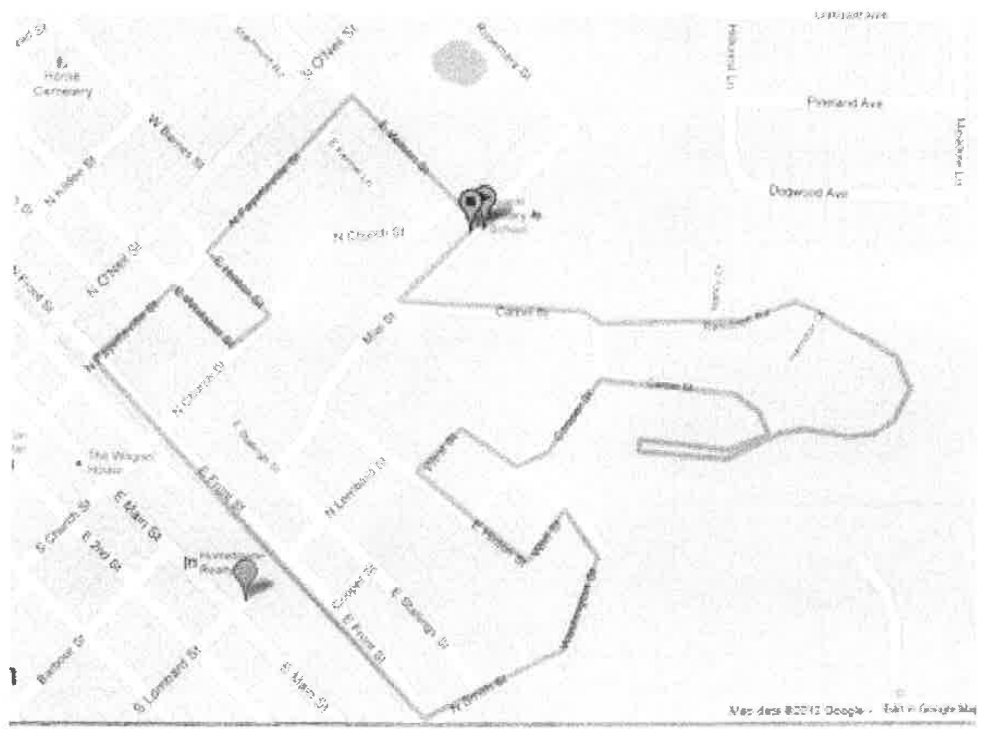
Sworn to (or affirmed) and subscribed before me this the _____ day of _____, 20____.

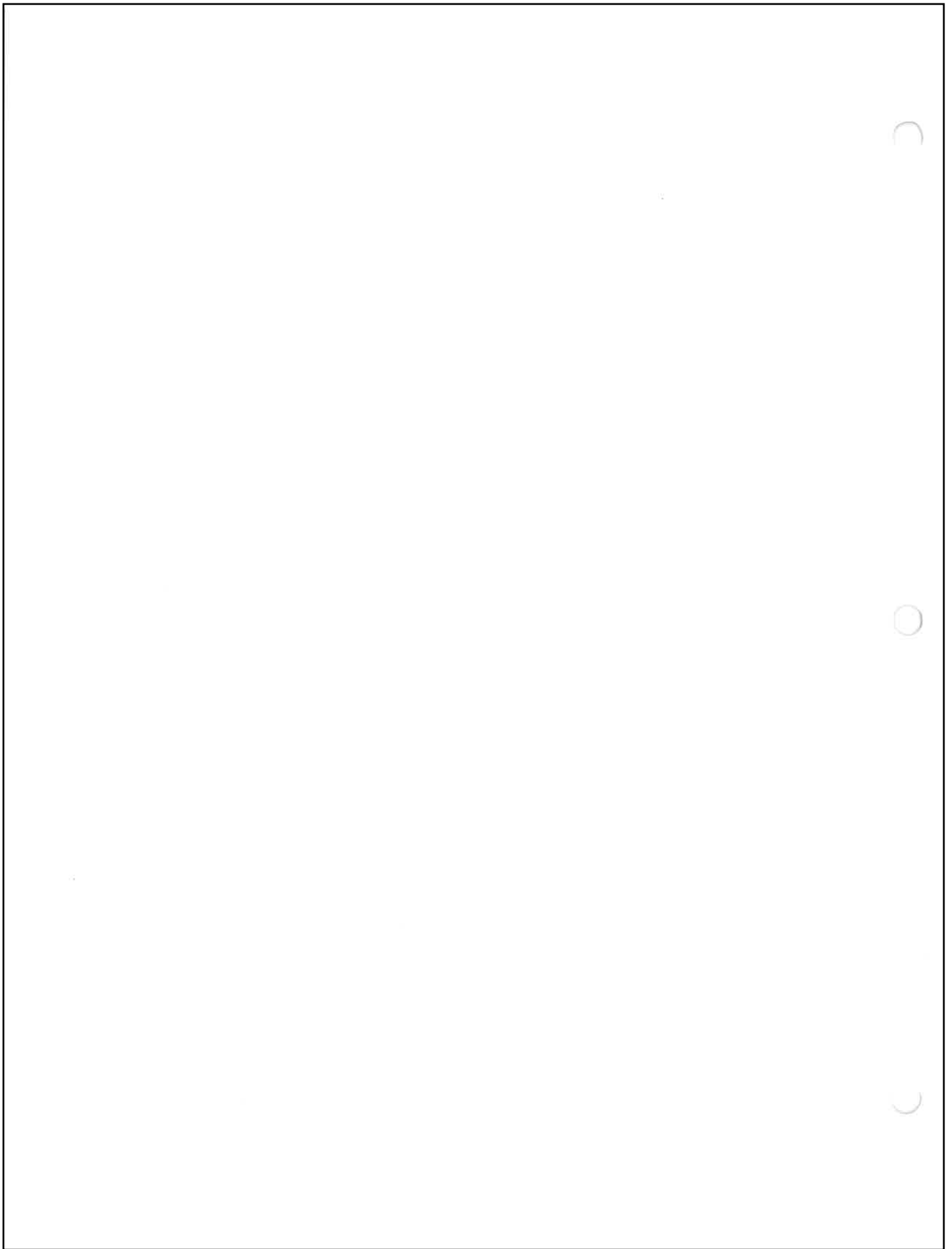
(Official Seal)

Official Signature of Notary

_____, Notary Public
Notary's printed or typed name

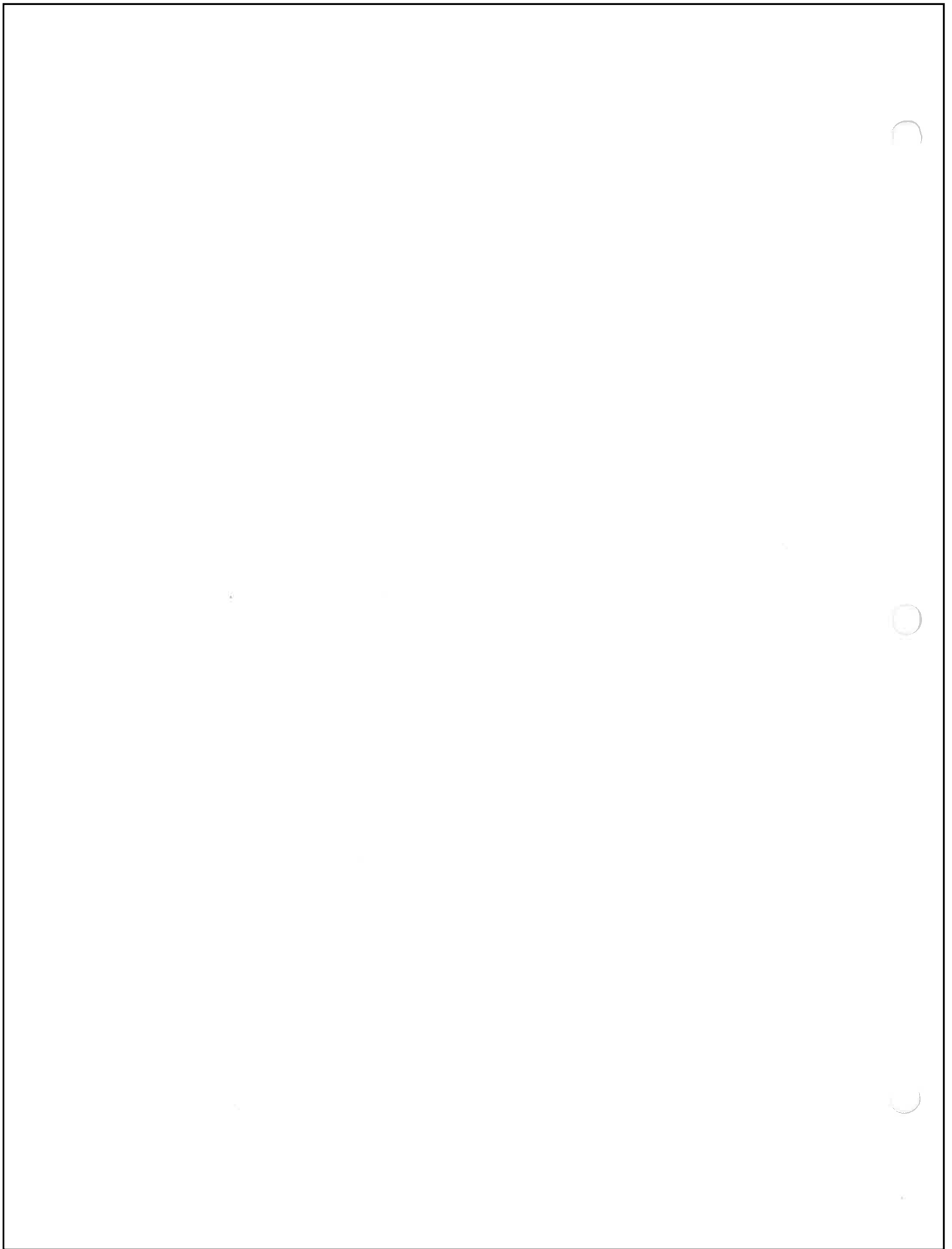
My commission expires:





Mial / Wilson - 2
 Wilson / Fayetteville
 Fayetteville / Hinton
 Hinton / Church
 Church / Whitaker
 Whitaker / Fayetteville
 Fayetteville / Front - 1 CPD
 Front / Church
 Front / Lombard
 Front / Cooper
 Front / Smith - 1 CPD
 Smith / Stallings
 Smith / Matthews
 Washington / Wall
 Hinton / Cooper
 Hinton / West
 West / Washington
 Washington / Cooper - 2
 Cooper / Camel
 Randolph Cul de sac
 Randolph / Herndon
 Randolph / Nancy
 Randolph / Camel
 Camel / Mial







Rec
7/27/16

ADVISORY BOARD CANDIDATE APPLICATION

The Town of Clayton welcomes and appreciates your interest in serving the Town. This application is designed to gather information to evaluate your qualifications. Candidates may be interviewed prior to appointment.

If requesting consideration for more than one, please submit a separate application for each board.

CHOOSE ONE:

- | | |
|--|--|
| ☐ Planning & Zoning Board | ☐ Board of Adjustment |
| ☐ Downtown Development Assoc. | ☐ Clayton Library Board |
| ☐ Recreation Advisory Committee | ☐ Fire Dept. Advisory Board |
| ☒ Public Arts Advisory Board | |

PLEASE NOTE: In accordance with North Carolina law, this application is a public record and will be disclosed upon request and without notice. If there is any information you do not want released to the public, please do not include it.

Please type or use dark ink.

Name: Maleah Nicole Christie

Mailing Address: 906 E. Main Street Clayton NC 27520

Physical HOME Address: same

Phone Number (HOME): (WORK)

FAX Number: Mobile Number: (919) 901-8889

Email Address: maleah.christie@gmail.com

*Female ☒ *Male ☐

*Race Native Amer/White/Black

Employer: Revival 1869 (co-owner); Shaded & Faded Studio (owner)

Occupation: Entrepreneur; Artist

*This information is voluntary and is requested for the sole purpose of assuring that a cross section of the community is appointed; NC GS 143-157.1.

Residency within the Town limits or ETJ (extra territorial jurisdiction) is required for membership on most Council advisory boards.

Length of residence in Clayton: 3 YRS

Do you live in the Clayton? Corporate Limits: Yes ☒ No ☐ ETJ: Yes ☐ No ☐

How did you find out about this board or committee? Facebook ☒ Website ☒ TV ☐

Newspaper ☐ Email ☐ Twitter ☐ Mail ☒ Other Mike Stojic (partner Revival 1869)

Outline your qualifications and why you wish to serve the board/committee you indicated.

As a Clayton business owner, especially working AND living downtown, & as an artist, I have a passion and vested interest in developing Clayton as an arts community & destination.

State why you would be an asset to this board or committee. I have a vision & determination to see/make Clayton a visual, musical, culinary, cultural FEATURE-COMMUNITY in NC.

Do you anticipate a conflict of interest if asked to serve as a member on the requested board or committee? No ☒ Yes ☐ If Yes, explain:

I know and work with many of the board members & we all share a great interest in the public arts for Clayton

PLEASE LIST CURRENT AND PREVIOUS SERVICE TO THE COMMUNITY, CIVIC CLUBS, ETC., ACTIVITY AND ANY SPECIAL TALENTS.

Boards/Committees/Civic	From	To
<u>Clayton Mid-day Rotary</u>	<u>5/16</u>	<u>current</u>
<u>Featured Performing Painter @ March Footh Festival</u>	<u>6/4/16</u>	
<u>Clayton Visual Arts Member</u>	<u>6/16</u>	<u>current</u>
<u>Malcolm O. Olin</u>		<u>6/12/16</u>
Signature		Date

- Please do not submit resumes or attachments.
- This application is a **public record**.
- Information in the application will be considered in making appointments.
- Candidates may be interviewed prior to appointment.
- If not initially appointed to serve, this application will remain active until August 1 of the following year.

Applications are to be turned in to the Town Clerk in person (111 East Second Street), by mail (Town of Clayton, PO BOX 879, Clayton, NC 27528) or by email (kmoftett@townofclaytonnc.org)

TOWN OF CLAYTON
Amendment to the Code of Ordinances: Chapter 32
DEPARTMENTS, BOARDS AND COMMISSIONS

BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA to amend Chapter 32 as follows:

BOARD OF ADJUSTMENT

AMEND TO REFLECT AS FOLLOWS:

§ 32.010 ESTABLISHMENT; COMPOSITION.

(A) *Establishment.* The Board of Adjustment is established pursuant to G.S. § 160A-388 and [Chapter 32](#) of the Town's Code of Ordinances.

(B) *Composition.*

(1) Number and term.

(a) The Board of Adjustment shall consist of seven members with four members residing in the corporate limits and three members residing within the town's extraterritorial jurisdiction (ETJ); and each member is to be appointed for three years.

(b) In appointing the original members or in the filling of vacancies caused by the expiration of the terms of existing members, the Town Council may appoint certain members for less than three years to the end that thereafter the terms of all members shall not expire at the same time.

(2) Membership.

(a) Membership on the Board of Adjustment shall include representatives from the corporate limits and ETJ.

(b) Any member of the Board of Adjustment representing the ETJ shall be appointed by the Town Council, subject to approval by the Johnston County Board of County Commissioners.

(3) Attendance. All members are expected to attend scheduled meetings for the prompt and efficient transaction of business. The clerk to the Board shall maintain the attendance record, including attendance at regular meetings, work sessions and special called

meetings. If at any time a member either fails to attend two-thirds of the scheduled meetings during a calendar year or misses three scheduled meetings in succession, the secretary to the Board shall notify the Chairman of the Board. The Chairman of the Board will send a letter of recommendation on this member's attendance to the Town Council liaison and the Town Clerk. The Town Clerk, Town Council liaison, and the Planning Director shall make a decision on this member's continued service to the Board.

ADD:

§ 32.011 ORGANIZATION

(A) *Proceedings.*

- (1) Meetings. All meetings of the Board of Adjustment shall be held at a regular place and shall be open to the public.
- (2) Minutes. The Board of Adjustment shall keep minutes of proceedings in a book maintained for that purpose only, showing the vote of each member upon each question, or if absent or failing to vote, an indication of such fact; and final disposition of appeals shall be by recorded resolution, indicating the reasons of the Board, all of which shall be a public record.
- (3) Quorum. A quorum shall consist of four members.

ADD:

§ 32.012 POWERS AND DUTIES.

(A) *Powers and duties.* In execution of the provisions of this chapter, the Board of Adjustment shall have the following powers and duties.

- (1) General authority. The Board of Adjustment may exercise additional powers as may be described elsewhere in this chapter and as permitted by North Carolina General Statutes.
- (2) Final authority. The Board of Adjustment shall be responsible for final action regarding the following:
 - (a) Conditional Use Review (§ [155.710](#)); and
 - (b) Variances (§ [155.716](#)); and

(Am. Ord. 2007-04-05, passed 4-2-07)

DELETE:

COMMUNITY APPEARANCE COMMISSION

§ 32.202 – § 32.026

PLANNING BOARD

AMEND TO REFLECT AS FOLLOWS:

§ 32.075 MEMBERS; TERMS; VACANCIES.

(A) The Planning Board shall consist of nine regular members. Five of the regular members shall be citizens and residents of the town, and four shall be residents of the county who reside in the Town's Extraterritorial Jurisdiction (ETJ). The Town Council shall appoint all members who reside within the Town's corporate limits. All members residing outside the corporate limits but within the Town's ETJ shall be recommended for approval by the County Board of County Commissioners. In the event the County Board of County Commissioners fails to make the requested appointments within 90 days of receipt of the request, the Town Council shall make the appointments.

(B) Members shall be appointed for three year terms. Vacancies occurring for reasons other than expiration of terms shall be filled for the unexpired term only, by the legislative body responsible for original appointment.

(C) All members are expected to attend scheduled meetings for the prompt and efficient transaction of business. The clerk to the Board shall maintain the attendance record, including attendance at regular meetings, work sessions and special called meetings. If at any time a member either fails to attend two-thirds of the scheduled meetings during a calendar year or misses three scheduled meetings in succession, the secretary to the Board shall notify the Chairman of the Board. The Chairman of the Board will send a letter of recommendation on this member's attendance to the Town Council liaison and the Town Clerk. The Town Clerk, Town Council liaison, and the Planning Director shall make a decision on this member's continued service to the Board.

("71 Code, § 2-151) (Ord. passed 11-6-72; Am. Ord. passed 11-2-92; Am. Ord. passed 1-23-95; Am. Ord. passed 11-4-96; Am. Ord. 2003-07-01, passed 7-21-03; Am. Ord. 2008-06-04, passed 6- 16-08; Am. Ord. 2011-12-01, passed 12-5-11)

AMEND TO REFLECT AS FOLLOWS:

§ 32.077 MEETINGS; QUORUM.

(A) The Planning Board shall hold at least one meeting monthly, and all of its meetings shall be open to the public.

(B) A quorum shall consist of five members.

('71 Code, § 2-152) (Ord. passed 11-6-72; Am. Ord. passed 1-23-95; Am. Ord. passed 11-4-96; Am. Ord. 98-01-02, passed 1-20-98; Am. Ord. 2003-07-01, passed 7-21-03 ; Am. Ord. 2008-06-04, passed 6-16-08)

AMEND TO REFLECT AS FOLLOWS:

§ 32.078 POWERS AND DUTIES.

(A) The Planning Board shall review and/or make recommendations on studies of present and future development of the Town and its ETJ. These studies may include, but shall not be limited to, land use surveys; population studies; economic studies; school, park, and recreation studies; traffic and parking studies; urban renewal studies, housing and market analysis, and annexation studies.

(B) The Planning Board shall review and make recommendations on the Town's Comprehensive Plan to the Town Council. The purpose of the Comprehensive Plan is to establish a vision of the future with long range goals, objectives and strategies to manage growth and guide the future actions of the Town. The Comprehensive Plan consists of a number of elements which may include, but is not be limited to land use, downtown development, economic development, recreation and open space, housing, mobility, utilities, intergovernmental coordination, natural resources, and arts and culture.

(C) The Planning Board shall review and make recommendations to the Town Council on matters pertaining to zoning and subdivision of land. The Planning Board shall have final approval authority over major site plans.

(D) The Planning Board shall not make a recommendation that requires Town Council approval unless the applicant (or a representative of the applicant knowledgeable about the applicant's proposal) is present at the meeting and answers the Board's and staff's questions about the applicant's proposal, except by a unanimous vote of the Board members present.

(E) The Planning Board shall perform any other related duties assigned or directed by Town Council.

('71 Code, § 2-154) (Ord. passed 11-6-72; Am. Ord. passed 1-16-01; Am. Ord. 2006-10-02, passed 10-17-06)

Statutory reference:

Duties of planning agency, see G.S. § 160A-361

('71 Code, § 2-153) (Ord. passed 11-6-72)

DELETE:

§ 32.079 EXPENDITURES; GIFTS.

§ 32.080 URBAN FORESTRY BOARD.

Duly adopted this 7th day of November, 2016.

Jody McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Kimberly Moffett, CMC, NCCMC
Town Clerk

Katherine Ross
Town Attorney

TOWN OF CLAYTON
Amendment to the Code of Ordinances: Chapter 92
CEMETERIES

BEING HEREBY ADOPTED BY THE TOWN COUNCIL FOR THE TOWN OF CLAYTON, NORTH CAROLINA to amend §92.01, *Sale of Use License for Cemetery Lots*, as follows:

AMEND TO REFLECT AS FOLLOWS:

§ 92.01(C)

All persons desiring to purchase a use license for cemetery lots on an installment basis will be subject to the following: A down payment of not less than \$100 will be required. A contract for purchase of the use license must be executed by the purchaser and the Public Works and Utilities Director or their designee detailing price, term and payment due dates. The terms are to allow for payment in full of one lot at the time of purchase with any additional lot purchases to be paid in full by June 30 of the following year. Any contracts not paid in full by June 30 of the year the contract was executed will be terminated and no refunds will be granted. Hardship cases will be determined by the Town Manager or his designee. As stipulated in division (A) of this section, no burials will take place and no use licenses will be issued until payment in full is made.

Duly adopted this 7th day of November 2016, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

APPROVED AS TO FORM:

Kimberly Moffett, CMC, NCCMC
Town Clerk

Katherine Ross
Town Attorney

RESOLUTION
Sole Source Justification
Ultra Violet Disinfection Sytem Replacement Project
2.5 MGD Little Creek Water Reclamation Facility

Whereas, a recommendation for the sole source procurement of the Ultra Violet Disinfection System Replacement Project has been received; and

Whereas, an engineering report which was completed in November 2014 evaluted five alternative disinfection systems by three different suppliers; and

Whereas, the project is necessary to replace the current unit due to the obsolence of the current system; and

Whereas, the Engineer and Town Staff recommend using the Trojan 3000 Plus System due to cost, constructability and reliability issues; and

Whereas, the Trojan 3000 UV 3000 Plus Sytem using a dosing rate of 26 ml/cm3 was the lowest cost option to include construction and operational cost; and

Whereas, the installation of the Trojan UV 3000 Plus system will require the least amount of channel modification and does not require another challe to be built and will result in the least amountof disruption of the current site and construction time; and

Whereas, it will reduce construction time and help to limit liabilities in regards to compliance, Trojan system have been in production for the longest time period, the current facility has a Trojan unit which has been on line since 1999 and plant staff will benefit from prior experience relating to system operation and maintenance.

Now Therefore, the Honorable Mayor and Town Council approve the above sole source justification.

Duly proclaimed this 7th day of November, 2016 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

TOWN OF CLAYTON Special Events Support Policy

A. Purpose

Special events provide opportunities to improve quality of life, build a sense of community, showcase local and regional talent, enrich cultural opportunities, draw first-time visitors to the Town of Clayton and contribute to the local economy.

This policy outlines a process for facilitation of special events in the Town of Clayton. It further aids in identification of resources required and cost allocation for the provision of those resources.

It is the policy of the Town of Clayton that ~~any approved~~ special events should not result in the expenditure of excessive public resources.

This policy is intended to work in concert with all other applicable rules, regulations, laws, and ordinances of the Town of Clayton and the State of North Carolina.

This policy does ~~NOT~~ not apply to rental or use of The Clayton Center. ~~In general~~ This policy does ~~NOT~~ not generally apply to the rental or use of Town parks ~~operated by the Parks and Recreation Department~~, however the ~~The~~ Parks and Recreation Department may at their discretion require applicants to submit to the Special Event process if the proposed event is deemed to have significant impact on Town resources.

B. Definitions

Event Organizer: Any individual, firm, or organization proposing a special event on public property or property controlled by the Town of Clayton.

Public Property: Refers to all Town and State-owned property, squares, streets, sidewalks, rights-of-way and greenways.

Special Event: An event, public or private, occurring on public property as defined above. This includes, but is not limited to road races, public gatherings, demonstrations, competitions, concerts, festivals, neighborhood events, fund raisers, and entertainment/amusement events. If the special event is on private property, the Town reserves the right to require event organizers to submit a special event permit application pursuant to this policy if the nature and scope of the event ~~encumbers public property or~~ requires Town services and/or resources.

Private Event: Activities where the general public is not invited, events such as weddings or family reunions that occur on Town Square, Horne Square, Town parks or greenways or similar spaces. Private events are required to submit either a Special Event permit application or temporary use permit application as determined by the Planning Department.

Road Race: Organized activity involving running, biking, walking or other means of transportation, with three or more participants ~~and utilizing a fixed course/route~~ that involves the use or obstruction of Town street rights-of-way, Town sidewalks, Town parks or greenways.

Parade/Demonstration: An organized activity involving movement of or gathering of a group, with three or more participants and utilizing ~~a fixed route or destination over~~ Town street rights-of-way, Town sidewalks, parks, greenways or squares. ~~These events require a p~~Parades ~~and/~~ demonstrations require a permit to be issued by the Clayton Police Department.

Neighborhood Block Party: ~~An O~~rganized, small-scale activity that closes or blocks public streets or sidewalks.

These small-scale gatherings are generally initiated by and are intended to attract only local residents who live on or in close proximity to the street being closed. ~~They are not intended for the general public.~~

Video Production: ~~On~~ An organized activity involving video and/or still photography production that necessitates closure or blocking public streets, sidewalks or spaces.

Special Event Permit Application: An application required by the Town of Clayton ~~of an event organizer prior to utilization of~~ public property and/or public resources for a special event. ~~The application will be submitted to the Planning Department. Upon approval by~~ Special Event applications require approval from the Special Events Committee and ~~must meeting all conditions imposed on the event, a Special Event Permit and/or a parade/ demonstration permit will be issued granting use of public facilities for a Special Event.~~

Special Events Committee: ~~The Town of Clayton Special Events Review Committee~~ A committee established for the purpose of reviewing and approving Special Events. ~~The Special Events Committee does not authorize the closure or use of roads and public property. Note: The Town Council has sole authority to close roads and public property.~~

Support Services: Services provided by the Town of Clayton to ensure that a special events ~~is are~~ conducted in a safe and healthy manner, ~~with protection of~~ people and property. ~~When appropriate each Department Director or designee shall estimate the Town Support Service requirements and related costs for each special event.~~ This includes manpower, equipment, supplies, and consumables required to service the special event.

Town-Sponsored / Partnered Special Event: An event that either originates from within a Town of Clayton department such as Downtown Development, Parks & Recreation, and Library, or any affiliated individual, group or organization which by action of Town Council, is partnering has an agreement and/or a budgeted allocation with the Town of Clayton to offer a special events. ~~Support offered by the~~ Town of Clayton ~~for~~ Sponsored/Partnered Special Events may require a will be consistent with the terms and conditions of these separate agreement which specifies the responsibilities of each party.

Staff Hours: The total number of hours dedicated by any Town staff-person involved in the planning, organizations, promotion, and execution of a Special Event, but not inclusive of time associated with processing a Special Event Application.

Yearly Event Limits: The maximum number of events permitted in a calendar year.

C. **Categories of Special Events** (See Appendix A for List of Known Events)

Category-Class A: A special event that that meets either of the following criteria (excludes road races/walks):

- a) ~~May R~~requires 80 or more extra staff hours by Town employees, or
- b) Is expected to draw approximately 5,000 or more spectators/participants.

Up to No more than 6 Class A special events will be permitted each year by the Special Events Committee. The Special Events Committee may consider exceeding the 6 events if an event organizer agrees to pay for all Town expenses required of that event.

~~No more than two Class A special events can occur within 60 days of each other~~

Category-Class B: A special event that meets either of the following criteria (excludes road races/walks):

- a) ~~May R~~requires 24 to 80 extra staff hours by Town employees, or
- b) Is expected to draw approximately ~~500 up~~ to 5,000 spectators/participants.

No more than 10 Class B special events will be permitted each year by the Special Events Committee. The Special Events Committee may consider exceeding the 10 events if an event organizer agrees to pay for all Town expenses required of that event.

~~No more than two Class B special event can occur within 30 days of each other~~

Category-Class C: A special event that that meets either of the following criteria (excludes road races/walks):

- a) Does not exceed 24 staff hours by Town employees, or
- b) Is expected to draw approximately 500 or less spectators/participants within a consecutive 24 hour period

No more than 25 Class C special events will be permitted each year by the Special Events Committee. The Special Events Committee may consider exceeding the 25 events if an event organizer agrees to pay for all Town expenses required of that event.

~~There is no limit to the number of Class C events in a 30 day period, however, the Special Events Committee can require alternate dates based on the scheduling of other events and the amount of staff time and Town resources required or available.~~

Category-Class R: Road Races/Walks

- No more than 2 Class R special events will be permitted each year per neighborhood, park or greenway.
- ~~No more than one Class R special events that utilize street right-of-way may not occur within 30 days of each other- within the same general area/neighborhood regardless of the route. The Special Events Committee can require alternative dates based on the scheduling of other events and the amount of staff time required.~~

The Special Events Committee will consider exceeding any of the above Class limits if an event organizer has the ability to pay for all Town expenses required of that event.

D. Special Events Permit Process

- a) **Pre-Application Meeting:** Prior to any Special Event Application submittal, the Event Organizer must schedule and hold a pre-application meeting with a Planning Department/Special Events Committee staff member ~~to review the Application.~~
- b) **Submittal Deadline:**
 - Applications are due the first Wednesday of each month.
 - Applications must be submitted a minimum of 60 days prior to the special event.
 - If the event involves the closure of an NCDOT street/road, the application is required 120 days before the event to allow adequate time for processing and approval.
- c) **Application:** Special Event -organizers must submit a complete Special Event Application with all applicable fees prior to Special Event Committee review. Incomplete applications will either be returned to the organizer or delayed until all required items have been submitted. and pay all applicable fees no later than 60 days prior to an event, or 120 days if the event involves the closure of an NCDOT street/road. Applications are due the first Wednesday of each month, without exceptions. Special Event Application forms are available on the Town of Clayton website (www.townofclaytonnc.org) or in the Planning Department.
- d) **Reservation of Dates:** Dates for events will be reserved on a first-come, first-serve basis by the Planning Department/Special Events Committee. The following restrictions shall apply:
 - Recurring events will be given first priority.
 - Conflicts will be resolved by the Planning Department/Special Events Committee.
 - The Special Events Committee can require alternative dates based on the scheduling of other events and the amount of staff time required.

Special Events Committee Review: ~~The Special Events Committee and T~~the applicant must be present at the Special Events Committee meeting-meet to review their application and address identified issues. The committee may

make specific recommendations concerning the proposed location, scope, date and time for the special event. They will also evaluate the type ~~and~~, amount ~~and of~~ anticipated Town resources needed for the special event. Costs will be calculated based on the current Town of Clayton Fee Schedule (Appendix ~~AB~~), ~~or an analysis of time expected necessary to support the event.~~

The criteria for evaluating Special Event Permit Applications are as follows:

- Completeness of application and event layout
- Impact and cost of the event on public health, ~~welfare and~~ safety, ~~and welfare~~
- Impact and cost of the event on Town support services
- Impact of the event on the environment ~~and public property~~
- Frequency of the same or similar event(s) as well as potential conflicts with previously approved events
- Impact on the surrounding businesses or residences
- Ability for the public place to remain open to other users, ~~unless a street closure permit has been issued~~
- Perceived benefit of event for Town of Clayton ~~residents and businesses~~
- Likelihood of participation by Town of Clayton residents ~~and businesses~~
- Previous history of event organizer in facilitating successful special events
- Ability of event organizer to achieve goals set forth for special events

- e) **Town Council Review:** ~~The Special Events committee will submit a tentative events calendar to Town Council annually to support event planning and notice.~~ The Town Council ~~will review for approval~~ approval is required ~~requests~~ to use/close Public Properties and/or streets for Special Events. ~~Town Council will receive periodic updates of upcoming approved Special Events.~~

Presentation to Town Council

- For special events requiring road closures or use of Town resources, the applicant is required to attend a Town the Council meeting and ~~is required to~~ make a formal presentation ~~to Council~~ regarding the event. Presentations should provide information about planned event activities, requested closures, and should address projected numbers of attendees. Failure to make a presentation to Council may place the special event in jeopardy of being denied a permit.
- Town staff shall be responsible for ~~presenting requested road closures and an analysis~~ addressing concerns or questions regarding ~~of~~ the projected use of Town resources to the Council.

- f) **Post Event Review:** Following a Special Event, the Special Events Committee ~~will may~~ review ~~all a special event where concerns regarding for~~ consistency with town goals, public safety, and ~~appropriateness~~ review criteria listed above were identified during the special event. ~~The~~ Based on post event review, the Special Events Committee reserves the right to reject future Special Event Applications for any events failing to meet Town goals or standards.

g)

- g) **Notice Requirements:** In an effort to improve communications and keep impacted citizens, businesses and other establishments fully informed of all Special Events ~~notices are required to include~~, ~~the Special Events Committee requires the following notice:~~

g)

- g) **Notice Components:** ~~All notices must include~~ the information listed below. Postcards, door hangers and flyers should be black ink on brightly colored yellow paper. The Planning Department will provide a list of the addresses identified by the Special Events Committee that lie within the appropriate notice zone. Event organizers are reminded it is a Federal offense to place materials in or on mailboxes.

1. Name of eEvent

2. Name of sponsoring organization
3. Date and timeframe of event
4. Description of associated road closures and the timeframe of road closures, ~~if different than timeframe of event~~
5. Description of event and information about the noise impacts of event, such as music or fireworks, and their timeframe
6. Name and contact information of event organizer (including a phone number and email address)
7. Website [address](#) associated with event, if applicable
8. Statement that this notice is placed in accordance with requirements of the Town of Clayton, ~~with Town of Clayton contact information.~~

- **Notice Requirement specific to Road Races/Walks:**

APPROXIMATELY 6 WEEKS OUT FROM PRIOR TO EVENT:

- ~~Using the Town's notification template, C~~communicate event details via ~~first class mail door-hanger or mass phone contact (Town service—fee applies)~~ with each business, church or school located along the event route or side street along the event route. ~~A mass phone contact (code red call) can be performed by the Town in lieu of a mailing, subject to a Town service fee.~~
- ~~Share the text of the~~A copy of all communications ~~shall be provided to~~ ~~with the Planning Department~~Public Information Office and the Planning Department.

AT LEAST 15 DAYS ONE TO TWO WEEKS OUT PRIOR FROM TO EVENT:

- ~~Public Information Office will C~~communicate event details via ~~door hanger or~~ mass phone contact (Town service – fee applies) with all residents located along the event route or side street along the event route.
- ~~Share the text of the communications with the Planning Department.~~
- In the event of a large apartment or business complex with one main lobby, it is ~~acceptable a~~ requirement of the applicant to hang (with the building owner/manager's permission) a flyer notification in a highly visible main area. Otherwise information must be distributed to each unit in the complex.

- **Notice Requirement specific to Neighborhood Block Parties:**

At Least

15 DAYSTWO TO THREE WEEKS OUT FROM PRIOR TO EVENT:

- Event Organizers must notify every resident, business, place of learning or worship within the area ~~300 feet~~ of the road closure, ~~or in close enough proximity that they will be inconvenienced by the—road closures and/or noise impacts associated with the event.~~
- ~~Using the Town's notification template, T~~he event organizer ~~can use any form of communication, provided that the notification covers all required components and—shall mail the notification notifies all residents and establishments at least 15 days prior to the event within the timeframe noted above.~~
- ~~A copy of all communications shall be provided to the Public Information Office and the Planning Department.~~

- **Notice Requirement specific to Filming/Commercial Video Production:**

Approximately

72 HOURS FROM FIVE WORKING DAYS PRIOR TO EVENT:

- Event Organizers must notify every resident, business, and place of learning and worship located within ~~the area~~300 feet of the road closure.
- ~~or in close enough proximity that they may be inconvenienced by the road closures and/or noise impacts associated with the activities. The event organizer can use any form of communication, provided that the notification covers all required components and notifies all establishments and residents at least 72 hours prior to the event.~~

- Using the Town's notification template, the event organizer shall mail the notification prior to the event within the timeframe noted above.
- A copy of all communications shall be provided to the Public Information Office and the Planning Department.

- **Notice Requirements for oOther Special Events:**

Generally, other special events will not be required to notify adjacent property owners. At the sole discretion of the Special Events Committee, ~~however, other a~~ special events may be deemed subject to the notification requirements. ~~if the event will be unusually disruptive to the surrounding property owners.~~

~~NOTE: News, public and community-oriented videography is exempted from these requirements.~~

- h) **Evaluation of Notice.** Failure to comply with these requirements ~~will result in a reduced event evaluation score and~~ may affect an event organizer's ability to host events in the future. ~~Event organizers are solely responsible for the costs associated with compliance with the notice requirements. The Special Events Committee shall determine the notice requirements based on the nature and impact of the event.~~
- i) **Denial & Appeal:** A Special Event Permit application may be denied if it is found that it's granting would not be in the public interest. Any applicant denied a Special Event Permit shall receive a written notice for the denial. The applicant may appeal the decision to the Town Council within fifteen working days (15) of the notice. The findings and the determination of the Town Council shall be final.

Payment of Fees: Special Event Fees are listed in the Comprehensive List of Fees and Charges ("List") and in Appendix AB. The List is updated periodically by the Town Council time to time and can be found on the Town's website (www.townofclaytonnc.org).
~~Special event fees must be paid in advance or the Special Event will be cancelled and the Special Event Permit will become void.~~

j)

- The application review fee is due at time of submittal.
- ~~All~~ Special Event fees and deposits must be paid no later than thirty (30) days prior to the event.
- ~~Event organizers are solely responsible for the all costs associated with compliance with the notice requirements.~~
- ~~No~~ Special Event permits ~~shall will not~~ be issued until all fees and deposits are paid.

- k) **Issuance of Event Permit:** No Special Event shall take place without a Town issued Special Event Permit. The Permit must be available for inspection on site at the event at all times.
- l) **Permit Revocation:** The Town may revoke a Special Event Permit issued pursuant to this section if the applicant or operator of the special event has:
 1. Misrepresented or provided false information in the Application; ~~or~~
 2. Violated any provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations; ~~or~~
 3. Violated any local, State or Federal law; ~~or~~
 4. Operated the Special Event in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse; or
 5. Failed to pay all Special Event fees.
- m) **Day of Event Requirements:** The event organizer or their designee must be on site at all times and reachable. The ~~S~~pecial ~~E~~vent ~~P~~ermit must be available for inspection on site at all times.

Special Event Fees

Special Event Fees are listed in the Comprehensive List of Fees and Charges (“List”) and in Appendix B. The List is updated periodically by the Town Council and can be found on the Town’s website (www.townofclaytonne.org). Special event fees must be paid in advance or the Special Event will be cancelled and the Special Event Permit will become void.

E. Event Rejection/Cancellation/Refund of Fees

If the special event is rejected or cancelled after the payment of fees because of conditions beyond the control of the event organizer, the Town may consider a partial refund of fees paid, however application fees are not refundable. The Special Events Committee will assess any costs already incurred by the Town and coordinate with the affected Department Directors to calculate the amount of refund.

F. Rules and Prohibitions

- **Adherence to Town Ordinances and Rules:** All applicants must adhere to all Town Ordinances and Rules of Use for Town Square and Horne Square, as applicable, rules of use.
- **Alcohol:** Event organizers must acquire all required permits from the North Carolina Alcohol Beverage Commission. Alcohol sales, consumption and possession are prohibited on Town property, unless the following criteria is met:
 - A copy of the approved NCABC permit is submitted with the Special Events Permit Application
 - Off-duty Town of Clayton police officers must be hired for security during permitted times of alcohol sales or consumption. The number of officers is determined by the Special Events Committee.
- **Alterations to Public Property:**
 - Alterations to public property including the attachment or installation of decorations or displays are strictly prohibited unless advance permission has been granted by the Town.
 - Alteration or tampering with infrastructure (electric panels, irrigation, meters, etc.) is strictly prohibited, will result in the revocation of the permit, and will affect the event organizer’s ability to host events in the future.
- **Repairs.** Repairs necessary due to damage to any structure, irrigation system, landscaping, or infrastructure will be billed to the event organizers at replacement cost plus a fifteen percent premium on labor. The Town reserves the right to regulate placement and method of placement of items or structures on any public property. Please reference the rules and procedures regarding damage Rules of Use Policy for Town Square and Horne Square.
- **Signage:** Banners and signs Signage promoting the event are is allowed in a limited number of areas within Town limits, subject to review and approval by the Planning Department, as provided in the Special Event Signage and Banner Application Permit Process.
- **Event Equipment and Layout:** A layout of the event area, including locations of all tables, chairs, tents, stages, vendor set-up, portable restrooms, road closures, parking plans, and other equipment must be submitted with the application and may be modified by the Special Event Committee. No event equipment will be provided by the Town of Clayton. Organizers are not permitted to drive stakes into the ground on any Town of Clayton property.
- **Town of Clayton Promotion of an Event:** If deemed appropriate by the Town, A special event may be promoted via the Town of Clayton’s various communication tools if the event organizer submits a brief, written description of the event by electronic means to the Public Information Office no less than one week three weeks prior to the event. The description should cover Who, What, When, Where, Why, and a photograph, flyer, and link to a website or other online location for more event details. Commercial events/activities will are generally not be promoted on the Town of Clayton website unless the event is in partnership with the Town. Event promotion will be performed on a time available basis and will be secondary to other Public Information Office functions.
- **Food Sales:** Any intention to sell food must comply with any and all State Sanitation laws. Copies of any State

required permits must be supplied to the Planning Department prior to the event. Fire Code requires a fire extinguisher at each cooking location.

- **Safety, Security, Medical:** The event organizer may be required to hire off-duty Town of Clayton police officers to provide security to ensure public safety. [EMS services may be required to be present to support medical needs.](#)
- **Parking:** Participants must adhere to all parking regulations established by the Town of Clayton. Event organizers are prohibited from charging patrons for parking in public spaces without the express written consent of the Town of Clayton. Event organizers must secure adequate on- or off-site parking for large events. When off-site parking is utilized, use of shuttles for transport must be approved by Special Events Committee. Likewise, a pedestrian circulation plan may be required.
- **Resource Estimates:** The Special Events Committee reserves the right to be the final authority in estimates of attendance, need for additional staff hours, and/or assignment of manpower and equipment [for all special events.](#)
- **Restroom Facilities:** For all events which are 4-hours duration or longer, portable toilets may be required. The Special Events Committee will assist the event organizer in determining the number and placement of toilets. ~~needed, although a ratio of one toilet per 100 attendees can be used as a guide.~~ In compliance with the Americans with Disabilities Act, the event organizer must provide a sufficient [number of](#) handicap accessible portable toilets. It is the event organizer's responsibility to make all arrangements (contacting, reserving, coordinating drop-off, pumping during the event, and pick-up) [and pay any rental including the payment of all associated](#) fees.
- **Sanitation:** ~~Garbage and recycling carts.~~ If deemed necessary by the Special Events Committee, Planning Department or ~~Streets Public Works~~ Department, [garbage and recycling carts](#), must be rented from the Town of Clayton. Fees will be charged to the event organizer at the prevailing rate from the Town's contracted solid waste vendor. The Special Events Committee will assist the event organizer to determine the number and placement of garbage and recycling carts required for the event. It is the event organizer's responsibility to collect any garbage and recycling and ensure the carts are returned to their original drop-off location on site following the event in order to ensure return of the deposit.
- **Clean-up & Damage:** It is the event organizer's responsibility to ensure the event location is returned to its original condition following an event. The event site will be inspected after an event and any work needed to clean-up or repair will be charged to the event organizer and may result in forfeiture of deposit and revocation of future event privileges.
- **Noise:** All events must be in compliance with the [Town of Clayton Noise Ordinance, located in Section 98.01 of the Town's Code of Ordinances.](#) Sound system equipment is not provided by the Town of Clayton. The event organizer must indicate on the Special Event Permit Application of any intended use of a sound system or any amplified sound during the event.
- **Utilities:** Specific requirements for the use of electricity and water must be submitted with the application. Electricity and water are not available without permission from the Town. A flat utility fee will be charged for events less than one day. Events exceeding one day will be required to establish a utility account and pay for consumed utilities.

G. Insurance

For events on Town of Clayton property, applicants must provide proof of General Liability insurance coverage in amounts at least equal to those carried by the Town. The Town must be named as an "additional insured" and a certificate showing such must be provided prior to the issuance of the Special Event Permit.

H. Release and Indemnity

Each event organizer must execute a release and indemnity agreement as included in the Special Event Permit Application. Event organizers must demonstrate that they are either personally or organizationally responsible

for liability, ~~and~~ will guarantee orderly behavior, ~~and~~ will underwrite any damage of the premises. Liability is assumed by the applicant in regard to any personal or property damage rising out of activities ~~of the~~ related to the applicant event. It is the responsibility of the event organizer to read the application form completely and understand fully his/her responsibilities.

I. Assignment

The event organizer shall be prohibited from assigning any rights ~~under this agreement~~ granted through the Special Use Permit Process and may not convey to the use of the premises to any other party.

J. Discrimination

The applying organization, association, or entity shall not discriminate or advocate discrimination on account of race, color, religion, creed, national origin, age, gender, sexual orientation or disability.

APPENDIX A

Month	Town Sponsored/Partnered Event	Event Class	Attendance	Staff Hours								Organizer	Street Closures?
				Public Works	Police	PD Off Duty	Fire	Electric	Planning	Parks & Rec	Total		
July	July 4th Celebration	A	10,000	2.00	160.00	-	30.00	4.00	2.00	100.00	298.00	Parks & Rec	Yes
Sept	Harvest & Music Festival	A	20,000	28.00	252.00	-	28.00	10.00	3.00	-	321.00	Chamber of Commerce	Yes
December	Christmas Village & Tree Lighting	A	5,000	58.00	80.00	-	11.00	1,500.00	60.00	-	1,709.00	CDDA	Yes
December	Christmas Parade	A	10,000	32.00	150.00	-	20.00	6.00	20.00	-	228.00	Chamber of Commerce	Yes
May	Halloween Parade	B	300	28.00	30.00	-	-	2.00	2.00	20.00	82.00	Parks & Rec	No
May	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
June	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
July	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
August	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
September	Concert Series	B	1,000	19.00	0.20	6.00	-	2.00	60.00	-	87.20	CDDA	No
Mar	Easter Egg Hunt	C	300	-	-	-	6.00	2.00	2.00	10.00	20.00	Parks & Rec	No
April	Flag of Truce	C	1,000	8.00	-	-	-	2.00	2.00	-	12.00	Library/CHA	No
May/August	Movie Nights	C	600	10.00	-	-	-	2.00	40.00	-	52.00	CDDA	No
May	Clayton Road Race	R	500	36.00	75.00	-	10.00	2.00	-	30.00	153.00	Parks & Rec	Yes
Subtotal				297.00	748.00	30.00	105.00	1,540.00	431.00	160.00	3,311.00		

Month	Known Private Events	Event Class	Attendance	Staff Hours								Organizer	Street Closures?
				Public Works	Police	PD Off Duty	Fire	Electric	Planning	Parks & Rec	Total		
June	Mondo Roots Music & Art Faire (formerly Millstock)	B	1,200	36.00	-	-	-	4.00	3.00	-	43.00	Clayton Visual Arts	Yes
October	Squealin' On the Square	B	200	18.00	0.50	6.50	-	4.00	2.00	-	31.00	Chamber of Commerce	Yes
October	The Shindig	B	1,500	24.00	0.50	6.50	-	2.00	3.00	-	36.00	Mid-Day Rotary	Yes
October	CHS Homecoming Parade	C	800	-	12.00	-	-	2.00	2.00	-	16.00	Clayton High School	Yes
October	Truck or Treat	C	100	5.00	-	-	-	2.00	2.00	-	9.00	Horne UMC	No
December	Community Christmas Eve Service	C	100	-	-	-	-	2.00	2.00	-	4.00	Greater Heights UMC	No
December	Santa Baby Road Race	R	200	36.00	5.00	32.00	-	2.00	2.00	-	77.00	Reciprocity Events	Yes
March	Run for the Rockets	R	200	20.00	1.00	2.00	-	2.00	2.00	-	27.00	Cooper PTA	Yes
May	Heart Chase	R	300	8.00	1.00	2.00	-	2.00	2.00	-	15.00	American Heart Association	Yes
May	AlzNC - Johnston County Walk	R	200	8.00	-	-	-	2.00	2.00	-	12.00	Alzheimer's NC	No
September	Kid's Bubble Run	R	200	8.00	-	-	-	2.00	2.00	-	12.00	Little Believers Academy	No
Subtotal				163.00	20.00	49.00	-	26.00	24.00	-	282.00		
Grand Total				460.00	768.00	79.00	105.00	1,566.00	455.00	160.00	3,593.00		

Note: Specific events listed are for illustrative purposes and do not imply or guarantee a reservation. All events are subject to the Special Events Permitting process.

APPENDIX AB

Special Event Fees	Town of Clayton Taxpayer	Non-Town of Clayton Taxpayer
Application <u>Review</u> Fee	\$100	\$200
Sanitation Deposit <i>Deposit is refundable within 30 days of the end of an event provided a post event inspection finds no unsatisfactory conditions.</i>	Class A = \$250 Class B = \$125 Class C = \$50 Class R = \$50	Class A = \$500 <u>\$250</u> Class B = \$250 <u>\$125</u> Class C = \$100 <u>\$50</u> Class R = \$100 <u>\$50</u>
Rental of Town/Horne Square	\$25/day	\$50/day
Street Closure <i>(including electronic message board)</i>	\$50/day	\$100/day
Type III Barricade Rental	\$5/barricade/day	\$50 /barricade/day + <u>\$25 administration fee</u>
Police Detail Fee <i>Number of officers dependent on security needs/length of street closures and alcohol sales</i>	\$35/officer/hour (3 hour minimum)	\$35/officer/hour + \$100 administration fee (3 hour minimum)
Rental of Garbage<u>Garbage/Recycling</u> Containers <i>4 roll-out container minimum - 2 garbage/2 recycling</i>	\$13/container/day (\$52 minimum)	\$13/container/day + \$50 administration fee (\$102 minimum)
Electricity/Water fee <i>Events that are more than one day shall pay metered consumption. All other events are charged a flat rate.</i>	\$10/utility	\$20/utility
Generating Notice Addresses	\$25/hour (1 hour minimum)	\$50/hour (1 hour minimum)
Code Red Call/Mass Phone Contact	\$50	\$100

NOTE: Town sponsored events are exempt from all fees.

Duly adopted this the 7th day of November, 2016

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC, NCCMC
Town Clerk

|

ANNEXATION PETITION 2016-225-ANX
Umstead Property
Parcels: Portion of 05G02013 & 05G02040A
Owners: Umstead Partners LLC
Contiguous; 18.59 +/- acres

TOWN OF CLAYTON
RESOLUTION DIRECTING THE CLERK TO INVESTIGATE
A PETITION RECEIVED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on October 24, 2016, by the Town of Clayton; and

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

WHEREAS, the Town Council of the Town of Clayton deems it advisable to proceed in response to this request for annexation:

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Clayton that:

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition and to certify as soon as possible to the Town Council the results of her investigation.

Duly adopted this 7th day of November 2016, while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Kimberly A. Moffett, CMC
Town Clerk



TOWN OF CLAYTON

Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

TEMPORARY USE

Pursuant to Article 7, Section 155.712 of the Unified Development Code, a property owner/business owner within the jurisdiction of the Town (or a duly authorized agent) may apply for a Temporary Use from the Planning Department. Temporary Use are valid for a maximum 30 days within a one year time period.

Applications must be accompanied by one (1) copy of a site plan depicting the temporary use location, an Owner's Consent Form (attached) and the \$100.00 application fee. All fees are due when the application is submitted.

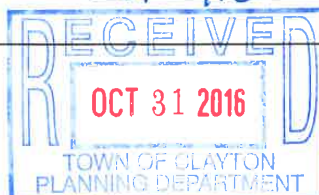
- A temporary use is a use that is established for a fixed period of time such as a construction trailer, special sale or promotion, and is discontinued at the expiration of such time and does not involve the construction or alteration of any permanent structure.
- After approval by the Planning Director, a Manufactured Home or trailer may be used as a temporary office, security shelter, or shelter for materials or tools (but not for residential purposes or sales offices) incidental to construction on or development of the premises upon which the Manufactured Home or trailer is located. Such use shall be strictly limited to the time construction or development is actively underway. In no event shall the use continue more than six months without the further approval of the Planning Director. The temporary use shall be approved only upon finding that actual construction is continuing.

USE LOCATION INFORMATION

Type of Use : _____ Date/Time: 11/23/16 5pm-7pm
Property Owners Name (attach Owners Consent): Star Co, LLC
Use Address: 114 W Main Street, clayton
Location: 114 W. Main Street
Description of Use: _____
Tag Number: 05019009

OFFICE USE ONLY

Amount Paid: 100.00 Date Received: 10/26/16 File Number: 2016-2396



July 2013

Page 1 of 3

APPLICANT INFORMATION

Applicant: One Compassion
 Mailing Address: 114 W. Main Street
 Phone Number: 919.369.4653 Fax: _____
 Contact Person: Courtney Ellis
 Email Address: courtney@one27homes.com

TEMPORARY USE CHECK LIST

Please provide a detailed site plan illustrating the temporary use and a written explanation providing specific information including:

- | Yes | No | N/A | |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| ☐ | ☐ | ☒ | Is site lighting or electrical service needed to support the temporary use? <i>Note: No lighting or electrical service shall be provided without an electrical permit.</i> |
| ☐ | ☒ | ☐ | Is the temporary use located in a temporary structure? <i>Note: No structure shall be erected without a building permit.</i> |
| ☒ | ☐ | ☐ | Is the temporary use located so that all fire lanes, pedestrian access and vehicular access points remain unblocked? |
| ☒ | ☐ | ☐ | Has the site of the temporary use been cleared of all debris? <i>Note: All debris must be cleared within five (5) of the end of the temporary use.</i> |
| ☒ | ☐ | ☐ | Has written permission from the property owner has been obtained? <i>(complete the Owner's Consent Form)</i> |
| ☒ | ☐ | ☐ | Has adequate parking been provided? <i>Note: Required parking for other uses must remain available.</i> |
| ☐ | ☐ | ☒ | Have adequate traffic controls measures been provided? <i>Note: Applicant may be required to provide a maintenance of traffic plan.</i> |
| ☒ | ☐ | ☐ | Have adequate provisions for trash disposal and sanitary facilities been provided? <i>Note: Applicant may be required to provide additional information on the site plan.</i> |
| ☐ | ☐ | ☒ | Have adequate provisions for crowd control been provided? <i>Note: Applicant may be required to provide plans for crowd control.</i> |

Please note that all Temporary Uses are subject to the sign regulations provided in Section 155.403 of the Town of Clayton's Unified Development Code. All signage is limited to the location of the Temporary Use. Failure to meet the Town's sign regulations may result in the issuance of a violation and fines.

REVOCATION OF PERMIT

The Town may revoke a permit issued pursuant to this section if the applicant or operator of the temporary use has:

1. Misrepresented or provided false information in the permit application;
2. Violated any law, provision of the Town of Clayton Unified Development Code or Johnston County Health Department regulations; or
3. Operated the temporary use in such a manner as to create a public nuisance or to constitute a hazard to the public health, safety or welfare, specifically including failure to keep the Town of Clayton owned property clean and free of refuse.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Department of the Town of Clayton to approve the subject Temporary Use Permit. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

The undersigned does understand and agree to the rules and regulations that apply to a Temporary Use Permit.

Reid Smith
Print Name


Signature of Applicant

10/25/16
Date

DEPARTMENTAL REVIEW

☒ Reviewed

☒ Town Manager	☒ Property Maintenance
☐ Fire Chief	☐ Executive Director, Conference Center
☒ Fire Marshal	☐ Public Safety Officer
☒ Public Works & Utilities Director	☒ Downtown Development Coordinator
☐ Town Engineer	☐ Electrical Director
☒ Chief of Police / Police Department	☒ Planning Director
☐	☐

Comments: _____



**TOWN OF CLAYTON
Planning Department**

111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

OWNER'S CONSENT FORM

Consent is required from the property owner(s) if an agent will act on their behalf. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. All fields must be completed.

Project Name: _____ Address or PIN #: 114 W Main St

AGENT/APPLICANT INFORMATION:

One Compassion
(Name - type, print clearly)

114 W. Main St, Ste 104
(Address)
Clayton, NC 27520
(City, State, Zip)

I hereby give **CONSENT** to the above referenced agent/applicant to act on my behalf, to submit applications and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the following processes (*list applicable requests*):

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER AUTHORIZATION:

Star Co LLC
(Name - type, print clearly)

114 W Main St, Ste 102
(Address)

[Signature]
(Owner's Signature)

Clayton, NC 27520
(City, State, Zip)

STATE OF North Carolina
COUNTY OF Johnston

Sworn and subscribed before me Joseph T. Harner, a Notary Public for the above State and County, this the 25th day of October, 2016.

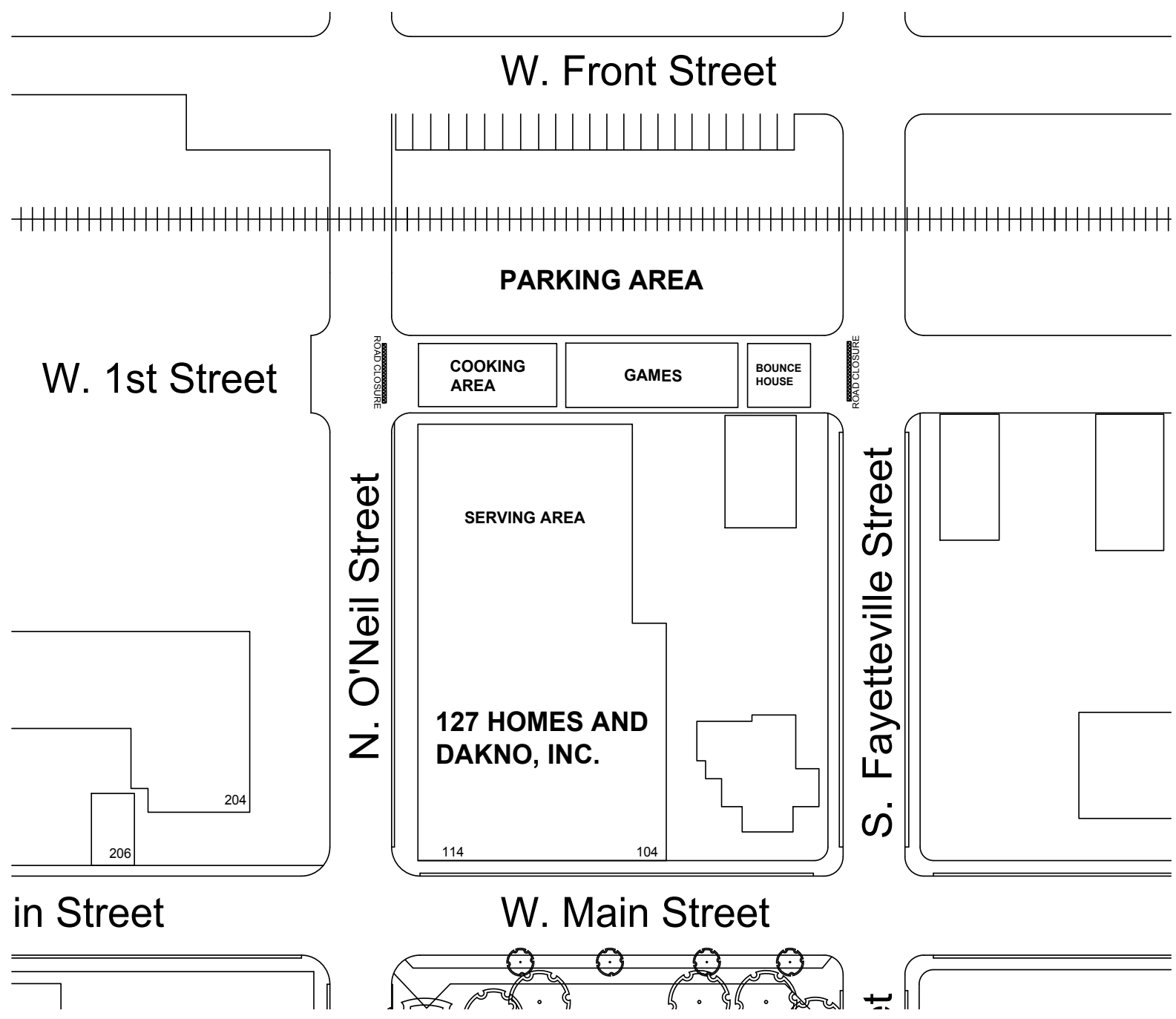
SEAL

[Signature]
Notary Public

My Commission Expires: 11 FEB 2018

October 2013







**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

Public Hearings

Meeting Date:

November 7, 2016

ITEM TITLE:

Special Use Permit - #2016-180-SUP - Grifols

DESCRIPTION:

Applicant is requesting Special Use Permit to allow maximum building height for proposed D230 NFB building to be 71'6".

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Planning + Zoning

PRESENTER:

Planning Department

ITEM HISTORY:

Date:

October 17, 2016

Action Taken:

Set Public Hearing for November 7, 2016

Information Provided:

Application/Staff Report/Site Plan/Newspaper Ad

Date:

Action Taken:

Information Provided:



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

September 26, 2016

STAFF REPORT

Application Number: 2016-180-SUP

Project Name: Grifols D230 NFB Building Height Special Use Permit

NC PIN: 167800-32-6472
Tag #: 05I05001F
Overlay: Watershed Protection Overlay
Applicant: Criser Troutman Tanner Consulting Engineers, David Criser
Owner: Grifols Therapeutics, Inc.
Location: Located off of Whisper Wind Road, north of the railroad tracks

Public Noticing:

- Neighborhood meeting September 21, 2016
- Sign posted prior to September 16, 2016
- Newspaper ad published November 2, 2016 and October 26, 2016
- Letters mailed prior to October 28, 2016

REQUEST: The applicant is requesting a Special Use Permit to allow a maximum building height for the proposed D230 NFB Building to be 71' 6".

Site Data

Acreage: 69.95

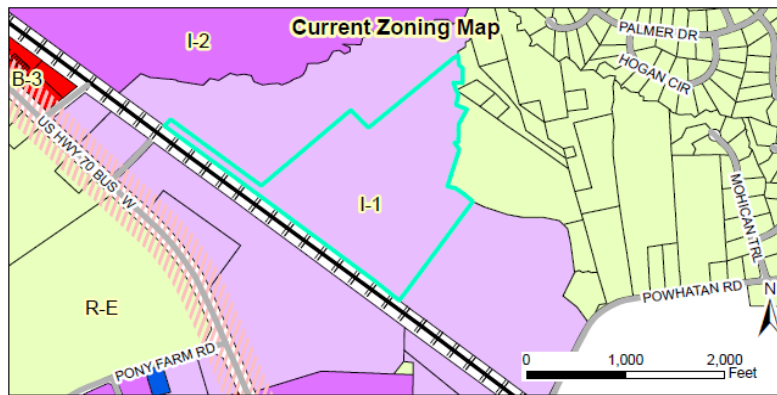
Existing Use: Industrial

Proposed Building Height: 71' 6" from finished floor elevation to highest point (69' 6" of occupiable height)



ADJACENT ZONING AND LAND USES:

Direction	Zoning	Existing Use
North	Industrial-Light (I-1)	Industrial
South	Industrial-Light (I-1)	Industrial
East	Residential-Estate (R-E)	Residential
West	Industrial-Light (I-1)	Industrial



STAFF ANALYSIS:

Overview

The applicant is requesting a Special Use Permit to allow the maximum building height of 71' 6" with 69' 6" of occupiable space for the proposed D230 NFB Building. This request is running concurrently with a Major Site Plan (2016-181-SP) requesting the approval to expand the existing facilities to add the D230 NFB fractionation building and a chiller building on the site. In 2010, Grifols obtained a Special Use Permit allowing an increase in the maximum height for their ASRS building on this property. However, the Special Use Permit obtained only applied to that specific building. Since they are proposing a new building that exceeds the maximum height limit, a Special Use Permit must be obtained. The subject parcel is zoned I-1, which limits the maximum building height to 50 feet. However, according to the UDC, Town Council may grant a Special Use Permit for structures exceeding the maximum height limit.

Consistency with Adopted Plans:

- **2040 Comprehensive Plan**
The request is consistent with the 2040 Comprehensive Plan.

Associated Site Plan

The applicant is requesting Major Site Plan approval to develop the D230 NFB fractionation facility. This site plan (2016-181-SP) is running concurrently with this Special Use Permit application. The applicant is proposing to develop the fractionation facility to the northeast of the existing ASRS building. This building will be 82,551 square feet in size. The applicant is also proposing to develop a second building just south of the fractionation facility to house chiller equipment.

Fire Safety

The requested Special Use Permit has been reviewed by the Fire Department for safety purposes. The Fire Chief has approved the maximum height (see attached correspondence).

FINDINGS

When considering a Special Use Permit application, the Town Council shall consider specific Findings of Fact. A Special Use which fails to meet any of these Findings shall be deemed adverse to the public interest and shall not be approved. The applicant has adequately addressed the Findings of Fact expressly established by Chapter 155.711(l) of the UDC, and these Findings are accepted as part of the completed application.

CONSIDERATIONS:

- The Town Council approves Special Use Permits. The Planning Board shall make a recommendation to the Town Council.
-

RECOMMENDATION:

Staff is recommending approval with conditions of the above referenced Special Use Permit (2016-180-SUP)

CONDITIONS OF APPROVAL:

1. The maximum building height of 71' 6" shall be limited to the D230 Fractionation Facility only.
-

ATTACHMENTS:

- 1) Staff Report Map
- 2) Application
- 3) Neighborhood Meeting Materials
- 4) Associated Site Plan, 2016-181-SP
- 5) Fire Chief correspondence

Kimberly Moffett

From: Haley Hogg
Sent: Friday, September 23, 2016 8:09 AM
To: Laura Gray
Subject: FW: Grifols SUP- Building Height Revision

Laura,

Could you please include this in the PB packets for Grifols SUP?

Thanks!!

From: Anthony Atkinson
Sent: Friday, September 23, 2016 6:56 AM
To: Haley Hogg
Subject: RE: Grifols SUP- Building Height Revision

I am good with the height. TA

From: Haley Hogg
Sent: Thursday, September 22, 2016 8:57 AM
To: Anthony Atkinson
Subject: Grifols SUP- Building Height Revision

Hi Tony,

I know I already touched base with you regarding the Grifols SUP request (2016-180-SUP) earlier this week. However, the applicant has since revised their request/application (see attached) to provide further clarification. Originally, the applicant was requesting a maximum height of 69' 6". He is now requesting that the overall maximum height be 71' 6" with 69' 6" of occupiable space. Please confirm if you are okay with this proposed height so that I may include our correspondence in the Planning Board packets for Monday evening.

Thanks,

Haley Hogg, CZO
Town Planner
Town of Clayton
111 East Second Street | PO Box 879 | Clayton, NC 27528
Office: (919) 553-5002
hhogg@townofclaytonnc.org



south elevation

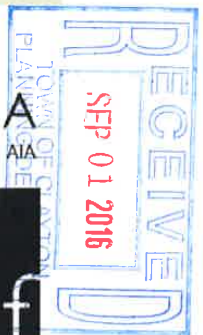


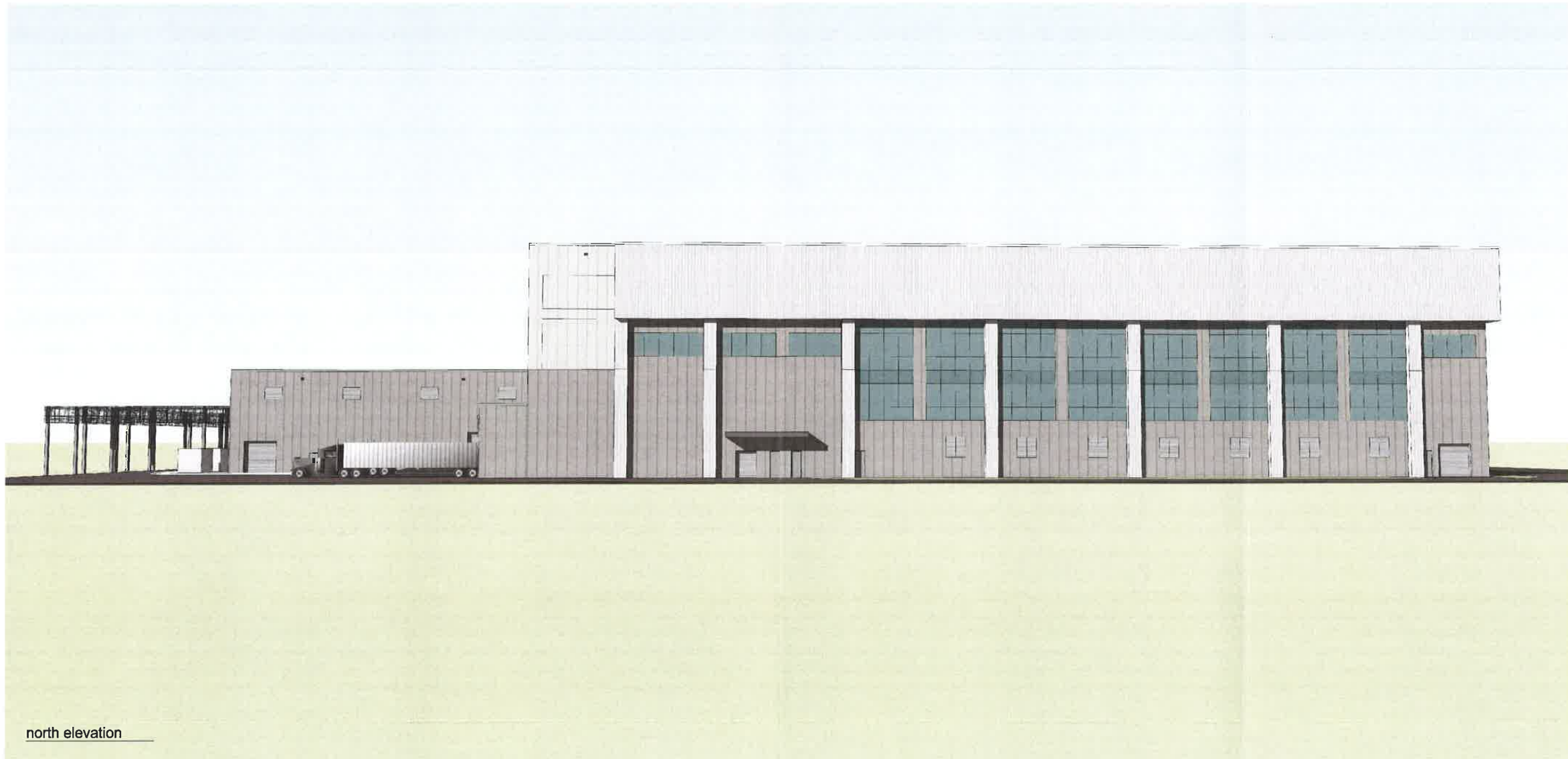
Clayton, North Carolina, USA

Elevations August 30, 2016
New Fractionation Building

CAAIA
Chris Adams, AIA

Wf
weinstein freedlin
ARCHITECTS

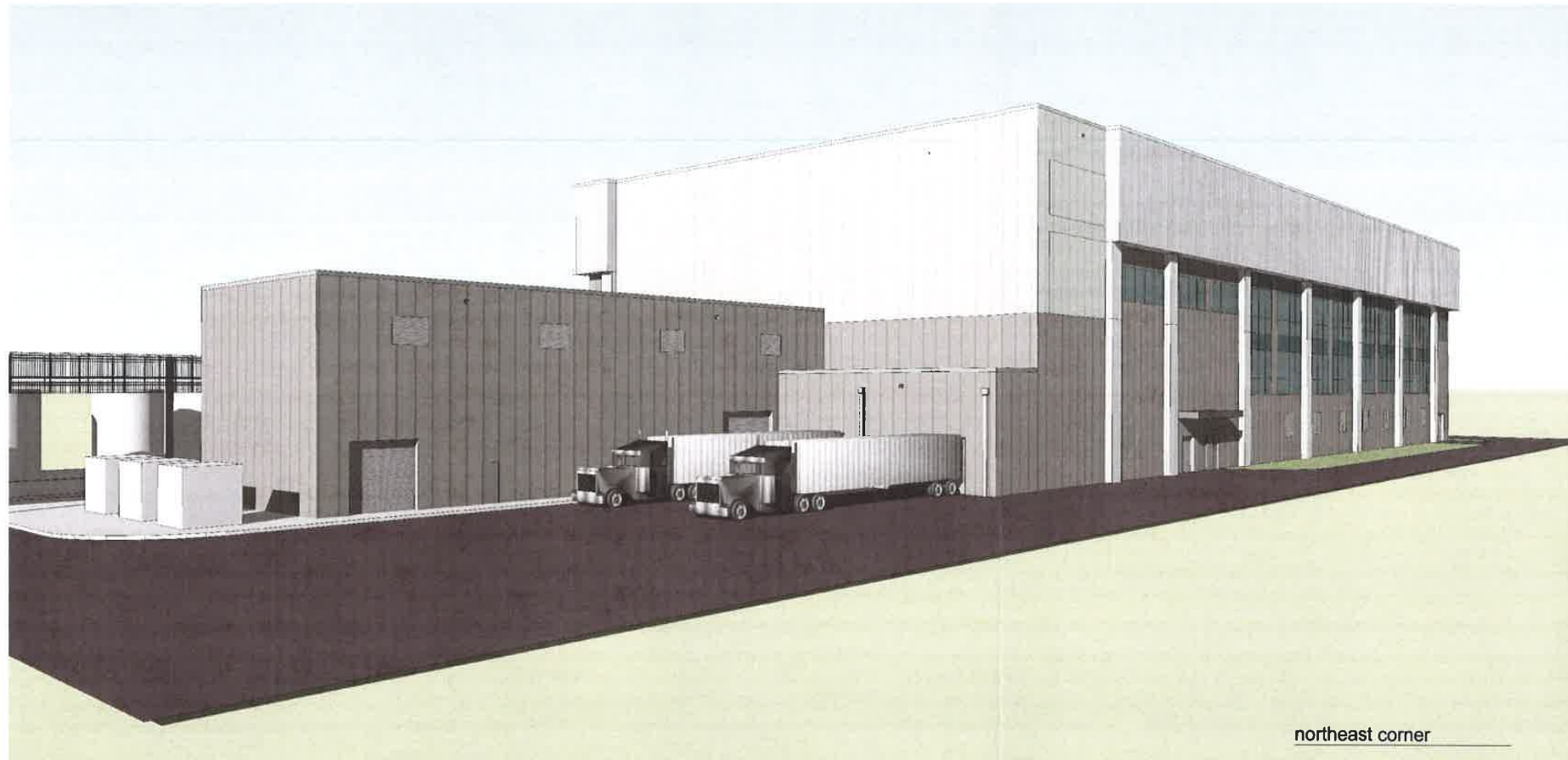




Elevations August 30, 2016
New Fractionation Building

CAAIA
Chris Adams, AIA

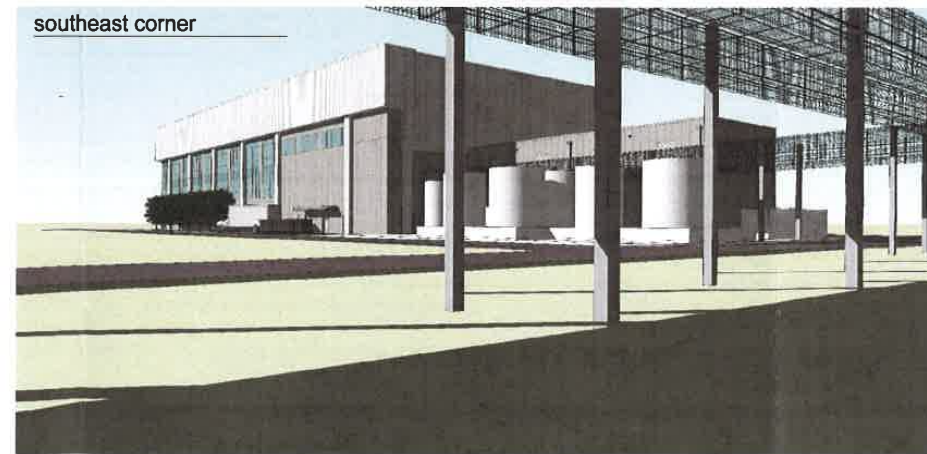
wf
weinstein friedman
ARCHITECTS



northeast corner



southwest corner



southeast corner

GRIFOLS

Clayton, North Carolina, USA

Elevations August 30, 2016
New Fractionation Building

CAAIA
Chris Adams, AIA

wf
weinstein freedman
ARCHITECTS



aerial view, looking east



aerial view, looking south



aerial view, looking northeast



Clayton, North Carolina, USA

Note: These views show basic relationship of new building and existing adjacent structures. Landscaping, parking, and driveways are not necessarily shown accurately.

Overall Views (from Google Earth)
August 30, 2016
New Fractionation Building

CAAIA
Chris Adams, AIA





Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

MAJOR SITE PLAN APPLICATION

Pursuant to Article 7, Section 155.707 of the Unified Development Code, an owner of land within the jurisdiction of the Town (or a duly authorized agent) may petition the Planning Board to approve a Major Site Plan application. Please complete all fields in this application and submit to the Planning Department with all required materials.

Application fee: \$500.00 + \$5.00 per acre. *All fees are due when the application is submitted.*

SITE INFORMATION

☒ New Major Site Plan

☐ Major Modification to an approved site plan
Project Modified: _____

Name of Project: Grifols - D230 NFB Building Acreage of Property: 69.95

County Tag #: 05105001F NC PIN: 187800-32-1371

Address/Location: 8368 W US 70 BUS, Clayton, NC 27520

Existing Use: Industrial Proposed Use: Industrial

Zoning District: I-1

Is project within a Planned Development? ☒ No
☐ Yes (list): _____

Is project within an Overlay District? ☐ No
☒ Yes (list): Watershed Protection

FOR OFFICE USE ONLY

Date Received: <u>SEP 01 2016</u>	Amount Paid: <u>\$525.00</u>	File Number: <u>2016-181-SP</u>
-----------------------------------	------------------------------	---------------------------------

RECEIVED
TOWN OF CLAYTON
PLANNING DEPARTMENT

PROPERTY OWNER INFORMATION

Name: Grifols Therapeutics, Inc.

Mailing Address: 8368 W US 70 BUS, Clayton, NC 27520

Phone Number: 910-359-5318

Fax: _____

Email Address: Brent.Noel@grifols.com

APPLICANT INFORMATION

Applicant: Criser Troutman Tanner Consulting Engineers

Mailing Address: 2840 Plaza Place, Suite 103, Raleigh, NC 27612

Phone Number: 910-397-2929

Fax: 910-397-2929

Contact Person: David E. Criser, P.E.

Email Address: dcriser@cttengineering.com

REQUIRED INFORMATION (to be submitted with the application)

The following items must accompany a Major Site Plan application.

To be completed by the applicant:			To be completed by staff:		
Submit 9 copies of all materials unless otherwise noted or directed by staff	Yes	N/A	Yes	No	N/A
1. A pre-application conference was held with Town of Clayton staff. Date: <u>08/16/16</u>	☒	☐			
2. I have referenced the <i>Plan Requirements Checklist</i> and used this as a guide	☒				
3. Site Plan Review Fee (\$500 + \$5/acre)	☒				
4. Completed application	☒				
5. Owner's Consent Form	☒	☐			
6. Plan sets meeting the requirements listed in the <i>Plan Requirements Checklist</i>	☒	☐			
7. Adjacent property owners list <i>To be submitted later</i>	☐	☐			
8. Wastewater allocation request OR verification of wastewater allocation <i>Letter Submitted</i>	☒	☐			
9. Signed and sealed traffic impact analysis (2 copies) (required for projects which generate at least 100 vehicle trips at peak hour. See §155.708 of the UDC)	☐	☒			
10. Neighborhood meeting notice letter (1 copy)* See sample letter and meeting requirements included in this packet *Not required for subdivisions that are part of an approved planned development <i>To be submitted later</i>	☐	☐			
11. Neighborhood meeting summary form (1 copy) * Included in this packet *Not required for subdivisions that are part of an approved planned development <i>To be submitted later</i>	Must be submitted after neighborhood meeting is held and at least 10 days prior to Planning Board meeting.				

EXPLANATION OF PROJECT

Please provide detailed information concerning all requests. Attach additional sheets if necessary.

The project includes a new production facility that will have a total gross square footage of 82,551 sf.

There will be an accessory structure to house the building chillers, etc.

In addition to the structures the project includes a new roadway to allow fire truck access around the entire building. The existing fire main will be extended to provide a loop around the new building.

The wastewater will be collected and flow by gravity to a new lift station. The lift station will pump the wastewater to the existing treatment facility at Grifols, be treated and discharged to the Town of Clayton's sewer system.

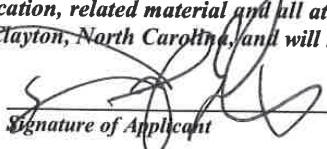
The proposed building will be 69'-6" high above the first floor. The first floor elevation will be 308.00 making the highest part of the building (the parapet) elevation 377.50. The current zoning has a maximum height of 50 feet. A special use permit will be filed asking for the new building height of 69'-6" above the first floor.

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Planning Board of the Town of Clayton to approve the subject Major Site Plan. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Clayton, North Carolina, and will not be returned.

David E. Criser

Print Name


Signature of Applicant

08/31/16

Date



**Town of Clayton
Planning Department**

111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

OWNER'S CONSENT FORM

Consent is required from the property owner(s) if an agent will act on their behalf. A separate form is required from each owner. Consent is valid for one year from date of notary, unless otherwise specified. All fields must be completed.

Project Name: Grifols D230 FNB Building **Address or PIN #:** 8368 W US 70 Bus, Clayton, NC

AGENT/APPLICANT INFORMATION:

David E. Criser, P.E.,
(Name - type, print clearly)

Criser Troutman Tanner Consulting Engineers
2840 Plaza Place, Suite 103
(Address)
Raleigh, NC 27612
(City, State, Zip)

I hereby give **CONSENT** to the above referenced agent/applicant to act on my behalf, to submit applications and all required materials and documents, and to attend and represent me at all meetings and public hearings pertaining to the following processes (*list applicable requests below*):

Grifols D230 FNB Building

Major Site Plan and Special Use Permit

Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have authority to execute this consent form as/on behalf of the property owner. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I further agree to all terms and conditions which may be imposed as part of the approval of this application.

OWNER AUTHORIZATION:

Brent Noel
(Name - type, print clearly)

(Owner's Signature)

8368 W US 70 BUS
(Address)

Clayton, NC 27527
(City, State, Zip)

STATE OF
COUNTY OF

North Carolina
New Hanover

Sworn and subscribed before me Lisa Benincasa, a Notary Public for the above State and County, this the 31st day of August, 2016.

SEAL



August 2015

Lisa Benincasa
Notary Public
My Commission
Expires:

Dec 01, 2020

Page 9 of 9

PUBLIC NOTICE

In accordance with NC GS 160A-364, the Clayton Town Council will hold an evidentiary hearing on Monday, November 7, 2016, at 6:30 PM at Town Hall, 111 East Second Street, to consider the following special use application:

- Grifols D230 NFB Building Height Special Use Permit, 2016-180-SUP. The request is to allow a maximum building height of 71 ½ feet, which exceeds the maximum height permitted outright in the Unified Development Code, for a proposed D230 NFB Building for Grifols. Parcel Number 167800-32-6472. Tag Number 05I05001F.

During an evidentiary hearing, the Clayton Town Council must make findings of fact based upon sworn testimony and other credible evidence. Citizens may give testimony in an evidentiary hearing after they have taken an oath.

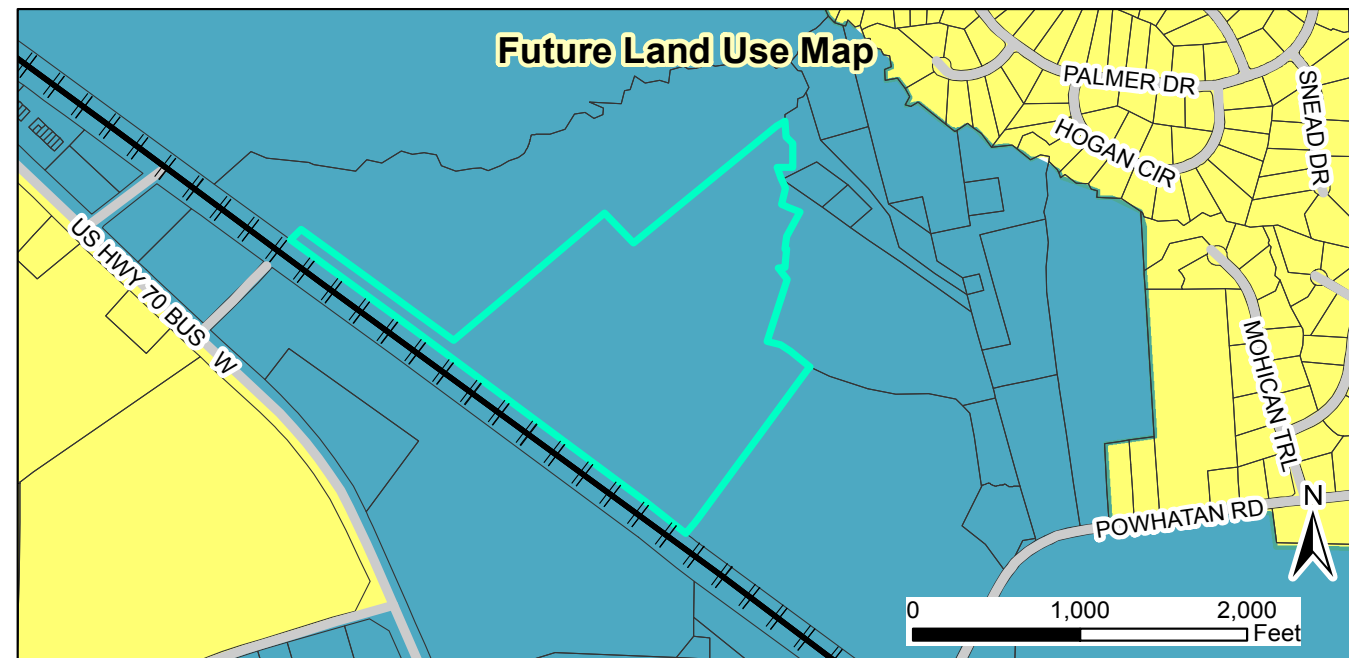
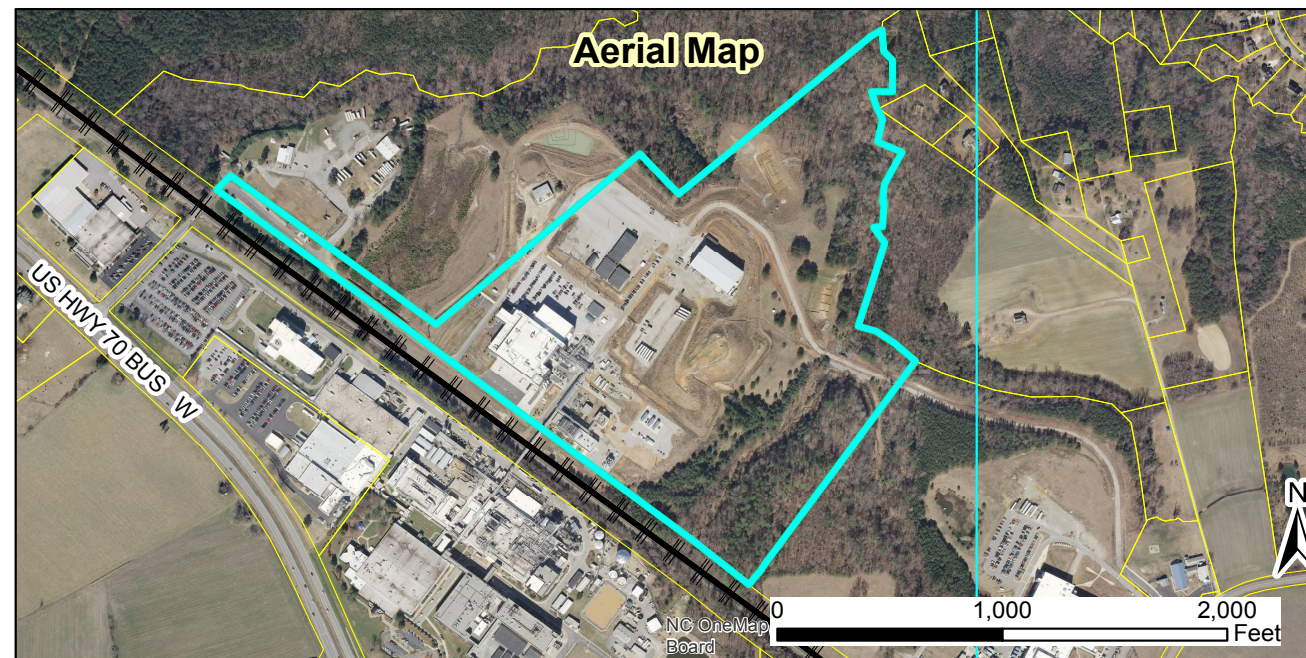
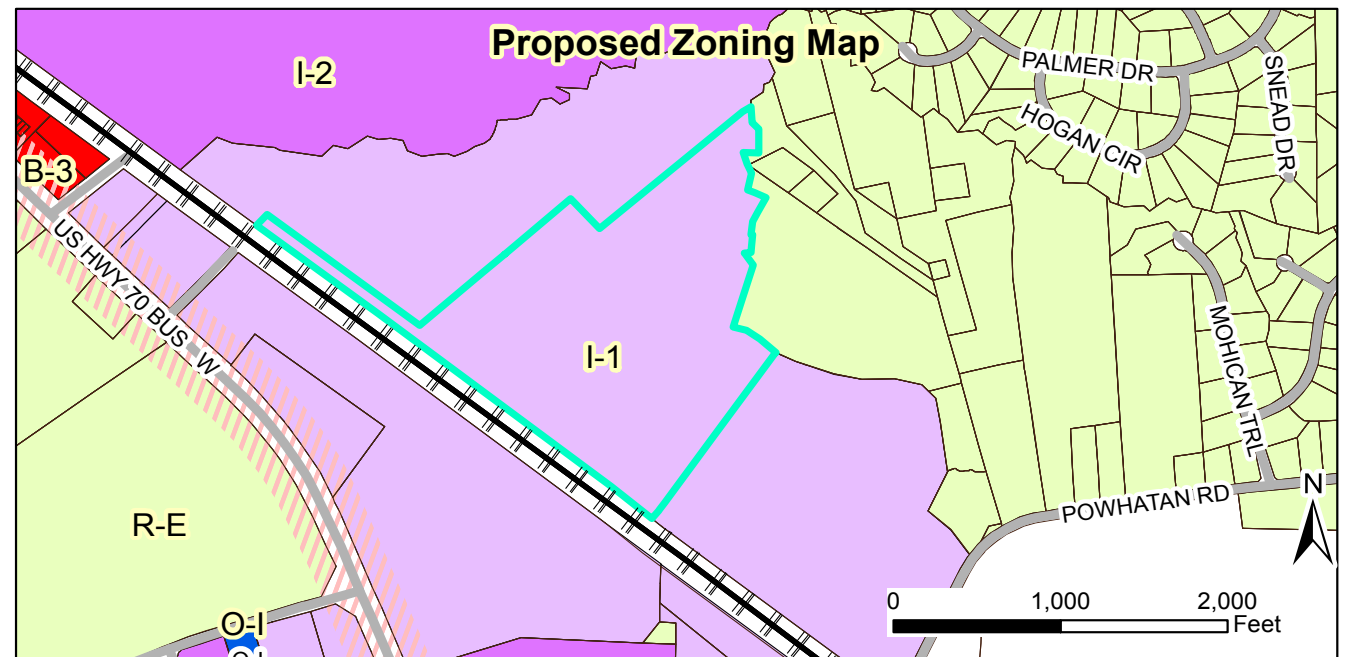
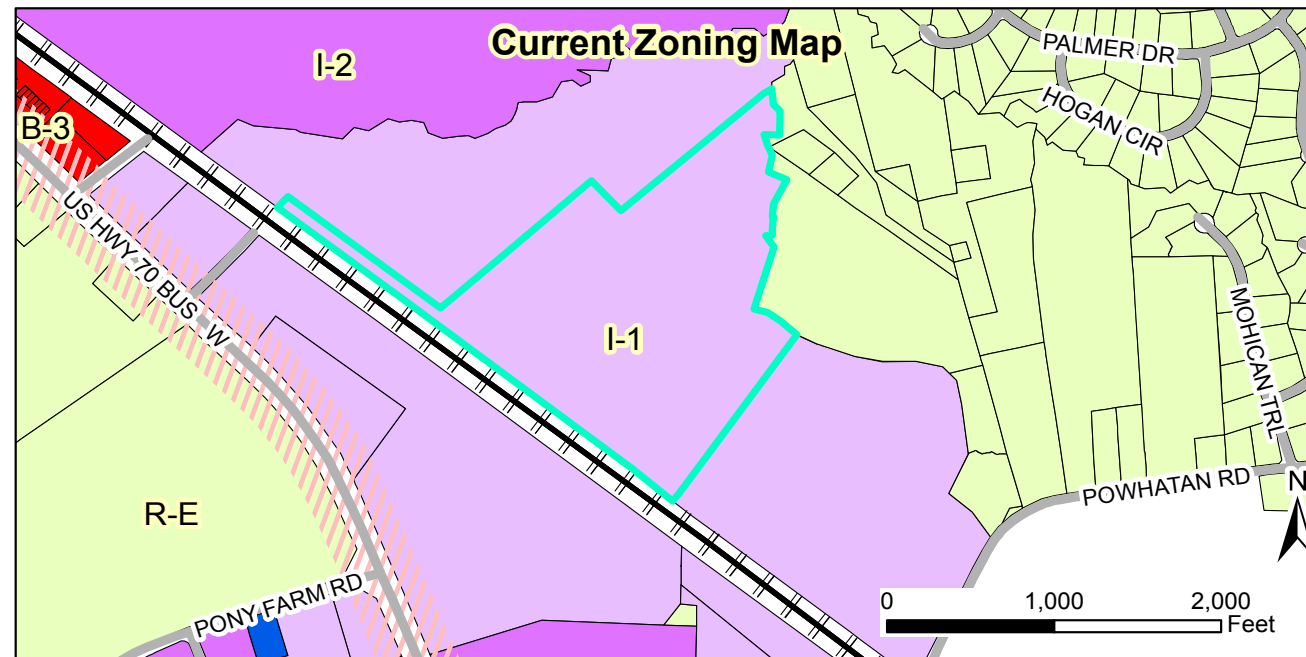
This is an open meeting and the public is invited to attend.

Haley Hogg, Planner
919-553-5002

The Clayton News Star

Please advertise on the following dates:
Wednesday, October 26, 2016
Wednesday, November 2, 2016

Affidavit of publication required.



2016-180-SUP Grifols D230 Building Height Special Use
Request: To allow maximum height of 69' 6" for D230 building
2016-181-SP Grifols D230 Building & Parking Major Site Plan
Request: To develop an 82,551 sq ft production facility, a chiller building, and new parking addition

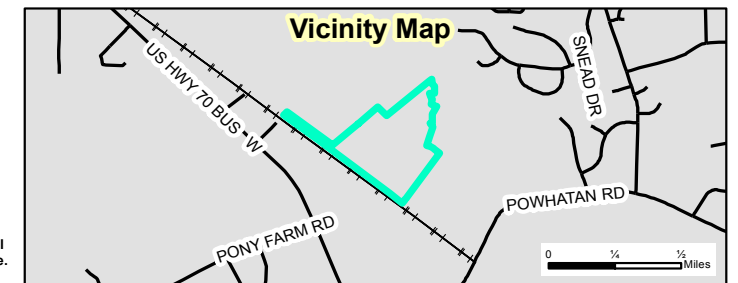
Applicant: Criser Troutman Tanner Consulting Engineers c/o David Criser, P. E.
 Property Grifols Therapeutics, Inc.
 Parcel ID: 167800-32-6472
 Tag #: 05i05001f

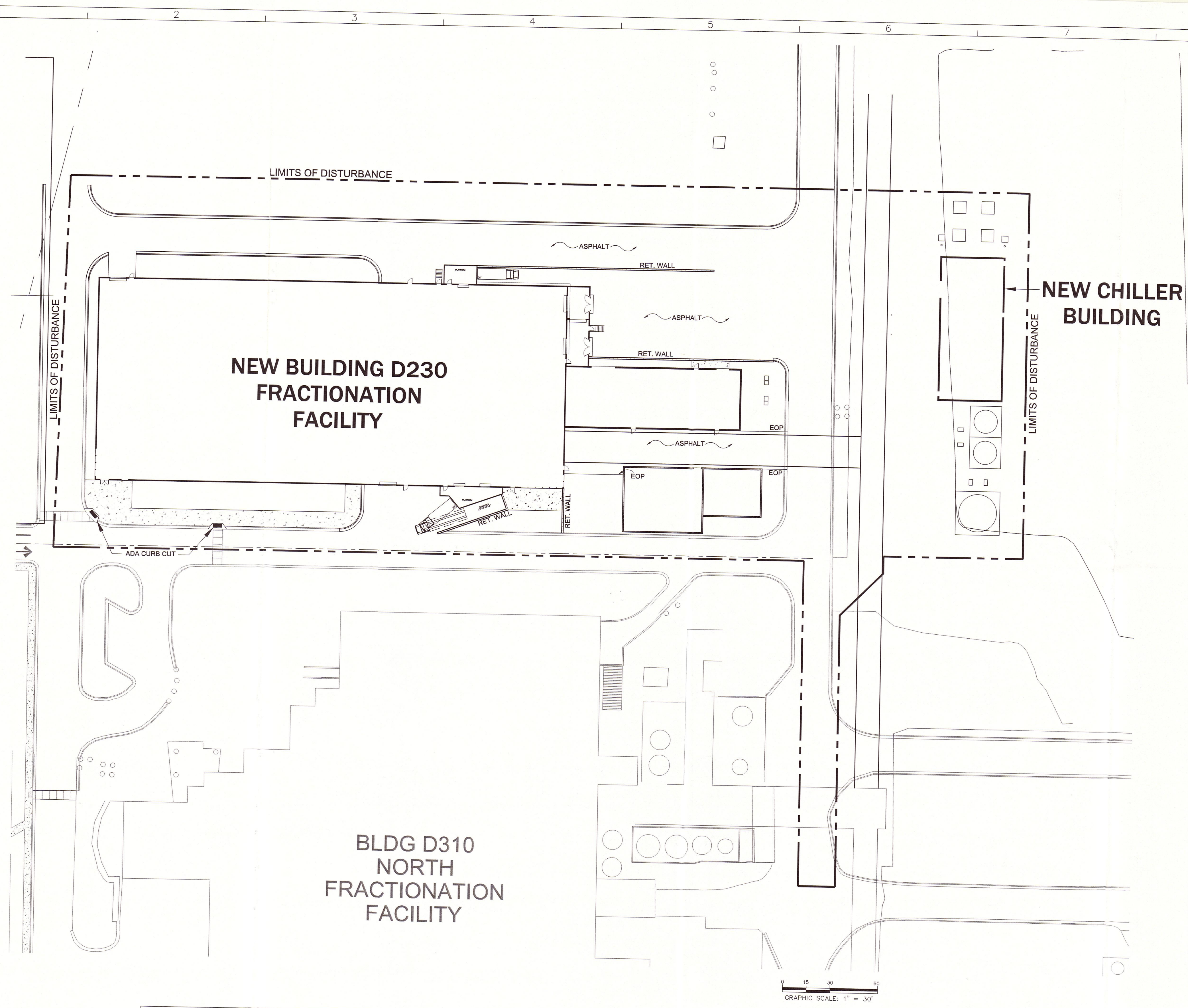


Document Path: O:\PLANNING\SPECIAL USE\2016\2016-180-SUP Grifols - D230 NFB Building\StaffReportMap- 2016-180-SUP Grifols - D230 NFB Building.mxd

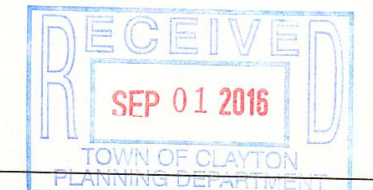
- Site
- Special Use District
- Thorough Fare Overlay
- Scenic Highway Overlay
- Railroads

Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.





SITE PLAN DATA	
NAME OF PROJECT:	GRIFOLS NFB EXPANSION - BUILDING SHELL
PARCEL IDENTIFICATION #:	167800-33-1200 & 167800-32-1371
PROPERTY SIZE:	167800-33-1200: 48.02± ACRES (2,091,581 SF) 167800-33-1371: 69.95± ACRES (3,046,884 SF) TOTAL: 117.97± ACRES (5,138,465 SF)
PROPERTY LOCATION:	8368 US HIGHWAY 70 WEST, CLAYTON, NC (TOWN OF CLAYTON E.T.J.)
EXISTING ZONING DISTRICT:	I-1
OVERLAY:	WATERSHED OVERLAY DISTRICT
EXISTING USE:	MANUFACTURING, GENERAL
PROPOSED USE:	MANUFACTURING, GENERAL
EXISTING INTENSITY:	182,034 SF
PROPOSED INTENSITY:	264,585 SF GROSS (TOTAL ALL FLOORS)
FLOOR AREA RATIO:	BUILDING AREA / SITE AREA = 0.106
BUILDING FOOTPRINT:	94,187 SF
BUILDING COVERAGE:	1.83% OF SITE
PERVIOUS SURFACE AREA:	REFERENCE ORIGINAL NFF SUBMITTAL
IMPERVIOUS SURFACE AREA:	REFERENCE ORIGINAL NFF SUBMITTAL NEW BUILDINGS = 49,100 SF NEW ROADWAYS = 29,300 NEW SIDEWALKS = 2,600
BUILDING HEIGHT:	69'-6"
DISTURBED AREA:	151,067 SF



NOT FOR CONSTRUCTION

CAAIA
Chris Adams, AIA
PO Box 519, 105 Cromartie Rd.
Elizabethtown, NC 28337
919.818.3894

CRISER TROUTMAN TANNER
CONSULTING ENGINEERS
2840 Plaza Place, Suite 103
Raleigh, NC 27612
919.277.0494 Ph.
919.277.0495 Fax
NC FIRM LICENSE NO F-0113
JOB NO. 7759.00

TOWN OF CLAYTON SUBMITTAL				REVISION			
NO.	DATE	BY	APP.	NO.	DATE	BY	APP.
A	8-31-16	-	-				

Electronic Signatures:

GRIFOLS

Project: D230 - FRACTIONATION BUILDING
Building: CIVIL SITE
Func. Type: BUILDING SHELL SITE PLAN
Title 2:
Equip. no.:
Rev. A
Rev. Date: 08-31-16
Status: Name: S20764

CONFIDENTIAL

THIS DOCUMENT IS THE EXCLUSIVE PROPERTY OF GRIFOLS S.A. AND ITS SUBSIDIARIES AND MUST BE RETURNED UPON DEMAND. THE INFORMATION HEREON IS CONFIDENTIAL AND MAY NOT BE USED, REPRODUCED NOR DISCLOSED WITHOUT THE WRITTEN PERMISSION OF GRIFOLS S.A.

CONFIDENTIAL

TOWN OF CLAYTON LANDSCAPE CODE NOTES:

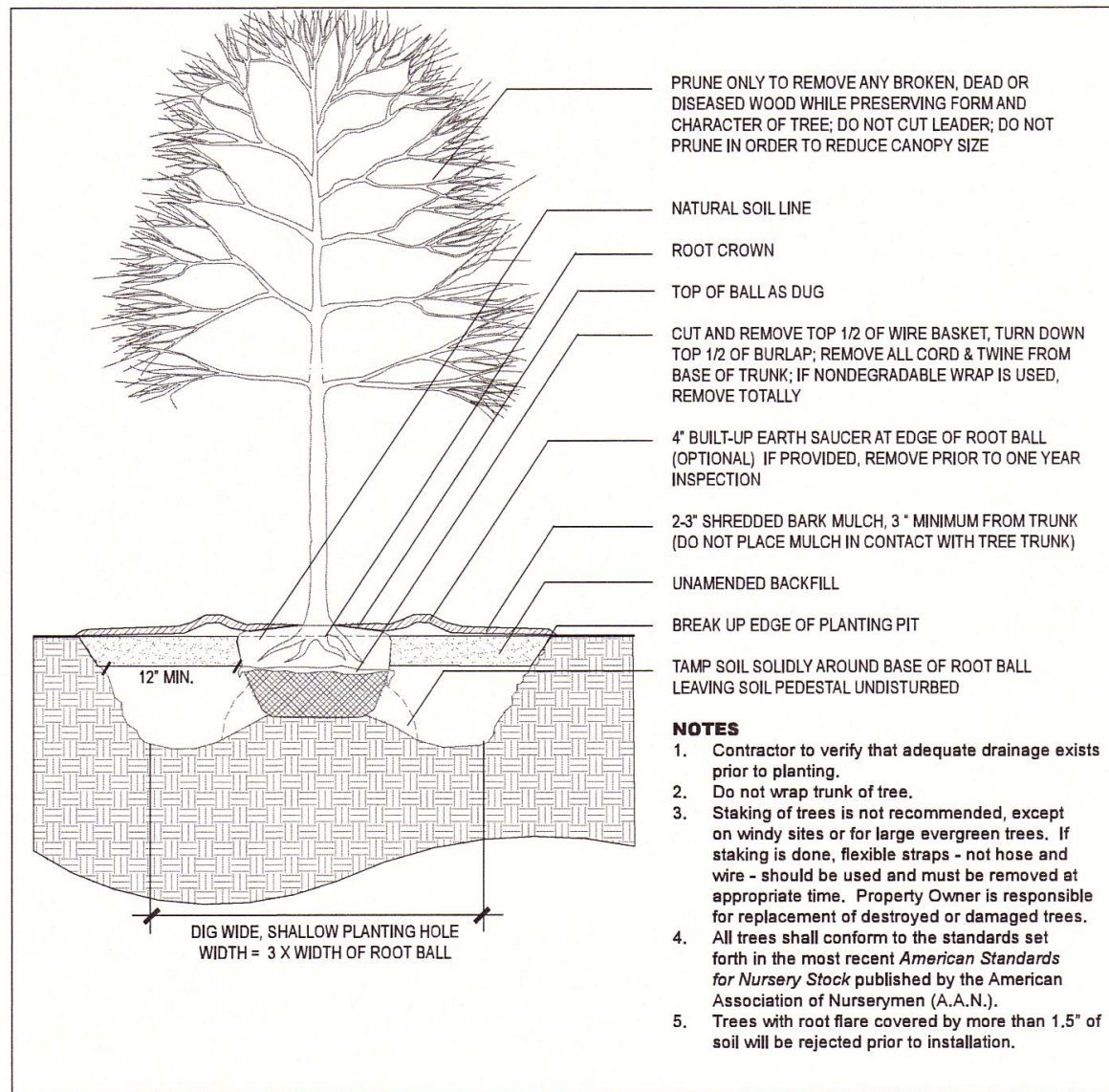
- MINIMUM PLANT SIZE SPECIFICATIONS:
 - Canopy trees shall have a 2.5 inch caliper and be eight feet tall following installation.
 - Understory trees shall have a 2.0 inch caliper and be six feet tall following installation.
 - Shrubs not used for screening shall be a minimum height of 12 inches following installation.
 - Shrubs explicitly used for screening shall be a minimum height of 24 inches following installation.
- SOILS: Planting areas shall have uncompacted coarse loam that is a minimum of 12 inches deep. Soils shall be appreciably free of gravel, stones, rubble or trash. All compacted soil, contaminated soil or road base fill shall be removed.
- ISSUANCE OF CERTIFICATE OF OCCUPANCY: The Code Enforcement Officer may not issue a permanent certificate of occupancy for an approved site plan or part thereof, until all seeding, trees, and plant material have been placed in accordance with the approved site plan and requirements of this section. A temporary certificate of occupancy may be issued for a period of 30 days under circumstances that would affect the seeding and planting of the site, or until the proper planting season is reached to complete the landscaping requirements, and may be extended up to 90 days upon request to the Code Enforcement Officer.
- Requirements for maintaining planted areas:
 - Responsibility: The responsibility for maintenance of a planted area shall remain with the owner, his or her successors, heirs, assignees or any consenting grantee. Maintenance is required in order to ensure the proper functioning of a planted area.
 - Maintenance: All plantings shall be maintained in an attractive and healthy condition. Maintenance shall include, but not be limited to, watering, mulching, fertilizing and pest management, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
- NECESSARY PRUNING AND TRIMMING shall be in accordance with the American National Standards for Tree Care Operations: Tree Shrub and Other Woody Plant Maintenance - Standards Practices (Pruning), and shall not be interpreted to include topping of trees through removal of crown material or the central leader, or any other similarly severe procedures such as lollipopping or meatballing that cause irreparable harm to the natural form of the tree, except where such procedures are necessary to maintain public overhead utilities. Any such activity shall be a violation of this chapter. Additional plant material shall be required to replace or supplement the damaged plant material.
- DEAD OR DISEASED PLANTINGS shall be removed. Replacement plantings shall be provided for any required plants which die or are removed for any reason and shall meet all minimum standards and conform to these regulations.
- FAILURE TO MAINTAIN: In the event that any owner of a planted area fails to maintain the planted area according to the standards of this section, the Town shall have the right to recover the cost of enforcement, including reasonable attorney fees. The Town may also, following reasonable notice and a demand that deficiency of maintenance be corrected, enter the planted area to take maintenance action. The cost of such maintenance shall be charged to the party having the primary responsibility for maintenance of the planted area.

PLANT MATERIAL LIST

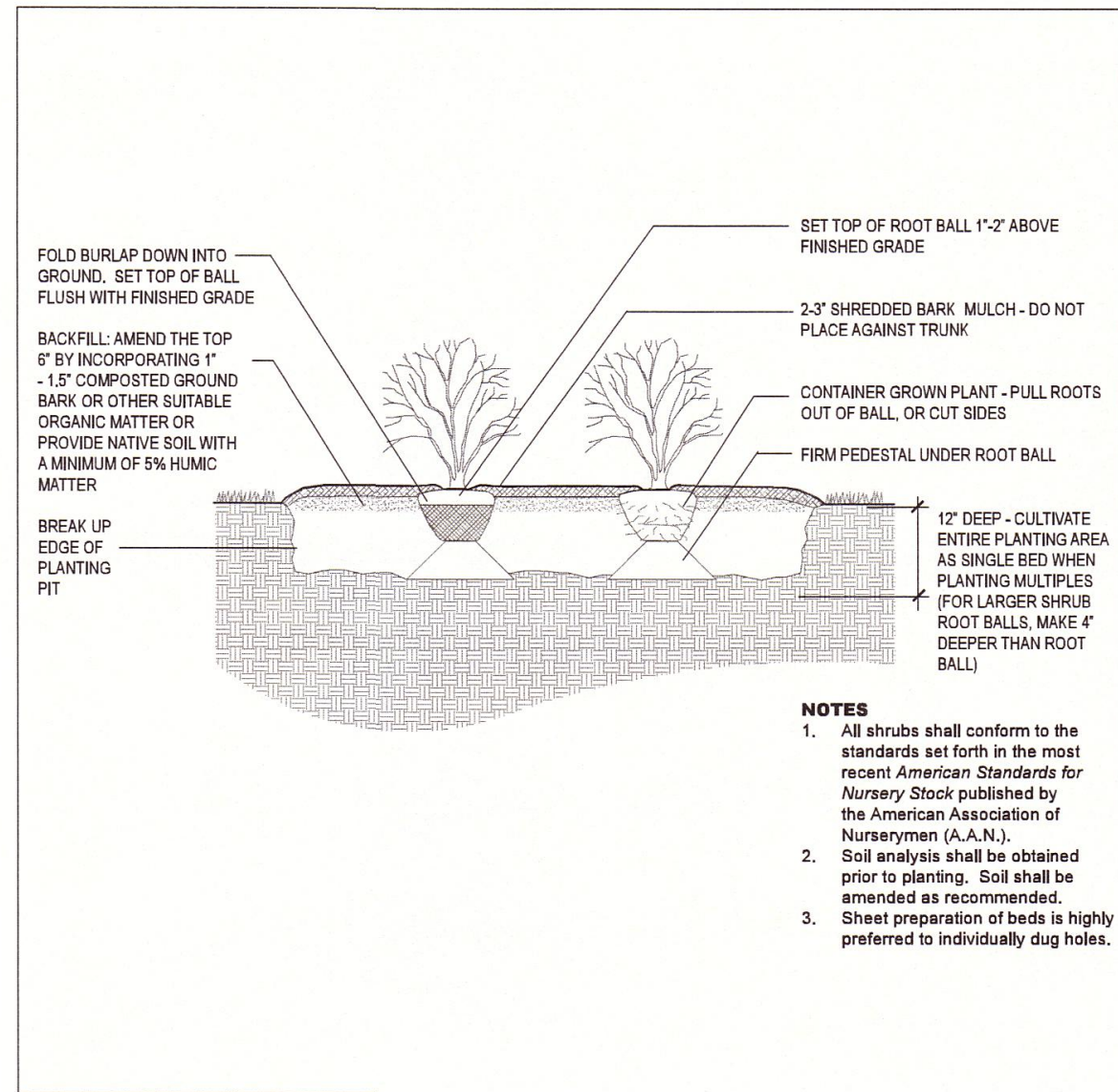
QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	COMMENTS
CANOPY & UNDERSTORY TREES:					
9	QUERCUS SHUMARDII	SHUMARD OAK	2.5" CAL. 8' MIN. HT.	B-B	SPECIMEN
6	CERIS CANADENSIS	REDBUD	2.5" CAL. 8' MIN. HT.	B-B	SPECIMEN
26	ILEX X NELLIE STEVENS	NELLIE STEVENS HOLLY	8' MIN. HT.	B-B	SPECIMEN
SHRUBS:					
16	ILEX GLABRA 'SHAMROCK'	INKBERRY HOLLY	24" MIN. HT.	CONT.	
30	ILEX CORNUTA 'BURFORDII NANA'	DWARF BURFORD HOLLY	24" MIN. HT.	CONT.	
16	ILEX CRENATA HOLLY 'HELLERI'	JAP. HELLERI HOLLY	18" MIN. HT.	CONT.	
36	PERNETTUM ALPICOLLOIDES 'CAISSAN'	DWARF FOUNTAIN GRASS	12" MIN. HT.	CONT.	
800 SF	LIRIOPE MUSCARI 'BIG BLUE'	BIG BLUE LIRIOPE	12" MIN. HT.	CONT.	24" O.C.

GENERAL LANDSCAPE NOTES:

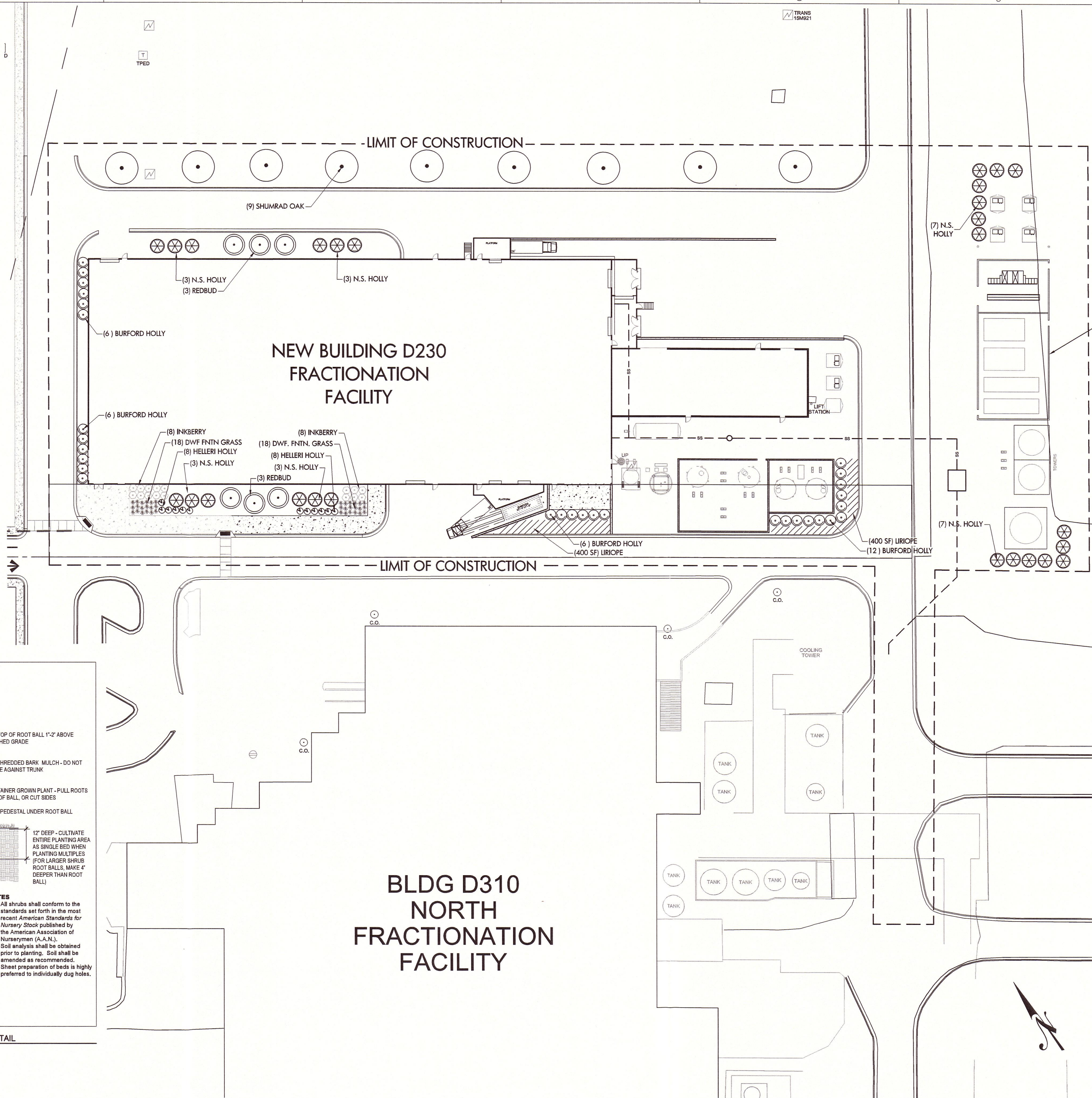
- All landscaping shall conform to the standards set forth by the Town of Clayton Code of Ordinances.
- The standards for all plant material, including the minimum height, root ball size, number of branches and width shall conform to the American Standard for Nursery Stock (ANSI Z60.1), 2014 addition by Americanhort, for the type specified.
- Soil preparation for landscape beds must include the addition of organic amendments tilled to a depth of 8 to 12 inches.
- All landscape beds to be mulched with 3" double-shredded hardwood mulch.
- Landscaping may not obstruct the view of materials using any street, driveway, or parking aisle.
- Plant symbols override plant counts, should there be a discrepancy.
- All disturbed areas that are not in a landscape area or in a landscape bed, to be Tifway Bermuda sod or seed.
- Ensure there are no conflicts with proposed trees and light poles, by maintaining a minimum 20' of separation.



1 TYPICAL TREE PLANTING DETAIL
L-300 NTS



2 TYPICAL SHRUB, GROUND COVER, PERENNIAL PLANTING DETAIL
L-300 NTS



BLDG D310
NORTH
FRACTIONATION
FACILITY

Electronic Signatures:

Issued for Permits

CCR no.:

GRIFOLS

DCR no.:

Project: D230 - FRACTIONATION BUILDING
Building: D230 - FRACTIONATION BUILDING
Func. Type: BUILDING- LANDSCAPE PLAN
Title 2:
Equip. no.:

Rev. Date: 08-31-16
Status: ISSUED FOR PERMITS
Name: S20760

CONFIDENTIAL

THIS DOCUMENT IS THE EXCLUSIVE PROPERTY OF GRIFOLS S.A. AND ITS SUBSIDIARIES AND MUST BE RETURNED UPON DEMAND. THE INFORMATION HEREON IS PROPRIETARY. IT MAY NOT BE USED, REPRODUCED, OR DISCLOSED WITHOUT THE WRITTEN PERMISSION OF GRIFOLS S.A.

CONFIDENTIAL

**TOWN OF CLAYTON
PLANNING BOARD WRITTEN DECISION
MAJOR SITE PLAN:**

**Grifols – D230 NFB Building
2016-181-SP**

On October 24, 2016 the Planning Board heard the above-referenced request and made the following vote:

☒ approve the request with conditions;

☐ approve the request with the following modified or added conditions:

☐ deny the request.

Decision(s) made this 24 day of October 2016 while in regular session.

Signed:



Frank Price, Planning Board Chair

**Town of Clayton
Town Council
SUP Motion Sheet**

After considering the competent, material, and substantial evidence presented, including the application and materials of record, I move to (PICK ONE):

- ☐ Approve
- ☐ Deny
- ☐ Approve with Conditions

SUP Application **#2016-180-SUP**

This motion is based on the following findings:

1. The application **will not** materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved.

OR

The application **will** materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved. (State evidence supporting finding.)

2. The application **meets all** required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances, or other applicable regulations.

OR

The application **does not meet all** required specifications and **does not** conform to the standards and practices of sound land use planning and the Town Code of Ordinances, or other applicable regulations. (State evidence supporting finding.)

Motion Form
#2016-180-SUP
Grifol's D-230 NFB Building

3. The application **will not** substantially injure the value of adjoining or abutting property, and **will not** be detrimental to the use or development of adjacent properties or other neighborhood uses.

OR

The application **will** substantially injure the value of adjoining or abutting property, and **will** be detrimental to the use or development of adjacent properties or other neighborhood uses. (State evidence supporting finding).

4. The application **will not** adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

OR

The application **will** adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties. (State evidence supporting finding.)

[If approved with conditions] The applicant meets the above findings subject to the following conditions:

Motion Form
#2016-180-SUP
Grifol's D-230 NFB Building

**TOWN OF CLAYTON
SPECIAL USE PERMIT
#2016-180-SUP
GRANTED**

On the date listed below, the Town Council for the Town of Clayton met and held an evidentiary hearing to consider the following application:

Applicant:	Criser Troutman Tanner Consulting <i>(for Grifols)</i>
Property Owner:	Grifol Therapeutics, Inc.
Property Location:	8368 W. US 70 Business, Clayton, NC 27520
Brief Property Description:	D230 NFB Building
Tax Parcel Number:	05105001F
Proposed Use of Property:	Industrial – To Allow Maximum Building Height of 71’6”
Hearing Date:	November 7 2016

Having heard all the evidence and argument presented at the hearing, the Town Council makes the following findings:

(1) That the application will not materially endanger the public health or safety if located where proposed, and developed according to the plans as submitted and approved.

(2) That the application meets all required specifications and conforms to the standards and practices of sound land use planning and the Town Code of Ordinances, or other applicable regulations.

(3) That the application will not substantially injure the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.

(4) That the application will not adversely affect the adopted plans and policies of the Town, or violate the character of existing standards for development of the adjacent properties.

The Town Council also finds the Special Use Permit is subject to the following conditions:

1. The maximum building height of 71'6" shall be limited to the D230 Fractionation Facility only.

TOWN OF CLAYTON

BY: _____
Jody McLeod
Mayor

DATE: _____ [Note:
within 14 days of decision per Code Section
155.702(G)]

ATTEST:

_____(SEAL)
Town Clerk



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

PETITION FOR VOLUNTARY ANNEXATION

VOLUNTARY ANNEXATION: Upon receipt of a valid petition signed by all of the owners of real property in the area described therein, the Town may annex an area either contiguous or not contiguous to its primary corporate limits when the area meets the standards set out under North Carolina General Statutes 160A-31 and 160A-58.1.

Applications are due by 5pm on the first working day of each month.

Request Information

☒ **Contiguous Annexation**

☐ **Non-Contiguous Annexation**

The following items must accompany an annexation petition:

To be completed by the applicant:	Included?	
	Yes	No
1. Petition for Annexation with original signatures	☒	☐
2. A boundary plat of the area to be annexed meeting requirements of the Plat Checklist (included in this application packet).	☒	☐
3. Legal Description (metes and bounds)	☒	☐

PROCESS:

Review by Staff: The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant.

Annexation Plat Submission: After the map and legal description are deemed sufficient by the Town, the applicant is required to submit two (2) Mylar annexation plats to the Planning Department.

Town Council Meeting: The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved.

Legal Advertisement: A legal advertisement will be published no more than 25 days and no less than 10 days prior to the date of the public hearing.

Public Hearing/Town Council Meeting: The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Clayton.

Recordation: If the annexation is approved by the Town Council, the Annexation Plats shall be recorded at the appropriate county Register of Deeds.

Petition for Voluntary Annexation Application – Property Information
COMPLETE IF PROPERTY IS OWNED BY INDIVIDUAL (S)

Submittal Date: 9-23-2016

Petition No.: 2016-198

To the Town Council of the Town of Clayton, North Carolina:

1. I/We the undersigned owner(s)* of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Clayton, North Carolina.

*If the owner of real property is a corporation or religious entity, attach a copy of the articles of incorporation describing who is/are authorized to sign with the petition.

2. The area to be annexed is ☒ contiguous, ☐ non-contiguous to the Town of Clayton, North Carolina and the boundaries of such territory are as provided in the boundary plat attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.
4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

Total acreage to be annexed:	<u>20.1506</u>
Existing housing units:	<u>0</u>
Population of acreage to be annexed:	<u>0</u>
Existing Zoning District*:	<u>PD-MU</u>
Proposed Town Zoning District*:	<u>N/A</u>
Reason for petitioner to annex:	☒ Receive Town Services
	☐ Other (please specify): _____

5. I/We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

The River at Glen Laurel, LLC
Please Print

Eric Brownlee manager
Please Print

Signature

Eric Brownlee
Signature

**STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON**

Sworn and subscribed before me, Eric Brownlee, a Notary Public for the above State and County, this 15th day of September, 2016.



Anita C. Mitchell
Notary Public

My Commission Expires: 8-8-2019

Voluntary Annexation Plat Checklist

#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and bounds.
3.	Accurate locations and descriptions of all monuments, markers and control points.
4.	Ultimate right-of-way widths on all streets.
5.	Entitle "ANNEXATION MAP FOR THE TOWN OF CLAYTON" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON," as appropriate.
6.	Name of property owner(s).
7.	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8.	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 of NAD 27) or deed; graphic scale; and declination.
9.	Names of the township, county, and state.
10.	A detailed vicinity map.
11.	Include address of property if assigned.
12.	Show all contiguous or non-contiguous town limits.
13.	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation # _____ I, David DeYoung, AICP, Planning Director, Clayton, North Carolina certify this is a true and exact map of annexation adopted the _____ day of _____, _____, by the Town Council. I set my hand and seal to the Town of Clayton, _____. Day/Month/Year _____ David DeYoung AICP
14.	Leave 2 inch by 2 inch space for the county Register of Deeds stamp on the plat. All final plats must be stamped and signed before they can be accepted by the Town.

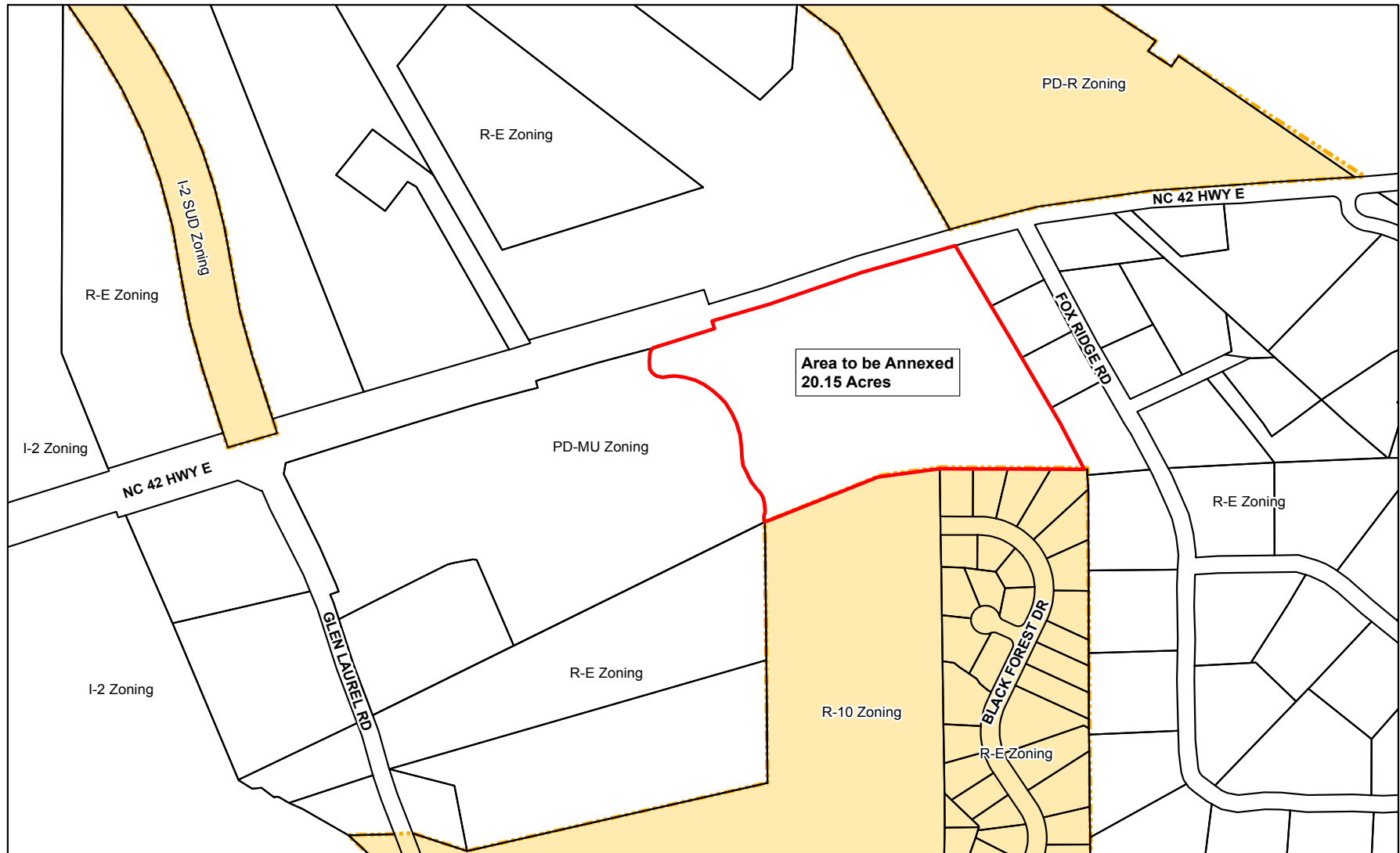
LEGAL DESCRIPTION FOR ANNEXATION OF

LOT 1 – PROPERTY OF

THE PINES AT GLEN LAUREL, LLC

Commencing at an existing r/w monument where the southern right-of-way of N. C. Highway 42, a variable public right-of-way, intersects the eastern right-of-way of Glen Laurel Road, S.R. 1902, a variable public right-of-way, as shown on a map entitled 'Boundary/Topographic Survey, Property of James B. Hunt, Jr.' prepared by Bass, Nixon & Kennedy, Inc. and dated October 19, 2014; thence continuing with the said southern right-of-way of N. C. Highway 42, N 72°19'01"E, 508.58 feet to an existing r/w monument on a curve having a radius of 10,976.87 feet; thence with said curve as it turns to the right an arc length of 398.23 feet and having a chord bearing of N 73°52'35"E and a chord distance of 398.21 feet to an existing r/w monument; thence N 14°29'24"W, 25.01 feet to an existing r/w monument on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 259.23 feet and having a chord bearing of N 74°33'35"E and a chord distance of 259.22 feet to the Point and Place of BEGINNING, said point being on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 153.72 feet and having a chord bearing of N 73°04'18"E and a chord distance of 153.72 to an existing r/w monument; thence continuing with the said southern r/w of N.C. Highway 42, N 72°18'22"E, 228.61 feet to an existing r/w monument; thence N 17° 45'11"W, 30.00 feet to an existing r/w monument; thence N 72°04'24"E, 314.01 feet to a point on a curve having a radius of 56,177.56 feet; thence with said curve as it turns to the right an arc length of 586.17 feet and having a chord bearing of N 72°34'26"E and a chord distance of 586.16 feet to an iron pipe set being the northwest corner of the property of Earl Stevenson Wilson & Marjorie Wilson as referenced in Deed Book 1002, Page 134 and recorded in the Johnston County Registry; thence leaving the said r/w of N. C. Hwy 42 and with the common line of the said Wilson property, S 28°38'24"E, 892.04 feet to an existing concrete monument being the northeast corner of the property of Venable Babcock Burwell, Jr. as referenced in Deed Book 2666, Page 414 and recorded in the Johnston County Registry; thence with the common line of the said Burwell, Jr. property, N 89°47'19"W, 708.04 feet to an existing iron pipe being a common corner with the property of the Town of Clayton as referenced in Plat Book 35, Page 393 and recorded in the Johnston County Registry; thence continuing with the said Town of Clayton line, S 61°25'10"W, 451.52 feet to an existing iron pipe, said pipe being the northeast corner of the property of Shirley Smith Bullock, as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry; thence continuing with the said Bullock property line, S 63°35'01"W, 57.34 feet to a point; thence leaving the said Bullock property line, N 26°24'59"W, 41.00 feet to a point on a curve having a radius of 224.00 feet; thence with the said curve as it turns to the left an arc length of 83.80 feet and having a chord bearing of N 37°08'00"W and a chord distance of 83.31 feet to a point on a curve having a radius of 314.39 feet; thence with the said curve as it turns to the right an arc length of 190.88 feet and having a chord bearing of N 30°27'23"W and a chord distance of 187.96 feet to a point on a curve having a radius of 315.09 feet; thence with the said curve as it turns to the left an arc length of 388.57 feet and having a chord bearing of N 48°23'29"W and a chord distance of 364.42 feet to a

point on a curve having a radius of 65.88 feet; thence with the said curve as it turns to the right an arc length of 132.18 feet and having a chord bearing of N 26°14'34"W and a chord distance of 111.10 feet to the Point and Place of BEGINNING and containing 20.1506 acres.



Legend

- Clayton Town Limits
- Parcels
- Area to be Annexed

Produced by: TOC Planning
September 23, 2016

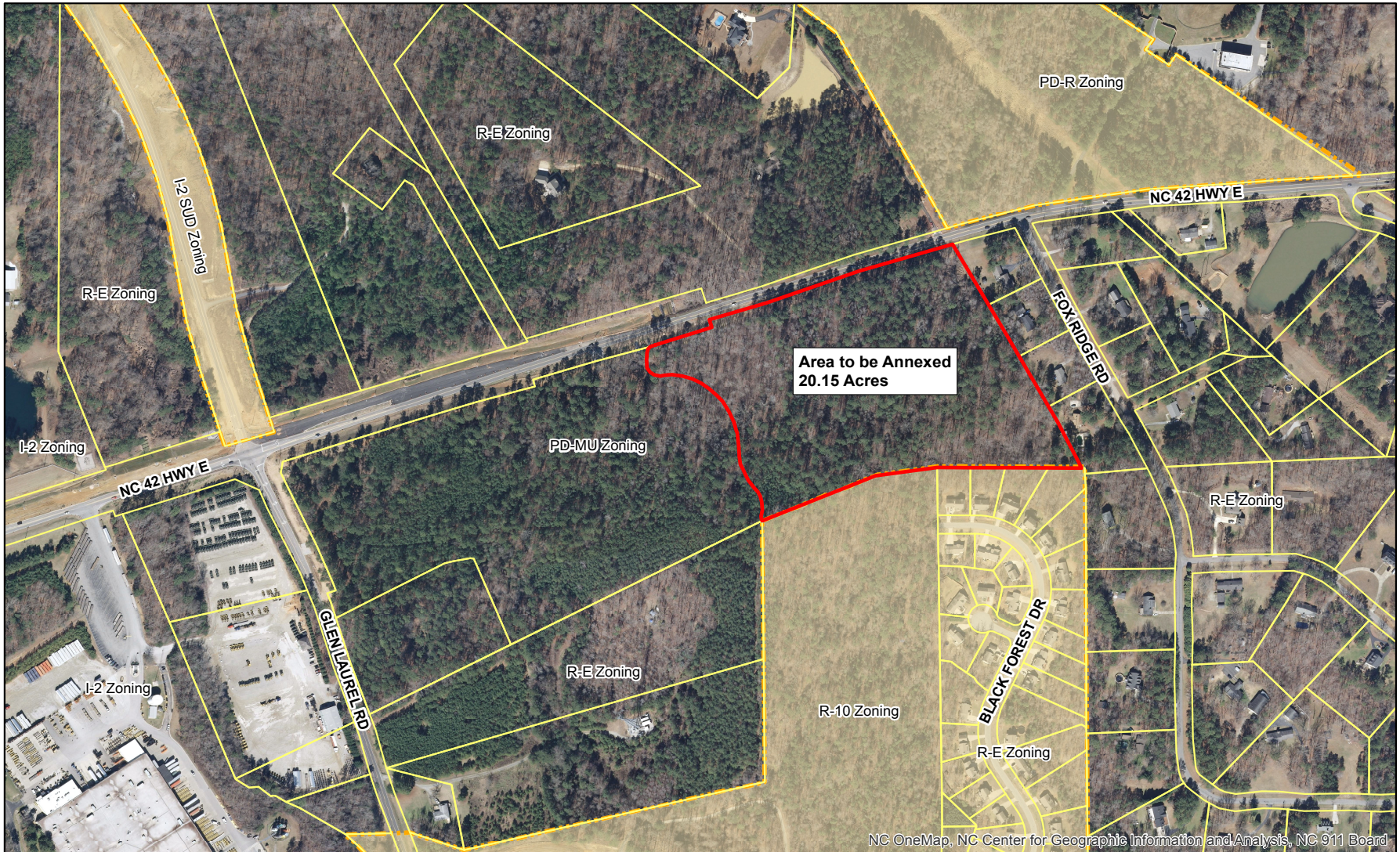
Annexation Map

Applicant(s): The Pines at Glen Laurel, LLC c/o Brantley Tillman
Property Owner(s): The Pines at Glen Laurel, LLC
Parcel Number(s) Portion of 05I04003
File Number(s): 2016-198 ANX The Pines at Glen Laurel
Lot 1 PB 83 Pg. 369

N
W E
S
1 inch = 450 feet



Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



Legend

- Area to be Annexed
- Clayton Town Limits
- Parcels

Produced by: TOC Planning
September 23, 2016

Annexation Map

Applicant(s): The Pines at Glen Laurel, LLC c/o Brantley Tillman
Property Owner(s): The Pines at Glen Laurel, LLC
Parcel Number(s) Portion of 05104003
File Number(s): 2016-198 ANX The Pines at Glen Laurel
Lot 1 PB 83 Pg. 369



1 inch = 450 feet



Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

Filed in JOHNSTON COUNTY, NC CRAIG OLIVE, Register of Deeds Filed 09/21/2016 03:21:59 PM
DEED BOOK: 4835 PAGE: 313-315 INSTRUMENT # 2016503856
Real Estate Excise Tax: \$544.00 Deputy/Assistant Register of Deeds: Donna Carter

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Taxes Due: \$544.00

Drafted by: R. W. Harrison, Jr., Narron & Holdford, P.A., P. O. Drawer 279, Wilson, NC 27894-0279
Return to: Weatherspoon & Voltz LLP, 3605 Glenwood Ave., Ste. 480, Raleigh, NC 27612

State of North Carolina Out of PIN: 167800-29-8988
County of Johnston

THIS DEED made this 19th day of September, 2016, by JAMES B. HUNT, JR. and wife, CAROLYN L. HUNT, of 6653-D Governor Hunt Road, Lucama, NC 27851; and ROBERT BRAME HUNT and wife, MARGARET H. HUNT, of 1441 NC 42 East, Clayton, NC 27527, the GRANTORS, to THE PINES AT GLEN LAUREL, LLC, a North Carolina limited liability company, the GRANTEE, whose mailing address is c/o Commercial Properties, Inc. of Raleigh, 1004 Wake Forest Road, Raleigh, NC 27604, Attn: C. Brantley Tillman, Jr.

The property described herein is not the principal residence of the GRANTORS.

W I T N E S S E T H:

In consideration of Ten Dollars (\$10.00) and other valuable consideration paid to the GRANTORS by the GRANTEES, the receipt of which is hereby acknowledged, the GRANTORS have bargained and sold, and by these presents do hereby bargain, sell and convey to the GRANTEE, its successors and assigns, that certain tract or parcel of land both lying and being situate in Clayton Township, JOHNSTON COUNTY, North Carolina, and more particularly described as follows:

Fronting on NC Highway 42 East and being that 20.1506 acre tract designated as Lot 1 on the map of the James B. Hunt, Jr. and Robert Brame Hunt property recorded in Plat Book 83, Page 369 of the Johnston County Registry and reference is hereby made to said map for a more particular description. This being a portion of the 45.75 acre tract located at the Southeast corner of Highway 42 and Glen Laurel Road and having a Johnston County Parcel ID No. of 05104003 and a postal enumeration of 1430 NC Highway 42, Clayton, NC. This being a portion of the property conveyed by Deed recorded in Book 509, Page 31 of the Johnston County Registry.

WARWHHUNT,THE PINES AT GLEN LAUREL-DEED.DOC (9/19/16)

TO HAVE AND TO HOLD the above lands and all privileges and appurtenances thereto belonging to the GRANTEE and its successors and assigns in fee simple forever.

SUBJECT, HOWEVER, to the right-of-way of the adjacent road, such easements and permits of record and any utilities over, under or across the property which may or may not be of record.

The GRANTORS, for themselves, their heirs and assigns, covenant to and with the GRANTEE, its successors and assigns, that they are seized of the said premises in fee and have full right to convey the same in fee simple; that there are no encumbrances other than those referred to hereinabove and that they do warrant and will forever defend the title to the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said GRANTORS have hereunto set their hands the day and year first above written.

 (SEAL)
JAMES B. HUNT, JR., Grantor

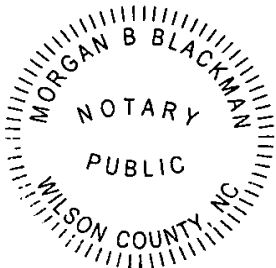
 (SEAL)
CAROLYN L. HUNT, Grantor

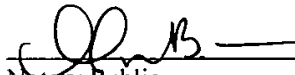
NORTH CAROLINA

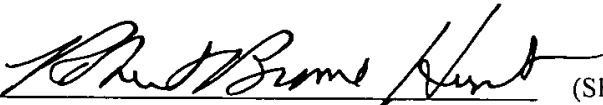
WILSON COUNTY

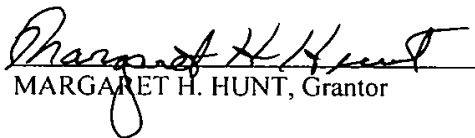
I, Morgan B. Blackman, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me JAMES B. HUNT, JR. and wife, CAROLYN L. HUNT, and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 20th day of September, 2016.




Notary Public
Printed Name: Morgan B. Blackman
My Commission Expires: April 20th, 2017


ROBERT BRAME HUNT, Grantor (SEAL)

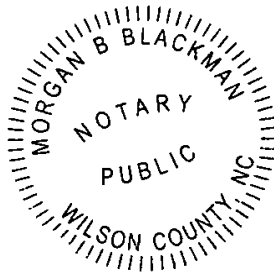

MARGARET H. HUNT, Grantor (SEAL)

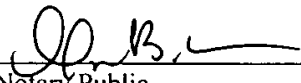
NORTH CAROLINA

WILSON COUNTY

I, Morgan B. Blackman, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me ROBERT BRAME HUNT and wife, MARGARET H. HUNT, and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 20th day of September, 2016.




Notary Public
Printed Name: Morgan B. Blackman
My Commission Expires: April 20th, 2017

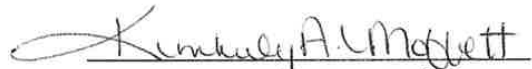
ANNEXATION PETITION2016-198-ANX
The Pines at Glen Laurel Lot 1
Parcel Portion of 05104003
Owners: The Pines at Glen Laurel, LLC
Contiguous; 20.15 acres

CERTIFICATE OF SUFFICIENCY

To the Town Council of the Town of Clayton, North Carolina:

I, Kimberly A. Moffett, 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-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Clayton, this 17th day of October, 2016.


Kimberly A. Moffett, CMC, NCCMC
Town Clerk



ANNEXATION PETITION 2016-198-ANX
The Pines at Glen Laurel Lot 1 PB 83 Pg. 369
Parcel Portion of 05I04003
Owners: The Pines at Glen Laurel, LLC
Contiguous; 21.15 acres

TOWN OF CLAYTON
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S.160A-31

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Clayton, North Carolina that:

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at Town Hall at 6:30 PM on Monday, November 7, 2016.

Section 2. Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

Commencing at an existing r/w monument where the southern right-of-way of N. C. Highway 42, a variable public right-of-way, intersects the eastern right-of-way of Glen Laurel Road, S.R. 1902, a variable public right-of-way, as shown on a map entitled 'Boundary/Topographic Survey, Property of James B. Hunt, Jr.' prepared by Bass, Nixon & Kennedy, Inc. and dated October 19, 2014; thence continuing with the said southern right-of-way of N. C. Highway 42, N 72°19'01"E, 508.58 feet to an existing r/w monument on a curve having a radius of 10,976.87 feet; thence with said curve as it turns to the right an arc length of 398.23 feet and having a chord bearing of N 73°52'35"E and a chord distance of 398.21 feet to an existing r/w monument; thence N 14°29'24"W, 25.01 feet to an existing r/w monument on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 259.23 feet and having a chord bearing of N 74°33'35"E and a chord distance of 259.22 feet to the Point and Place of BEGINNING, said point being on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 153.72 feet and having a chord bearing of N 73°04'18"E and a chord distance of 153.72 to an existing r/w monument; thence continuing with the said southern r/w of N.C. Highway 42, N 72°18'22"E, 228.61 feet to an existing r/w monument; thence N 17° 45'11"W, 30.00 feet to an existing r/w monument; thence N 72°04'24"E, 314.01 feet to a point on a curve having a radius of 56,177.56 feet; thence with said curve as it turns to the right an arc length of 586.17 feet and having a chord bearing of N 72°34'26"E and a chord distance of 586.16 feet to an iron pipe set

being the northwest corner of the property of Earl Stevenson Wilson & Marjorie Wilson as referenced in Deed Book 1002, Page 134 and recorded in the Johnston County Registry; thence leaving the said r/w of N. C. Hwy 42 and with the common line of the said Wilson property, S 28°38'24"E, 892.04 feet to an existing concrete monument being the northeast corner of the property of Venable Babcock Burwell, Jr. as referenced in Deed Book 2666, Page 414 and recorded in the Johnston County Registry; thence with the common line of the said Burwell, Jr. property, N 89°47'19"W, 708.04 feet to an existing iron pipe being a common corner with the property of the Town of Clayton as referenced in Plat Book 35, Page 393 and recorded in the Johnston County Registry; thence continuing with the said Town of Clayton line, S 61°25'10"W, 451.52 feet to an existing iron pipe, said pipe being the northeast corner of the property of Shirley Smith Bullock, as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry; thence continuing with the said Bullock property line, S 63°35'01"W, 57.34 feet to a point; thence leaving the said Bullock property line, N 26°24'59"W, 41.00 feet to a point on a curve having a radius of 224.00 feet; thence with the said curve as it turns to the left an arc length of 83.80 feet and having a chord bearing of N 37°08'00"W and a chord distance of 83.31 feet to a point on a curve having a radius of 314.39 feet; thence with the said curve as it turns to the right an arc length of 190.88 feet and having a chord bearing of N 30°27'23"W and a chord distance of 187.96 feet to a point on a curve having a radius of 315.09 feet; thence with the said curve as it turns to the left an arc length of 388.57 feet and having a chord bearing of N 48°23'29"W and a chord distance of 364.42 feet to a point on a curve having a radius of 65.88 feet; thence with the said curve as it turns to the right an arc length of 132.18 feet and having a chord bearing of N 26°14'34"W and a chord distance of 111.10 feet to the Point and Place of BEGINNING and containing 20.1506 acres and being all of Lot 1 according to a plat by Bass, Nixon & Kennedy, INC, entitled "Final Subdivision Plat for James B. Hunt, Jr, & Robert Brame Hunt", dated September 15, 2016 and recorded in Plat Book 83 Page 369, Johnston County Registry.

Section 3. Notice of the public hearing shall be published once in the Clayton News-Star, a newspaper having general circulation in the Town of Clayton, at least ten days prior to the date of the public hearing.

Duly adopted this 17th day of October 2016 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC
Town Clerk

PUBLIC NOTICE

The Clayton Town Council has called a public hearing at 6:30 PM on Monday, November 7, 2016, at Town Hall, 111 E. Second Street, on the question of annexing the following described contiguous area, requested by annexation petition 2016-198-ANX filed pursuant to G.S. 160A-31:

The area proposed for annexation is described as the following: Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

Fronting on NC Highway 42 East and being that 20.1506 acre tract designated as Lot 1 on the map of James B. Hunt, Jr, & Robert Brame Hunt property recorded in Plat Book 83 Page 369 of the Johnston County Registry.

This is an open meeting and the public is invited to attend.

Kimberly A. Moffett, CMC
Town Clerk
Town of Clayton
919-553-5002 ext. 5004

Clayton News-Star

Please advertise on the following date:

October 26, 2016

Affidavit of publication required.

Ordinance #2016-11-03

ANNEXATION PETITION 2016-198-ANX
The Pines at Glen Laurel
Parcel 0514003
Owner: The Pines at Glen Laurel, LLC
Contiguous; 20.1506 acres +/-

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF CLAYTON, NORTH CAROLINA**

WHEREAS, the Town of Clayton has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town of Clayton has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall at 6:30 PM on November 7, 2016, after due notice by publication on October 26, 2016; and

WHEREAS, the Town of Clayton finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Clayton, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Clayton as of November 7, 2016:

Commencing at an existing r/w monument where the southern right-of-way of N. C. Highway 42, a variable public right-of-way, intersects the eastern right-of-way of Glen Laurel Road, S.R. 1902, a variable public right-of-way, as shown on a map entitled 'Boundary/Topographic Survey, Property of James B. Hunt, Jr.' prepared by Bass, Nixon & Kennedy, Inc. and dated October 19, 2014; thence continuing with the said southern right-of-way of N. C. Highway 42, N 72°19'01"E, 508.58 feet to an existing r/w monument on a curve having a radius of 10,976.87 feet; thence with said curve as it turns to the right an arc length of 398.23 feet and having a chord bearing of N 73°52'35"E and a chord distance of 398.21 feet to an existing r/w monument; thence N 14°29'24"W, 25.01 feet to an existing r/w monument on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 259.23 feet and having a chord bearing of N 74°33'35"E and a chord distance of 259.22 feet to the Point and Place of BEGINNING, said point being on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 153.72 feet and having a chord bearing of N 73°04'18"E and a chord distance of 153.72 to an existing r/w monument; thence continuing with the said southern r/w of N.C. Highway 42, N 72°18'22"E, 228.61 feet to an existing r/w monument; thence N 17° 45'11"W, 30.00 feet to an existing r/w monument; thence N 72°04'24"E, 314.01 feet to a point on a curve having a radius of 56,177.56 feet; thence with said curve as it turns to the right an arc length of 586.17 feet and having a chord bearing of N 72°34'26"E and a chord distance of 586.16 feet to an iron pipe set being the northwest corner of the property of Earl Stevenson Wilson & Marjorie Wilson as referenced in Deed Book 1002, Page 134 and recorded in the Johnston County Registry; thence leaving the said r/w of N. C. Hwy 42 and with the common line of the said Wilson property, S 28°38'24"E, 892.04 feet to an existing concrete monument being the northeast corner of the property of Venable Babcock Burwell, Jr. as referenced in Deed Book 2666, Page 414 and recorded in the Johnston County Registry; thence with the common line of the said Burwell, Jr. property, N 89°47'19"W, 708.04 feet to an existing iron pipe being a common corner with the property of the Town of Clayton as referenced in Plat Book 35, Page 393 and recorded in the Johnston County Registry; thence continuing with the said Town of Clayton line, S 61°25'10"W, 451.52 feet to an existing iron pipe, said pipe being the northeast corner of the property of Shirley Smith Bullock, as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry; thence continuing with the said Bullock property line, S 63°35'01"W, 57.34 feet to a point; thence leaving the said Bullock property line, N 26°24'59"W, 41.00 feet to a point on a curve having a radius of 224.00 feet; thence with the said curve as it turns to the left an arc length of 83.80 feet and having a chord bearing of N 37°08'00"W and a chord distance of 83.31 feet to a point on a curve having a radius of 314.39 feet; thence with the said curve as it turns to the

Page 2 of 4

right an arc length of 190.88 feet and having a chord bearing of N 30°27'23"W and a chord distance of 187.96 feet to a point on a curve having a radius of 315.09 feet; thence with the said curve as it turns to the left an arc length of 388.57 feet and having a chord bearing of N 48°23'29"W and a chord distance of 364.42 feet to a point on a curve having a radius of 65.88 feet; thence with the said curve as it turns to the right an arc length of 132.18 feet and having a chord bearing of N 26°14'34"W and a chord distance of 111.10 feet to the Point and Place of BEGINNING and containing 20.1506 acres.

Section 2. Upon and after November 7, 2016, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Clayton and shall be entitled to the same privileges and benefits as other parts of the Town of Clayton. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Clayton shall cause to be recorded in the office of the Register of Deeds of Johnston 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 County Board of Elections, as required by G.S. 163-288.1.

Duly adopted this 7th day of November 2016, while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Kimberly A. Moffett, CMC
Town Clerk

Katherine Ross,
Town Attorney

**NORTH CAROLINA
JOHNSTON COUNTY**

This day of _____, 2016, personally appeared before me
Kimberly A. Moffett, Clerk of the Town of Clayton, who, being duly sworn by me,
says that she knows the common seal of the Town of Clayton and is acquainted
with Jody L. McLeod, who is the Mayor and presiding member of said municipal
corporation; and that she saw the said Mayor sign the foregoing instrument and
saw the said common seal of said municipal corporation affixed to said
instrument by said Mayor, and that she, the said Kimberly A. Moffett, signed her
name in attestation of said instrument in the presence of said Mayor.

Witness my hand and notarial seal, this the day and year first above
written.

(SEAL)

Notary Public - Signature

Notary Public – Printed Name

Commission Expires: _____

County of Commission: _____



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

PETITION FOR VOLUNTARY ANNEXATION

VOLUNTARY ANNEXATION: Upon receipt of a valid petition signed by all of the owners of real property in the area described therein, the Town may annex an area either contiguous or not contiguous to its primary corporate limits when the area meets the standards set out under North Carolina General Statutes 160A-31 and 160A-58.1.

Applications are due by 5pm on the first working day of each month.

Request Information

☒ Contiguous Annexation

☐ Non-Contiguous Annexation

The following items must accompany an annexation petition:

To be completed by the applicant:	Included?	
	Yes	No
1. Petition for Annexation with original signatures	☒	☐
2. A boundary plat of the area to be annexed meeting requirements of the Plat Checklist (included in this application packet).	☒	☐
3. Legal Description (metes and bounds)	☒	☐

PROCESS:

Review by Staff: The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant.

Annexation Plat Submission: After the map and legal description are deemed sufficient by the Town, the applicant is required to submit two (2) Mylar annexation plats to the Planning Department.

Town Council Meeting: The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved.

Legal Advertisement: A legal advertisement will be published no more than 25 days and no less than 10 days prior to the date of the public hearing.

Public Hearing/Town Council Meeting: The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Clayton.

Recordation: If the annexation is approved by the Town Council, the Annexation Plats shall be recorded at the appropriate county Register of Deeds.

Petition for Voluntary Annexation Application – Property Information
COMPLETE IF PROPERTY IS OWNED BY INDIVIDUAL (S)

Submittal Date: 9-23-2016

Petition No.: 2016-199

To the Town Council of the Town of Clayton, North Carolina:

1. I/We the undersigned owner(s)* of real property respectfully request that the area described in Paragraph 2 below be annexed to the Town of Clayton, North Carolina.

*If the owner of real property is a corporation or religious entity, attach a copy of the articles of incorporation describing who is/are authorized to sign with the petition.

2. The area to be annexed is X contiguous, non-contiguous to the Town of Clayton, North Carolina and the boundaries of such territory are as provided in the boundary plat attached hereto.
3. If contiguous, this annexation will include all intervening rights-of-way for streets, railroads, and other areas as stated in G.S. 160A-31(f), unless otherwise stated in the annexation amendment.
4. Attached is a statement of the schedule for full development of the property to be annexed, which includes the type, number, and estimated value of planned improvements, if applicable.

Total acreage to be annexed:	<u>21.3152</u>
Existing housing units:	<u>0</u>
Population of acreage to be annexed:	<u>0</u>
Existing Zoning District*:	<u>PD-MU</u>
Proposed Town Zoning District*:	<u>N/A</u>
Reason for petitioner to annex:	<u>X</u> Receive Town Services
	<u> </u> Other (please specify): <u> </u>

5. I/We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or G.S. 153A-344.1 must be declared and identified on this petition. I/We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

The Shoppers at Glen Lenoir, LLC

Please Print

Signature

Eric Brownlee, manager

Please Print

Eric Brownlee

Signature

**STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON**

Sworn and subscribed before me, Eric Brownlee, a Notary Public for the above State and County, this 15th day of September, 2016.

Anita C. Mitchell

Notary Public

Johnston County, NC

My Commission Expires August 8, 2019

SEAL

Anita C. Mitchell

Notary Public

My Commission Expires: 8-8-2019

Voluntary Annexation Plat Checklist

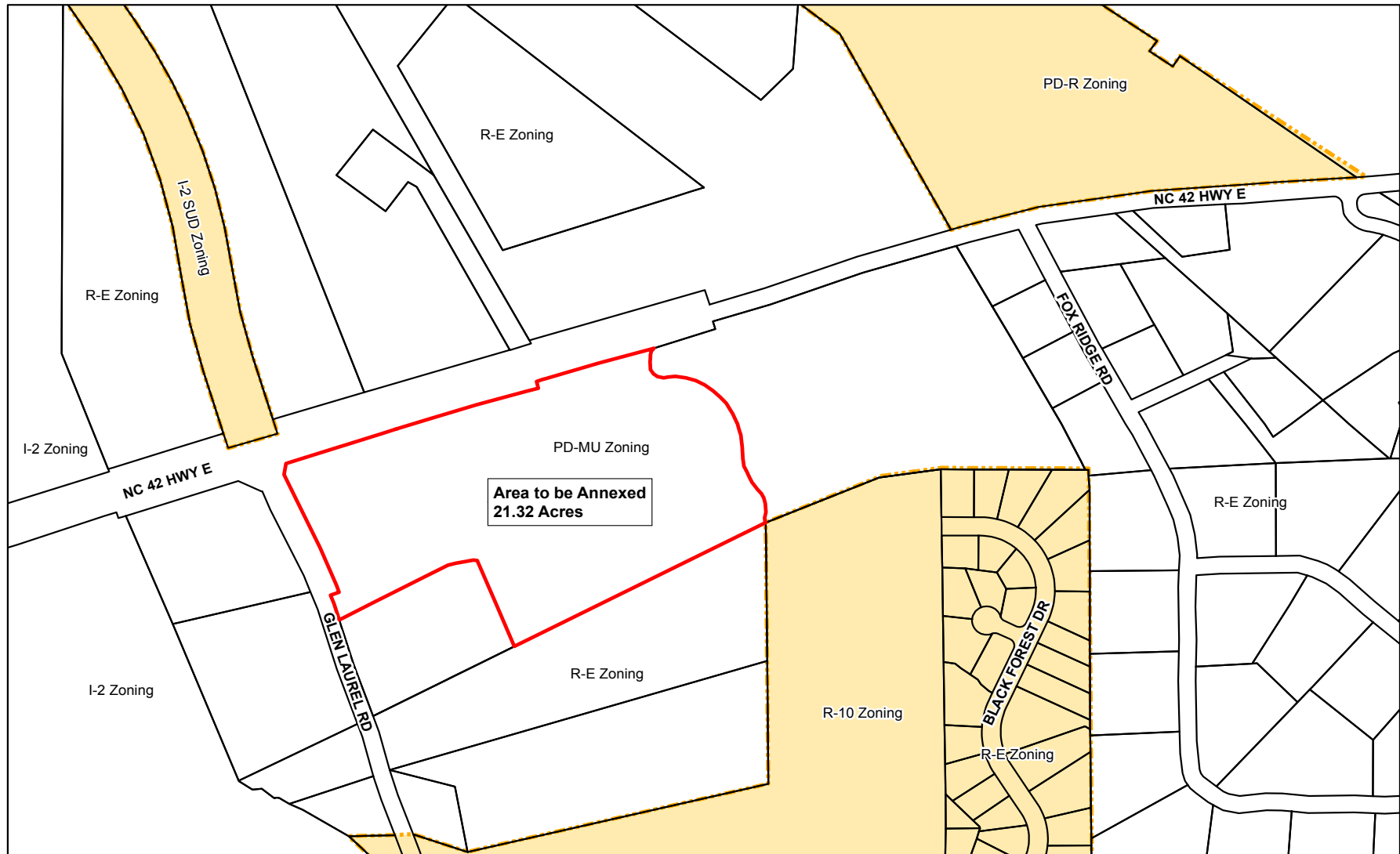
#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and bounds.
3.	Accurate locations and descriptions of all monuments, markers and control points.
4.	Ultimate right-of-way widths on all streets.
5.	Entitle "ANNEXATION MAP FOR THE TOWN OF CLAYTON" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON," as appropriate.
6.	Name of property owner(s).
7.	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8.	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 or NAD 27) or deed; graphic scale; and declination.
9.	Names of the township, county, and state.
10.	A detailed vicinity map.
11.	Include address of property if assigned.
12.	Show all contiguous or non-contiguous town limits.
13.	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation # _____ I, David DeYoung, AICP, Planning Director, Clayton, North Carolina certify this is a true and exact map of annexation adopted the _____ day of _____, _____, by the Town Council. I set my hand and seal to the Town of Clayton, _____. Day/Month/Year _____ David DeYoung AICP
14.	Leave 2 inch by 2 inch space for the county Register of Deeds stamp on the plat. All final plats must be stamped and signed before they can be accepted by the Town.

LEGAL DESCRIPTION FOR ANNEXATION OF

LOT 2 – PROPERTY OF

THE SHOPPES AT GLEN LAUREL, LLC

BEGINNING at an existing r/w monument where the southern right-of-way of N. C. Highway 42, a variable public right-of-way, intersects the eastern right-of-way of Glen Laurel Road, S.R. 1902, a variable public right-of-way, as shown on a map entitled 'Boundary/Topographic Survey, Property of James B. Hunt, Jr.' prepared by Bass, Nixon & Kennedy, Inc. and dated October 19, 2014; thence continuing with the said southern right-of-way of N. C. Highway 42, N 72°19'01"E, 508.58 feet to an existing r/w monument on a curve having a radius of 10,976.87 feet; thence with said curve as it turns to the right an arc length of 398.23 feet and having a chord bearing of N 73°52'35"E and a chord distance of 398.21 feet to an existing right-of-way monument; thence N 14°29'24"W, 25.01 feet to an existing r/w monument on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 259.23 feet and having a chord bearing of N 74°33'35"E and a chord distance of 259.22 feet to a point on a curve having a radius of 65.88 feet; thence leaving the said N.C. Hwy 42 r/w and with the said curve as it turns to the left an arc length of 132.18 feet and having a chord bearing of S 26°14'34"E and a chord distance of 111.10 to a point on a curve having a radius of 315.09 feet; thence with the said curve as it turns to the right, an arc length of 388.57 feet and having a chord bearing of S 48°23'29"E and a chord distance of 364.42 feet to a point on a curve having a radius of 314.39 feet; thence with the said curve as it turns to the left an arc length of 190.88 feet and having a chord bearing of S 30°27'23"E and a chord distance of 187.96 feet to a point on a curve having a radius of 224.00 feet; thence with the said curve as it turns to the right an arc length of 83.80 feet and having a chord bearing of S 37°08'00"E and a chord distance of 83.31 feet to a point; thence S 26°24'59"E, 41.00 feet to a point in the line of the property of Shirley Smith Bullock as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry; thence with the common line of the said Bullock property, S 63°35'01"W, 909.65 feet to a point; thence leaving the said Bullock property, N 26°24'59"W, 337.29 feet to a point; thence S 88°33'34"W, 12.30 feet to a point on a curve having a radius of 144.50 feet; thence with the said curve as it turns to the left an arc length of 63.32 feet and having a chord bearing of S 76°00'19"W and a chord distance of 62.82 feet to a point; thence S 63°35'01"W, 417.43 feet to a point on a curve having a radius of 57,071.37 feet in the said eastern r/w of Glen Laurel Road; thence continuing with the said Glen Laurel Road r/w and with the said curve as it turns to the left an arc length of 93.33 feet and having a chord bearing of N 18°17'49"W and a chord distance of 93.33 feet to an existing r/w monument; thence N 69°20'25"E, 29.57 feet to an existing r/w monument; thence N 20°24'42"W, 24.71 feet to an existing r/w monument on a curve having a radius of 1511.32 feet; thence with said curve as it turns to the left an arc length of 144.93 feet and having a chord bearing of N 22°58'29"W and a chord distance of 144.88 feet to an existing r/w monument; thence N 25°44'31"W, 285.91 feet to an existing r/w monument; thence N 09° 41'52"E, 39.78 feet to the Point and Place of BEGINNING and containing 21.3152 acres.



Legend

- Area to be Annexed
- Clayton Town Limits
- Parcels

Produced by: TOC Planning
September 23, 2016

Annexation Map

Applicant(s): The Shoppes at Glen Laurel, LLC c/o Brantley Tillman
Property Owner(s): The Shoppes at Glen Laurel, LLC
Parcel Number(s) Portion of 05I04003
File Number(s): 2016-199 ANX The Shoppes at Glen Laurel
Lot 2 PB 83 Pg. 369

N
W E
S
1 inch = 450 feet



Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



Legend

- Area to be Annexed
- Clayton Town Limits
- Parcels

Produced by: TOC Planning
September 23, 2016

Annexation Map

Applicant(s): The Shoppes at Glen Laurel, LLC c/o Brantley Tillman
Property Owner(s): The Shoppes at Glen Laurel, LLC
Parcel Number(s) Portion of 05104003
File Number(s): 2016-199 ANX The Shoppes at Glen Laurel
Lot 2 PB 83 Pg. 369



1 inch = 450 feet



Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

Filed in JOHNSTON COUNTY, NC CRAIG OLIVE, Register of Deeds Filed 09/21/2016 03:21:59 PM
DEED BOOK: 4835 PAGE: 316-318 INSTRUMENT # 2016503857
Real Estate Excise Tax: \$576.00 Deputy/Assistant Register of Deeds: Donna Carter

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Taxes Due: \$576.00

Drafted by: R. W. Harrison, Jr., Narron & Holdford, P.A., P. O. Drawer 279, Wilson, NC 27894-0279
Return to: Weatherspoon & Voltz LLP, 3605 Glenwood Ave., Ste. 480, Raleigh, NC 27612

State of North Carolina Out of PIN: 167800-29-8988
County of Johnston

THIS DEED made this 19th day of September, 2016, by JAMES B. HUNT, JR. and wife, CAROLYN L. HUNT, of 6653-D Governor Hunt Road, Lucama, NC 27851; and ROBERT BRAME HUNT and wife, MARGARET H. HUNT, of 1441 NC 42 East, Clayton, NC 27527, the GRANTORS, to THE SHOPPES AT GLEN LAUREL, LLC, a North Carolina limited liability company, the GRANTEE, whose mailing address is c/o Commercial Properties, Inc. of Raleigh, 1004 Wake Forest Road, Raleigh, NC 27604, Attn: C. Brantley Tillman, Jr.

The property described herein is not the principal residence of the GRANTORS.

W I T N E S S E T H:

In consideration of Ten Dollars (\$10.00) and other valuable consideration paid to the GRANTORS by the GRANTEES, the receipt of which is hereby acknowledged, the GRANTORS have bargained and sold, and by these presents do hereby bargain, sell and convey to the GRANTEE, its successors and assigns, that certain tract or parcel of land both lying and being situate in Clayton Township, JOHNSTON COUNTY, North Carolina, and more particularly described as follows:

Fronting on NC Highway 42 East and Glen Laurel Road and being approximately 21.3152 acres designated as Lot 2 on the map of the James B. Hunt, Jr. and Robert Brame Hunt property recorded in Plat Book 83, Page 369 of the Johnston County Registry and reference is hereby made to said map for a more particular description. This being a portion of the 45.75 acre tract located at the Southeast corner of Highway 42 and Glen Laurel Road and having a Johnston County Parcel ID No. of 05104003 and a postal enumeration of 1430 NC Highway 42, Clayton, NC. This being a portion of the property conveyed by Deed recorded in Book 509, Page 31 of the Johnston County Registry.

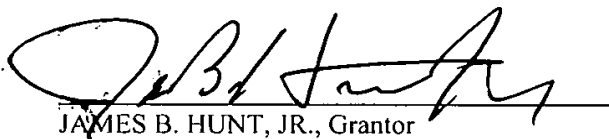
WARWHUNT,THE SHOPPES AT GLEN LAUREL-DEED.DOC (9/19/16)

TO HAVE AND TO HOLD the above lands and all privileges and appurtenances thereto belonging to the GRANTEE and its successors and assigns in fee simple forever.

SUBJECT, HOWEVER, to the right-of-way of the adjacent road, such easements and permits of record and any utilities over, under or across the property which may or may not be of record.

The GRANTORS, for themselves, their heirs and assigns, covenant to and with the GRANTEE, its successors and assigns, that they are seized of the said premises in fee and have full right to convey the same in fee simple; that there are no encumbrances other than those referred to hereinabove and that they do warrant and will forever defend the title to the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said GRANTORS have hereunto set their hands the day and year first above written.

 (SEAL)
JAMES B. HUNT, JR., Grantor

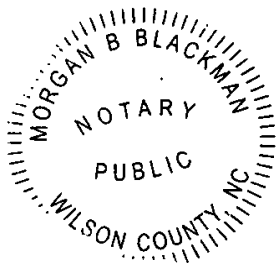
 (SEAL)
CAROLYN L. HUNT, Grantor

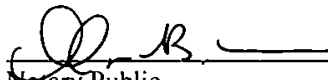
NORTH CAROLINA

WILSON COUNTY

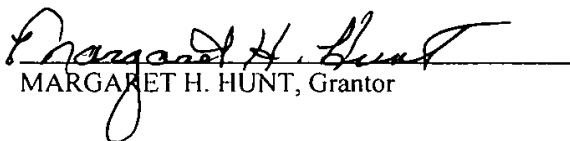
I, Morgan B. Blackman, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me JAMES B. HUNT, JR. and wife, CAROLYN L. HUNT, and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 20th day of September, 2016.




Notary Public
Printed Name: Morgan B. Blackman
My Commission Expires: April 20th, 2017

 (SEAL)
ROBERT BRAME HUNT, Grantor

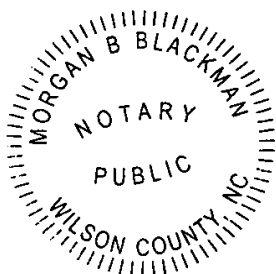
 (SEAL)
MARGARET H. HUNT, Grantor

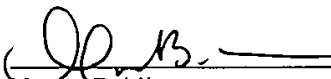
NORTH CAROLINA

WILSON COUNTY

I, Morgan B. Blackman, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me ROBERT BRAME HUNT and wife, MARGARET H. HUNT, and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 20th day of September, 2016.




Notary Public
Printed Name: Morgan B. Blackman
My Commission Expires: April 26th, 2017

ANNEXATION PETITION #2016-199-ANX
The Shoppes at Glen Laurel Lot 2
Parcel Portion of 05104003
Owners: The Shoppes at Glen Laurel, LLC
Contiguous; 21.32 acres

CERTIFICATE OF SUFFICIENCY

To the Town Council of the Town of Clayton, North Carolina:

I, Kimberly A. Moffett, 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-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Clayton, this 17th day of October, 2016.




Kimberly A. Moffett, CMC, NCCMC
Town Clerk

ANNEXATION PETITION 2016-199-ANX
The Shoppes at Glen Laurel Lot 2 PB 83 Pg. 369
Parcel Portion of 05I04003
Owners: The Shoppes at Glen Laurel, LLC
Contiguous; 21.32 acres

TOWN OF CLAYTON
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S.160A-31

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Clayton, North Carolina that:

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at Town Hall at 6:30 PM on Monday, November 7, 2016.

Section 2. Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

BEGINNING at an existing r/w monument where the southern right-of-way of N. C. Highway 42, a variable public right-of-way, intersects the eastern right-of-way of Glen Laurel Road, S.R. 1902, a variable public right-of-way, as shown on a map entitled 'Boundary/Topographic Survey, Property of James B. Hunt, Jr.' prepared by Bass, Nixon & Kennedy, Inc. and dated October 19, 2014; thence continuing with the said southern right-of-way of N. C. Highway 42, N 72°19'01"E, 508.58 feet to an existing r/w monument on a curve having a radius of 10,976.87 feet; thence with said curve as it turns to the right an arc length of 398.23 feet and having a chord bearing of N 73°52'35"E and a chord distance of 398.21 feet to an existing right-of-way monument; thence N 14°29'24"W, 25.01 feet to an existing r/w monument on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 259.23 feet and having a chord bearing of N 74°33'35"E and a chord distance of 259.22 feet to a point on a curve having a radius of 65.88 feet; thence leaving the said N.C. Hwy 42 r/w and with the said curve as it turns to the left an arc length of 132.18 feet and having a chord bearing of S 26°14'34"E and a chord distance of 111.10 to a point on a curve having a radius of 315.09 feet; thence with the said curve as it turns to the right, an arc length of 388.57 feet and having a chord bearing of S 48°23'29"E and a chord distance of 364.42 feet to a point on a curve having a radius of 314.39 feet; thence with the said curve as it turns to the left an arc length of 190.88 feet and having a chord bearing of S 30°27'23"E and a chord distance of 187.96 feet to a point on a curve having a radius of 224.00 feet; thence with the said

curve as it turns to the right an arc length of 83.80 feet and having a chord bearing of S 37°08'00"E and a chord distance of 83.31 feet to a point; thence S 26°24'59"E, 41.00 feet to a point in the line of the property of Shirley Smith Bullock as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry; thence with the common line of the said Bullock property, S 63°35'01"W, 909.65 feet to a point; thence leaving the said Bullock property, N 26°24'59"W, 337.29 feet to a point; thence S 88°33'34"W, 12.30 feet to a point on a curve having a radius of 144.50 feet; thence with the said curve as it turns to the left an arc length of 63.32 feet and having a chord bearing of S 76°00'19"W and a chord distance of 62.82 feet to a point; thence S 63°35'01"W, 417.43 feet to a point on a curve having a radius of 57,071.37 feet in the said eastern r/w of Glen Laurel Road; thence continuing with the said Glen Laurel Road r/w and with the said curve as it turns to the left an arc length of 93.33 feet and having a chord bearing of N 18°17'49"W and a chord distance of 93.33 feet to an existing r/w monument; thence N 69°20'25"E, 29.57 feet to an existing r/w monument; thence N 20°24'42"W, 24.71 feet to an existing r/w monument on a curve having a radius of 1511.32 feet; thence with said curve as it turns to the left an arc length of 144.93 feet and having a chord bearing of N 22°58'29"W and a chord distance of 144.88 feet to an existing r/w monument; thence N 25°44'31"W, 285.91 feet to an existing r/w monument; thence N 09° 41'52"E, 39.78 feet to the Point and Place of BEGINNING and containing 21.3152 acres and being all of Lot 2 according to a plat by Bass, Nixon & Kennedy, INC, entitled "Final Subdivision Plat for James B. Hunt, Jr, & Robert Brame Hunt", dated September 15, 2016 and recorded in Plat Book 83 Page 369, Johnston County Registry.

Section 3. Notice of the public hearing shall be published once in the Clayton News-Star, a newspaper having general circulation in the Town of Clayton, at least ten days prior to the date of the public hearing.

Duly adopted this 17th day of October 2016 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC
Town Clerk

PUBLIC NOTICE

The Clayton Town Council has called a public hearing at 6:30 PM on Monday, November 7, 2016, at Town Hall, 111 E. Second Street, on the question of annexing the following described contiguous area, requested by annexation petition 2016-198-ANX filed pursuant to G.S. 160A-31:

The area proposed for annexation is described as the following: Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

Fronting on NC Highway 42 East and being that 21.3152 acre tract designated as Lot 2 on the map of James B. Hunt, Jr, & Robert Brame Hunt property recorded in Plat Book 83 Page 369 of the Johnston County Registry.

This is an open meeting and the public is invited to attend.

Kimberly A. Moffett, CMC
Town Clerk
Town of Clayton
919-553-5002 ext. 5004

Clayton News-Star

Please advertise on the following date:

October 26, 2016

Affidavit of publication required.

Ordinance #2016-11-04

ANNEXATION PETITION 2016-199-ANX
The Shoppes at Glen Laurel
Parcel 05104003
Owner: The Shoppes at Glen Laurel, LLC
Contiguous; 21.3152 acres +/-

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF CLAYTON, NORTH CAROLINA**

WHEREAS, the Town of Clayton has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town of Clayton has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall at 6:30 PM on November 7, 2016, after due notice by publication on October 26, 2016; and

WHEREAS, the Town of Clayton finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Clayton, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Clayton as of November 7, 2016:

BEGINNING at an existing r/w monument where the southern right-of-way of N. C. Highway 42, a variable public right-of-way, intersects the eastern right-of-way of Glen Laurel Road, S.R. 1902, a variable public right-of-way, as shown on a map entitled 'Boundary/Topographic Survey, Property of James B. Hunt, Jr.' prepared by Bass, Nixon & Kennedy, Inc. and dated October 19, 2014; thence continuing with the said southern right-of-way of N. C. Highway 42, N 72°19'01"E, 508.58 feet to an existing r/w monument on a curve having a radius of 10,976.87 feet; thence with said curve as it turns to the right an arc length of 398.23 feet and having a chord bearing of N 73°52'35"E and a chord distance of 398.21 feet to an existing right-of-way monument; thence N 14°29'24"W, 25.01 feet to an existing r/w monument on a curve having a radius of 7949.47 feet; thence with said curve as it turns to the left an arc length of 259.23 feet and having a chord bearing of N 74°33'35"E and a chord distance of 259.22 feet to a point on a curve having a radius of 65.88 feet; thence leaving the said N.C. Hwy 42 r/w and with the said curve as it turns to the left an arc length of 132.18 feet and having a chord bearing of S 26°14'34"E and a chord distance of 111.10 to a point on a curve having a radius of 315.09 feet; thence with the said curve as it turns to the right, an arc length of 388.57 feet and having a chord bearing of S 48°23'29"E and a chord distance of 364.42 feet to a point on a curve having a radius of 314.39 feet; thence with the said curve as it turns to the left an arc length of 190.88 feet and having a chord bearing of S 30°27'23"E and a chord distance of 187.96 feet to a point on a curve having a radius of 224.00 feet; thence with the said curve as it turns to the right an arc length of 83.80 feet and having a chord bearing of S 37°08'00"E and a chord distance of 83.31 feet to a point; thence S 26°24'59"E, 41.00 feet to a point in the line of the property of Shirley Smith Bullock as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry; thence with the common line of the said Bullock property, S 63°35'01"W, 909.65 feet to a point; thence leaving the said Bullock property, N 26°24'59"W, 337.29 feet to a point; thence S 88°33'34"W, 12.30 feet to a point on a curve having a radius of 144.50 feet; thence with the said curve as it turns to the left an arc length of 63.32 feet and having a chord bearing of S 76°00'19"W and a chord distance of 62.82 feet to a point; thence S 63°35'01"W, 417.43 feet to a point on a curve having a radius of 57,071.37 feet in the said eastern r/w of Glen Laurel Road; thence continuing with the said Glen Laurel Road r/w and with the said curve as it turns to the left an arc length of 93.33 feet and having a chord bearing of N 18°17'49"W and a chord distance of 93.33 feet to an existing r/w monument; thence N 69°20'25"E, 29.57 feet to an existing r/w monument; thence N 20°24'42"W, 24.71 feet to an existing r/w monument on a curve having a radius of 1511.32 feet; thence with said curve as it turns to the left an arc length of 144.93 feet and having a chord bearing of N 22°58'29"W and a chord distance of 144.88 feet to an existing r/w monument; thence N 25°44'31"W,

Page 2 of 4

285.91 feet to an existing r/w monument; thence N 09° 41'52"E, 39.78 feet to the Point and Place of BEGINNING and containing 21.3152 acres.

Section 2. Upon and after November 7, 2016, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Clayton and shall be entitled to the same privileges and benefits as other parts of the Town of Clayton. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Clayton shall cause to be recorded in the office of the Register of Deeds of Johnston 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 County Board of Elections, as required by G.S. 163-288.1.

Duly adopted this 7th day of November 2016, while in regular session.

ATTEST:

**Jody L. McLeod,
Mayor**

**Kimberly A. Moffett, CMC
Town Clerk**

**Katherine Ross,
Town Attorney**

**NORTH CAROLINA
JOHNSTON COUNTY**

This day of _____, 2016, personally appeared before me
Kimberly A. Moffett, Clerk of the Town of Clayton, who, being duly sworn by me,
says that she knows the common seal of the Town of Clayton and is acquainted
with Jody L. McLeod, who is the Mayor and presiding member of said municipal
corporation; and that she saw the said Mayor sign the foregoing instrument and
saw the said common seal of said municipal corporation affixed to said
instrument by said Mayor, and that she, the said Kimberly A. Moffett, signed her
name in attestation of said instrument in the presence of said Mayor.

Witness my hand and notarial seal, this the day and year first above
written.

Notary Public - Signature

(SEAL)

Notary Public – Printed Name

Commission Expires: _____

County of Commission: _____



Town of Clayton
Planning Department
111 E. Second Street, Clayton, NC 27520
P.O. Box 879, Clayton, NC 27528
Phone: 919-553-5002
Fax: 919-553-1720

PETITION FOR VOLUNTARY ANNEXATION

VOLUNTARY ANNEXATION: Upon receipt of a valid petition signed by all of the owners of real property in the area described therein, the Town may annex an area either contiguous or not contiguous to its primary corporate limits when the area meets the standards set out under North Carolina General Statutes 160A-31 and 160A-58.1.

Applications are due by 5pm on the first working day of each month.

Request Information

☒ **Contiguous Annexation**

☐ **Non-Contiguous Annexation**

The following items must accompany an annexation petition:

To be completed by the applicant:	Included?	
	Yes	No
1. Petition for Annexation with original signatures	☒	☐
2. A boundary plat of the area to be annexed meeting requirements of the Plat Checklist (included in this application packet).	☒	☐
3. Legal Description (metes and bounds)	☒	☐

PROCESS:

Review by Staff: The Planning, Engineering and Public Works Departments review the annexation submission. Comments will be sent to the applicant.

Annexation Plat Submission: After the map and legal description are deemed sufficient by the Town, the applicant is required to submit two (2) Mylar annexation plats to the Planning Department.

Town Council Meeting: The Town Council will pass a resolution directing the Town Clerk to investigate the annexation petition. The Town Clerk will present to the Town Council a Certificate of Sufficiency indicating that the annexation petition is complete. A resolution setting the date of the public hearing is then approved.

Legal Advertisement: A legal advertisement will be published no more than 25 days and no less than 10 days prior to the date of the public hearing.

Public Hearing/Town Council Meeting: The Town Council will either adopt or deny an ordinance to extend the corporate limits of the Town of Clayton.

Recordation: If the annexation is approved by the Town Council, the Annexation Plats shall be recorded at the appropriate county Register of Deeds.

Voluntary Annexation Plat Checklist

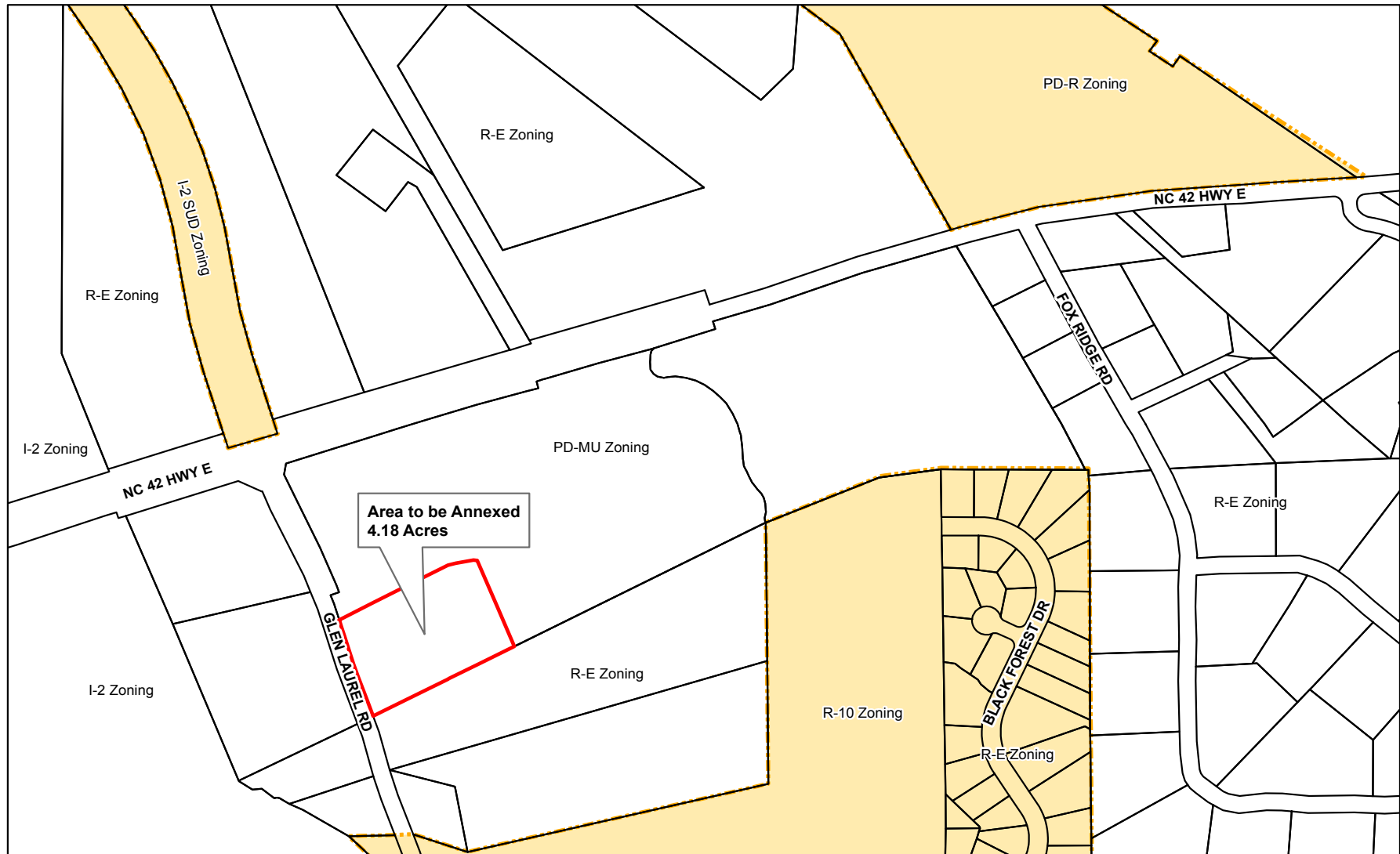
#	Required Plat Items
1.	Fully dimensioned by metes and bounds, and the location of intersecting boundary lines of the existing town limits, labeled and distinctly marked. Include full right-of-way if the area on both sides is or will be in the corporate limits.
2.	Any utility easements with metes and bounds.
3.	Accurate locations and descriptions of all monuments, markers and control points.
4.	Ultimate right-of-way widths on all streets.
5.	Entitle "ANNEXATION MAP FOR THE TOWN OF CLAYTON" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF CLAYTON," as appropriate.
6.	Name of property owner(s).
7.	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
8.	Date of the survey and map preparation; a north arrow indicating whether the index is true magnetic North Carolina grid (NAD 83 of NAD 27) or deed; graphic scale; and declination.
9.	Names of the township, county, and state.
10.	A detailed vicinity map.
11.	Include address of property if assigned.
12.	Show all contiguous or non-contiguous town limits.
13.	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation # _____ I, David DeYoung, AICP, Planning Director, Clayton, North Carolina certify this is a true and exact map of annexation adopted the _____ day of _____, _____, by the Town Council. I set my hand and seal to the Town of Clayton, _____. Day/Month/Year _____ David DeYoung AICP
14.	Leave 2 inch by 2 inch space for the county Register of Deeds stamp on the plat. All final plats must be stamped and signed before they can be accepted by the Town.

LEGAL DESCRIPTION FOR ANNEXATION OF

LOT 3 – PROPERTY OF

GLEN LAUREL SELF STORAGE, LLC

BEGINNING at an existing r/w monument in the eastern r/w of Glen Laurel Road, S.R. 1902, a variable public right-of-way, and said monument being the northwest corner of the property of Shirley Smith Bullock as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry and said monument being a point on a curve having a radius of 57,071.37 feet; thence with the said Glen Laurel Road r/w and with the said curve as it turns to the left an arc length of 353.16 feet and having a chord bearing of N 18°04'22"W and a chord distance of 353.16 feet to a point; thence leaving the said r/w of Glen Laurel Road, N 63°35'01"E, 417.43 feet to a point on a curve having a radius of 144.50 feet; thence with the said curve as it turns to the right an arc length of 63.32 feet and having a chord bearing of N 76° 00'19"E and a chord distance of 62.82 feet to a point; thence N 88°33'34"E, 12.30 feet to a point; thence S 26°24'59"E, 337.29 feet to a point in the common line of the said Bullock property; thence with the common line of the said Bullock property, S 63°35'01"W, 251.04 feet to an existing concrete monument; thence S 64°52'55"W, 290.22 feet to the Point and Place of BEGINNING and containing 4.1836 acres.



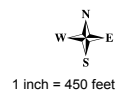
Legend

- Area to be Annexed
- Clayton Town Limits
- Parcels

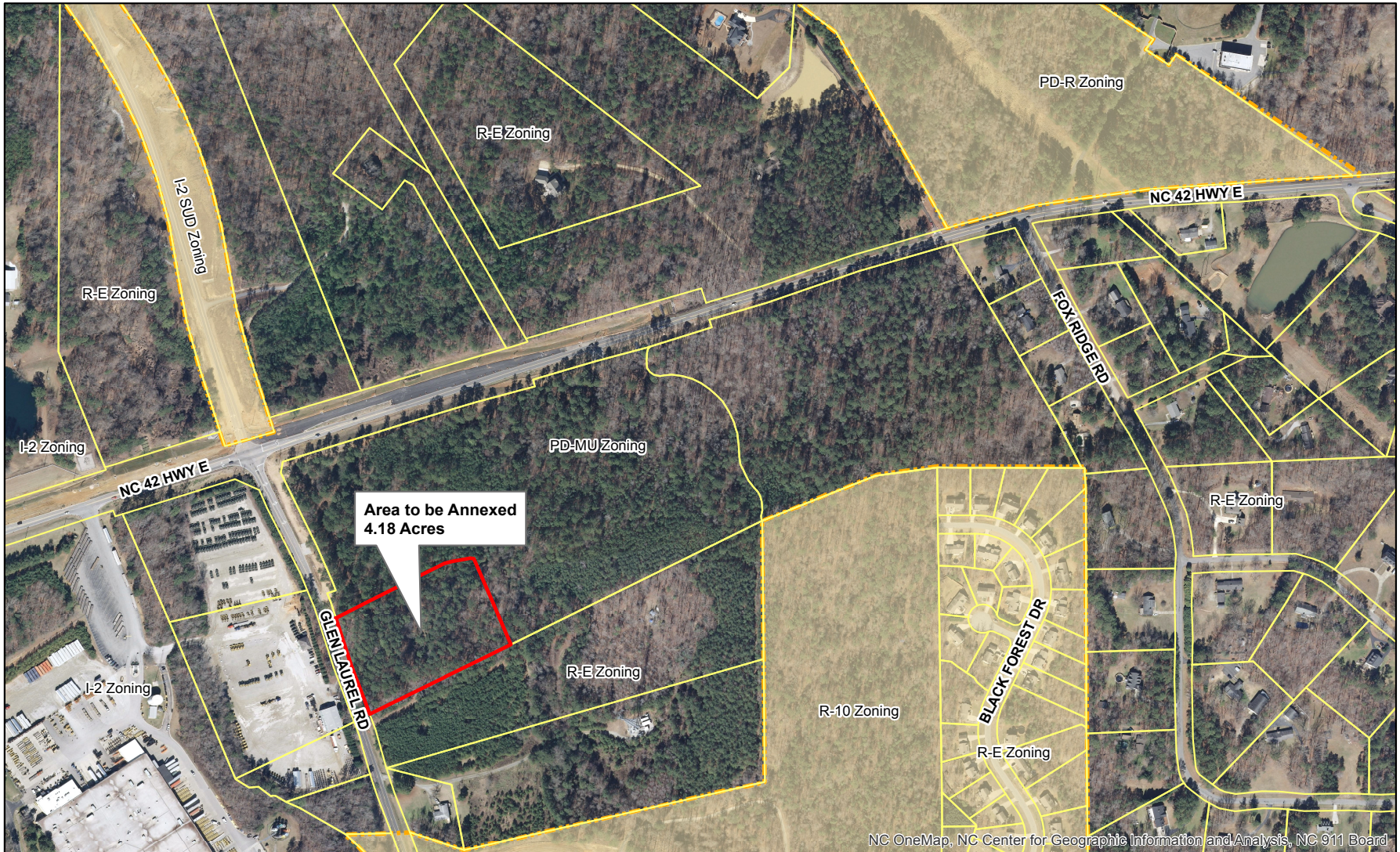
Produced by: TOC Planning
September 23, 2016

Annexation Map

Applicant(s): Glen Laurel Self Storage, LLC c/o Brantley Tillman
Property Owner(s): Tellico Greens, LLC
Parcel Number(s) Portion of 05104003
File Number(s): 2016-200 ANX Glen Laurel Self Storage, LLC
Lot 3 PB 83 Pg. 369



Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.



Legend

- Area to be Annexed
- Clayton Town Limits
- Parcels

Produced by: TOC Planning
September 23, 2016

Annexation Map

Applicant(s): Glen Laurel Self Storage, LLC c/o Brantley Tillman
Property Owner(s): Tellico Greens, LLC
Parcel Number(s) Portion of 05104003
File Number(s): 2016-200 ANX Glen Laurel Self Storage, LLC
Lot 3 PB 83 Pg. 369



1 inch = 450 feet



Disclaimer: Town of Clayton assumes no legal responsibility for the information represented here.

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Taxes Due: \$2,880.00

Drafted by: R. W. Harrison, Jr., Narron & Holdford, P.A., P. O. Drawer 279, Wilson, NC 27894-0279

Return to: Weatherspoon & Voltz LLP, 3605 Glenwood Ave., Ste. 480, Raleigh, NC 27612

State of North Carolina Out of PIN: 167800-29-8988
County of Johnston

THIS DEED made this 19th day of September, 2016, by JAMES B. HUNT, JR. and wife, CAROLYN L. HUNT, of 6653-D Governor Hunt Road, Lucama, NC 27851; and ROBERT BRAME HUNT and wife, MARGARET H. HUNT, of 1441 NC 42 East, Clayton, NC 27527, the GRANTORS, to TELLICO GREENS, LLC, a North Carolina limited liability company, the GRANTEE, whose mailing address is c/o Commercial Properties, Inc. of Raleigh, 1004 Wake Forest Road, Raleigh, NC 27604, Attn: C. Brantley Tillman, Jr.

The property described herein is not the principal residence of the GRANTORS.

W I T N E S S E T H:

In consideration of Ten Dollars (\$10.00) and other valuable consideration paid to the GRANTORS by the GRANTEES, the receipt of which is hereby acknowledged, the GRANTORS have bargained and sold, and by these presents do hereby bargain, sell and convey to the GRANTEE, its successors and assigns, that certain tract or parcel of land both lying and being situate in Clayton Township, JOHNSTON COUNTY, North Carolina, and more particularly described as follows:

Fronting on Glen Laurel Road and being 4.1836 acres more or less as shown on the map as Lot 3 of the map of the James B. Hunt, Jr. and Robert Brame Hunt property recorded in Plat Book 83, Page 369 of the Johnston County Registry and reference is hereby made to said map for a more particular description. This being a portion of the 45.75 acre tract located at the Southeast corner of Highway 42 and Glen Laurel Road and having a Johnston County Parcel ID No. of 05104003 and a postal enumeration of 1430 NC Highway 42, Clayton, NC. This being a portion of the property conveyed by Deed recorded in Book 509, Page 31 of the Johnston County Registry.

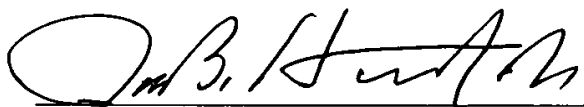
WARWHUNT,TELLICO GREENS-DEED.DOC (9/19/16)

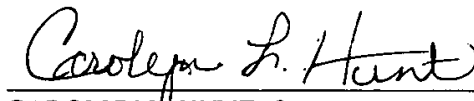
TO HAVE AND TO HOLD the above lands and all privileges and appurtenances thereto belonging to the GRANTEE and its successors and assigns in fee simple forever.

SUBJECT, HOWEVER, to the right-of-way of the adjacent road, such easements and permits of record and any utilities over, under or across the property which may or may not be of record.

The GRANTORS, for themselves, their heirs and assigns, covenant to and with the GRANTEE, its successors and assigns, that they are seized of the said premises in fee and have full right to convey the same in fee simple; that there are no encumbrances other than those referred to hereinabove and that they do warrant and will forever defend the title to the same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said GRANTORS have hereunto set their hands the day and year first above written.

 (SEAL)
JAMES B. HUNT, JR., Grantor

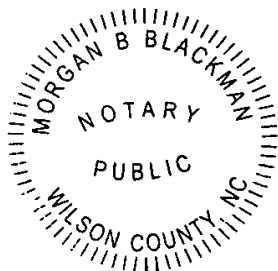
 (SEAL)
CAROLYN L. HUNT, Grantor

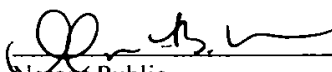
NORTH CAROLINA

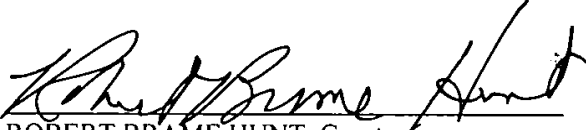
WILSON COUNTY

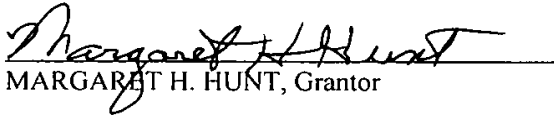
I, Morgan B. Blackman, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me JAMES B. HUNT, JR. and wife, CAROLYN L. HUNT, and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 20th day of September, 2016.




Notary Public
Printed Name: Morgan B. Blackman
My Commission Expires: April 20th, 2017

 (SEAL)
ROBERT BRAME HUNT, Grantor

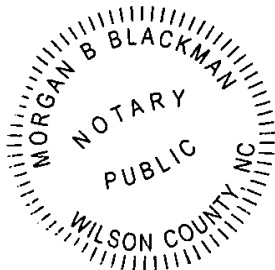
 (SEAL)
MARGARET H. HUNT, Grantor

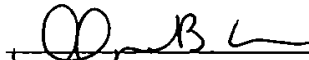
NORTH CAROLINA

WILSON COUNTY

I, Morgan B. Blackman, a Notary Public in and for the County and State aforesaid, do hereby certify that this day personally appeared before me ROBERT BRAME HUNT and wife, MARGARET H. HUNT, and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this 20th day of September, 2016.




Notary Public
Printed Name: Morgan B. Blackman
My Commission Expires: April 26th, 2017

ANNEXATION PETITION #2016-200-ANX
Glen Laurel Self Storage Lot 3
Parcel Portion of 05104003
Owners: Tellico Greens LLC
Contiguous; 4.18

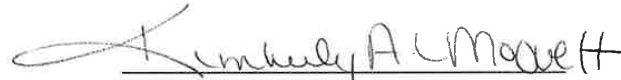
CERTIFICATE OF SUFFICIENCY

To the Town Council of the Town of Clayton, North Carolina:

I, Kimberly A. Moffett, 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-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Clayton, this 17th day of October, 2016.




Kimberly A. Moffett, CMC, NCCMC
Town Clerk

**ANNEXATION PETITION 2016-200-ANX
Glen Laurel Self Storage Lot 3 PB 83 Pg. 369
Parcel Portion of 05104003
Owners: Tellico Greens, LLC
Contiguous; 4.18 acres**

**TOWN OF CLAYTON
RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION
OF ANNEXATION PURSUANT TO G. S.160A-31**

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, the Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Clayton, North Carolina that:

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at Town Hall at 6:30 PM on Monday, November 7, 2016.

Section 2. Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

BEGINNING at an existing r/w monument in the eastern r/w of Glen Laurel Road, S.R. 1902, a variable public right-of-way, and said monument being the northwest corner of the property of Shirley Smith Bullock as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry and said monument being a point on a curve having a radius of 57,071.37 feet; thence with the said Glen Laurel Road r/w and with the said curve as it turns to the left an arc length of 353.16 feet and having a chord bearing of N 18°04'22"W and a chord distance of 353.16 feet to a point; thence leaving the said r/w of Glen Laurel Road, N 63°35'01"E, 417.43 feet to a point on a curve having a radius of 144.50 feet; thence with the said curve as it turns to the right an arc length of 63.32 feet and having a chord bearing of N 76° 00'19"E and a chord distance of 62.82 feet to a point; thence N 88°33'34"E, 12.30 feet to a point; thence S 26°24'59"E, 337.29 feet to a point in the common line of the said Bullock property; thence with the common line of the said Bullock property, S 63°35'01"W, 251.04 feet to an existing concrete monument; thence S 64°52'55"W, 290.22 feet to the Point and Place of BEGINNING and containing 4.1836 acres and being all of Lot 3 according to a plat by Bass, Nixon & Kennedy, INC, entitled "Final

Subdivision Plat for James B. Hunt, Jr, & Robert Brame Hunt", dated September 15, 2016 and recorded in Plat Book 83 Page 369, Johnston County Registry.

Section 3. Notice of the public hearing shall be published once in the Clayton News-Star, a newspaper having general circulation in the Town of Clayton, at least ten days prior to the date of the public hearing.

Duly adopted this 17th day of October 2016 while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett, CMC
Town Clerk

PUBLIC NOTICE

The Clayton Town Council has called a public hearing at 6:30 PM on Monday, November 7, 2016, at Town Hall, 111 E. Second Street, on the question of annexing the following described contiguous area, requested by annexation petition 2016-198-ANX filed pursuant to G.S. 160A-31:

The area proposed for annexation is described as the following: Lying and being in Clayton Township, Johnston County, North Carolina and being more particularly described as follows:

Fronting on Glen Laurel Road and being 4.1836 acres more or less as shown on the map as Lot 3 of the map of James B. Hunt, Jr, & Robert Brame Hunt property recorded in Plat Book 83 Page 369 of the Johnston County Registry.

This is an open meeting and the public is invited to attend.

Kimberly A. Moffett, CMC
Town Clerk
Town of Clayton
919-553-5002 ext. 5004

Clayton News-Star

Please advertise on the following date:

October 26, 2016

Affidavit of publication required.

Ordinance #2016-11-05

ANNEXATION PETITION 2016-200-ANX
Glen Laurel Self Storage
Parcel 05104003
Owner: Tellico Greens, LLC
Contiguous; 4.1836 acres +/-

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF CLAYTON, NORTH CAROLINA**

WHEREAS, the Town of Clayton has been petitioned under G.S. 160A-31 to annex the area described below; and

WHEREAS, the Town of Clayton has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of this annexation was held at Town Hall at 6:30 PM on November 7, 2016, after due notice by publication on October 26, 2016; and

WHEREAS, the Town of Clayton finds that the petition meets the requirements of G.S. 160A-31;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Clayton, North Carolina that:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory is hereby annexed and made part of the Town of Clayton as of November 7, 2016:

BEGINNING at an existing r/w monument in the eastern r/w of Glen Laurel Road, S.R. 1902, a variable public right-of-way, and said monument being the northwest corner of the property of Shirley Smith Bullock as referenced in Deed Book 1194, Page 241 and recorded in the Johnston County Registry and said monument being a point on a curve having a radius of 57,071.37 feet; thence with the said Glen Laurel Road r/w and with the said curve as it turns to the left an arc length of 353.16 feet and having a chord bearing of N 18°04'22"W and a chord distance of 353.16 feet to a point; thence leaving the said r/w of Glen Laurel Road, N 63°35'01"E, 417.43 feet to a point on a curve having a radius of 144.50 feet; thence with the said curve as it turns to the right an arc length of 63.32 feet and having a chord bearing of N 76° 00'19"E and a chord distance of 62.82 feet to a point; thence N 88°33'34"E, 12.30 feet to a point; thence S 26°24'59"E, 337.29 feet to a point in the common line of the said Bullock property; thence with the common line of the said Bullock property, S 63°35'01"W, 251.04 feet to an existing concrete monument; thence S 64°52'55"W, 290.22 feet to the Point and Place of **BEGINNING** and containing 4.1836 acres.

13 seconds W 112.48 feet to a point; Thence N 00 degrees 24 minutes 57 seconds W 135.91 feet to the place and point of beginning and containing 8.20 acres more or less.

Section 2. Upon and after November 7, 2016, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Clayton and shall be entitled to the same privileges and benefits as other parts of the Town of Clayton. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Clayton shall cause to be recorded in the office of the Register of Deeds of Johnston 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 County Board of Elections, as required by G.S. 163-288.1.

Duly adopted this 7th day of November 2016, while in regular session.

ATTEST:

Jody L. McLeod,
Mayor

Kimberly A. Moffett, CMC
Town Clerk

Katherine Ross,
Town Attorney

**NORTH CAROLINA
JOHNSTON COUNTY**

This day of _____, 2016, personally appeared before me Kimberly A. Moffett, Clerk of the Town of Clayton, who, being duly sworn by me, says that she knows the common seal of the Town of Clayton and is acquainted with Jody L. McLeod, who is the Mayor and presiding member of said municipal corporation; and that she saw the said Mayor sign the foregoing instrument and saw the said common seal of said municipal corporation affixed to said instrument by said Mayor, and that she, the said Kimberly A. Moffett, signed her name in attestation of said instrument in the presence of said Mayor.

Witness my hand and notarial seal, this the day and year first above written.

(SEAL)

Notary Public - Signature

Notary Public – Printed Name

Commission Expires: _____

County of Commission: _____



**TOWN OF CLAYTON
TOWN COUNCIL
AGENDA COVER SHEET**

AGENDA LOCATION:

New Business

Meeting Date:

November 7, 2016

ITEM TITLE:

Resolution #2016-46 North Carolina Division of Emergency Management

DESCRIPTION:

Resolution is for the purpose of obtaining disaster relief funds from hurricane Matthew.

POTENTIAL ACTION:

Approval/Disapproval

DEPARTMENT:

Finance Department

PRESENTER:

Tim Simpson, Public Works/Utilities
Director

ITEM HISTORY:

Date:

Action Taken:

Information Provided:

Date:

Action Taken:

Information Provided:

RESOLUTION
DESIGNATION OF APPLICANT'S AGENT
 North Carolina Division of Emergency Management

Resolution #
 2016-46

Organization Name (hereafter named Organization) <u>Town of Clayton</u>	Disaster Number: <u>FEMA-4285-DR-NC</u>
Applicant's State Cognizant Agency for Single Audit purposes (If Cognizant Agency is not assigned, please indicate): <u>NC DOT</u>	
Applicant's Fiscal Year (FY) Start Month: <u>July</u> Day: <u>1</u>	
Applicant's Federal Employer's Identification Number <u>56 - 6001203</u>	
Applicant's Federal Information Processing Standards (FIPS) Number - -	

PRIMARY AGENT	SECONDARY AGENT
Agent's Name <u>Robert McKie</u>	Agent's Name <u>Tim Simpson</u>
Organization <u>Town of Clayton</u>	Organization <u>Town of Clayton</u>
Official Position <u>Finance Director</u>	Official Position <u>Public Works/Utilities Director</u>
Mailing Address <u>P.O. Box 879</u>	Mailing Address <u>P.O. Box 879</u>
City, State, Zip <u>Clayton, NC 27528</u>	City, State, Zip <u>Clayton, NC 27528</u>
Daytime Telephone <u>919-359-9336</u>	Daytime Telephone <u>919-359-1261</u>
Facsimile Number <u>919-553-8919</u>	Facsimile Number <u>919-553-1541</u>
Pager or Cellular Number <u>919-621-1721</u>	Pager or Cellular Number <u>919-291-9480</u>

BE IT RESOLVED BY the governing body of the Organization (a public entity duly organized under the laws of the State of North Carolina) that the above-named Primary and Secondary Agents are hereby authorized to execute and file applications for federal and/or state assistance on behalf of the Organization for the purpose of obtaining certain state and federal financial assistance under the Robert T. Stafford Disaster Relief & Emergency Assistance Act, (Public Law 93-288 as amended) or as otherwise available. BE IT FURTHER RESOLVED that the above-named agents are authorized to represent and act for the Organization in all dealings with the State of North Carolina and the Federal Emergency Management Agency for all matters pertaining to such disaster assistance required by the grant agreements and the assurances printed on the reverse side hereof. BE IT FINALLY RESOLVED THAT the above-named agents are authorized to act severally. PASSED AND APPROVED this 7th day of November, 2016

GOVERNING BODY	CERTIFYING OFFICIAL
Name and Title <u>Michael Grannis, Mayor-Pro-Tem</u>	Name <u>Jody McLeod</u>
Name and Title <u>Bob Satterfield, Councilmember</u>	Official Position <u>Mayor</u>
Name and Title <u>R.S. Lawter, Jr., Councilmember</u>	Daytime Telephone <u>919-291-5662</u>

CERTIFICATION

I, Jody McLeod, (Name) duly appointed and Mayor (Title) of the Governing Body, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Governing Body of Town of Clayton (Organization) on the 7th day of November, 2016.

Date: November 7, 2016

Signature: _____

Rev. 06/02

APPLICANT ASSURANCES

The applicant hereby assures and certifies that it will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.
15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.
16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.
17. (To the best of his/her knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.
18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.
20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
22. It will comply with the insurance requirements of Section 314, PL. 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.