



Town of Smithfield
Planning Department
350 E. Market St. Smithfield, NC 27577
P.O. Box 761, Smithfield, NC 27577
Phone: 919-934-2116
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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.

Annexation Review and Approval 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 Smithfield.

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

Submittal Information

Petitions for annexation are accepted by the Town of Smithfield Planning Department at any time. There is no fee required for submitting an annexation petition. **The annexation will become effective immediately upon adoption of the annexation ordinance at the scheduled public hearing unless notified otherwise by the Town Clerk.**

(The Town of Smithfield reserves the right to make exceptions to this general processing schedule when necessary.)

Summary Information / Metes and Bounds Descriptions

Development Project Name:

Street Address:

Town of Smithfield Subdivision approval #

(S- _____ - _____), or

Building Permit Transaction #

_____, or

Site Plan approval # for multi-family

(SP- _____ - _____)

Johnston County Property Identification Number(s) list below

P.I.N.

P.I.N.

P.I.N.

P.I.N.

P.I.N.

P.I.N.

Acreage of Annexation Site:

Linear Feet of Public Streets within Annexation Boundaries:

Annexation site is requesting Town of Smithfield:

Water ☐

and/or Sewer ☐

Number of proposed dwelling units:

Type of Units:

Single Family _____

Townhouse _____

Condo _____

Apartment _____

Building Square Footage of Non-Residential Space:

Specific proposed use (office, retail, warehouse, school, etc.):

Projected market value at build-out (land and improvements): \$

Person to contact if there are questions about the petition:

Name:

Address:

Phone:

Fax #:

Email:

Petition For Voluntary Annexation Submittal Checklist

Please include all of the following (check off). If any information is missing from the application package, you will be asked to complete the application and re-submit the petition, so please check the list below carefully before you submit:

<input type="checkbox"/>	Electronic Word document of the written metes and bounds must be e-mailed to: stephen.wensman@smithfield-nc.com or micah.woodard@smithfield-nc.com	
<input type="checkbox"/>	Survey or Plat showing above written metes and bounds description of the property to be annexed must be submitted electronically in .pdf format, if possible.	
<input type="checkbox"/>	Copy of Approved Preliminary Site Plan or Final Site Plan showing Town Permit number	Copy of Subdivision Plat submitted for lot recording approval with Town file number ____ - ____, etc.)
<input type="checkbox"/>	General Annexation Area Data: Linear feet of public streets, total annexation area acreage, number of proposed residential units or square footage of commercial space, type of utility connections involved, specific land uses proposed.	
<input type="checkbox"/>	This application form completed, <u>dated and signed</u> by the property owner(s) and attested submitted by the deadlines noted in section B of this application , page 2.	
Required, but often missing information. Please make sure to include the following:		
<input type="checkbox"/>	Correct Parcel Identification Number(s) (PIN). Call Johnston County Geographic Information Services at 919-989-5153, if there is any question about the parcel identifier. This is very important. Please indicate if the property being requested for	
<input type="checkbox"/>	Owner's Signatures and Date of Signatures. See page 3 of this application. All real property owners must sign the application, and the <u>date of signature MUST be filled in!</u>	
<input type="checkbox"/>	Corporate Seal for property owned by a corporation.	
<input type="checkbox"/>	<u>Rezoning Application</u> , if the property is currently outside Town of Smithfield.	
<input type="checkbox"/>	Existing and Proposed Zoning	

Petition For Voluntary Annexation Plat Checklist

Please include all of the following (check off). If any information is missing from the annexation plat, you will be asked to revise the map and re-submit for an additional review, so please check the list below carefully before you submit:

<input type="checkbox"/>	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.
<input type="checkbox"/>	Any utility easements with metes and bounds.
<input type="checkbox"/>	Accurate locations and descriptions of all monuments, markers and control points.
<input type="checkbox"/>	Ultimate right-of-way widths on all streets.
<input type="checkbox"/>	Entitle "ANNEXATION MAP FOR THE TOWN OF SMITHFIELD" OR "SATELLITE ANNEXATION MAP FOR THE TOWN OF SMITHFIELD," as appropriate.
<input type="checkbox"/>	Name of property owner(s).
<input type="checkbox"/>	Name, seal, and registration of Professionally Licensed Surveyor (PLS).
<input type="checkbox"/>	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.
<input type="checkbox"/>	Names of the township, county, and state.
<input type="checkbox"/>	A detailed vicinity map.
<input type="checkbox"/>	Include address of property if assigned.
<input type="checkbox"/>	Show all contiguous or non-contiguous town limits.
<input type="checkbox"/>	The following certification must be placed on the map near a border to allow the map to be sealed: Annexation #
<input type="checkbox"/>	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.

Petition For Voluntary Annexation

State of North Carolina, County of Johnston, Petition of Annexation of Property to the Town of Smithfield, North Carolina

Part 1 The undersigned, being all the owners of the real property described in this application respectfully request the annexation of said property to the Town of Smithfield, North Carolina. **The petitioners understand and agree that all streets and utilities within the annexed area will be constructed and installed by the developer according to the Unified Development Ordinance and any utilities that must be extended to the annexed area are the responsibility of the developers or successive property owners.** The property to be annexed is:

☐

Contiguous to the present corporate limits of the Town of Smithfield, North Carolina, or

☐

Not Contiguous to the municipal limits of the Town of Smithfield, North Carolina, not closer to the limits of any other municipality and is located within three miles of the municipal limits of the Town of Smithfield, North Carolina (pursuant to Chapter 989 of the Sessions Law of North Carolina, 1967).

Part 2 NC General Statutes require petitioners of both contiguous and satellite annexations to file a signed statement declaring whether vested rights have been established in accordance with G.S.160A-385.1 or 153A-344.1 for properties subject to the petition.

Do you declare such vested rights for the property subject to this petition? Yes No

If yes, please submit proof that vested rights have been granted by governing board. I hereby declare that my failure to disclose existence of a vested right terminates any vested right previously acquired for this property.

Print owner name(s) and information

Name _____ Phone _____

Address _____

Print owner name(s) and information

Name _____ Phone _____

Address _____

Print owner name(s) and information

Name _____ Phone _____

Address _____

Received by the Town of Smithfield, North Carolina, this _____ day of _____ 20_____, at a Council meeting duly held.

In witness whereof, _____ an owner or partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this _____ day of _____, 20_____.

Name of Owner or Partnership: _____
(Printed Name)

Signature of Owner or Partnership: _____
(Signature)

In witness whereof, _____ an owner or partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this _____ day of _____, 20_____.

Name of Owner or Partnership: _____
(Printed Name)

Signature of Owner or Partnership: _____
(Signature)

In witness whereof, _____ a partnership, caused this instrument to be executed in its name by a member/manager pursuant to authority duly given, this _____ day of _____, 20_____.

Name of Owner or Partnership: _____
(Printed Name)

Signature of Owner or Partnership: _____
(Signature)

**STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON**

I, _____, a Notary Public in and for said County and State, do hereby certify that

_____ (Owner/Applicant) personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this the _____ day of _____, 20_____.

Notary: _____
(Printed Name)

(Signature)

County of Commission: _____

Commission Expires: _____

(SEAL)