

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 1199
PROPOSED COMMITTEE SUBSTITUTE H1199-PCS70309-TM-26

Short Title: Lake Lure Convey Property.

(Local)

Sponsors:

Referred to:

May 31, 2012

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE TOWN OF LAKE LURE TO CONVEY CERTAIN
DESCRIBED PROPERTY BY GIFT, PRIVATE SALE, OR LONG-TERM LEASE.

The General Assembly of North Carolina enacts:

SECTION 1.(a) Notwithstanding the provisions of Article 12 of Chapter 160A of the General Statutes, the Town of Lake Lure may convey by gift, by private negotiation and sale, or by lease for a term of more than 10 years, with or without monetary consideration, under the terms and conditions it deems proper, any or all of its right, title, and interest in the following described property to The Challenge Foundation Properties of North Carolina, LLC, or CLASSICAL ACADEMIES CFA, INC., for the purpose of operating a public school, including a public charter school:

Beginning at a found 1" open top pipe, being the SE property corner of the Cane Creek Missionary Baptist Church property tax pin 1616957, with the NAD 83 coordinates of N:619030.64 E:1048324.49; thence N.02°50'43"E. a distance of 226.93' to a found 1" pipe being the NE corner of the said church property; thence a new line through the Town of Lake Lure property, pin 1641654 N.02°50'43"E. 406.3' to a point in the centerline of a stream passing a set #5 rebar with i.d. cap at 385.47'; thence with centerline of stream the next 8 calls N.77°42'08"E. a distance of 36.69'; thence N.88°31'48"E. a distance of 70.51'; thence S.66°22'32"E. a distance of 110.36'; thence N.88°38'41"E. a distance of 27.25'; thence N.79°38'55"E. a distance of 136.47'; thence N.75°18'35"E. a distance of 156.62'; thence N.65°51'02"E. a distance of 164.70'; thence N.43°37'41"E. a distance of 234.09'; thence continuing with 3 new lines through the said Town of Lake Lure property S.65°45'51"E. a distance of 459.85', passing a set #5 rebar with i.d. cap at 30.02'; thence S.44°45'47"E. a distance of 197.90'; thence S.26°41'42"E. a distance of 421.43' to a 1/2" iron pipe being a NW corner of the Willard Buford property pin 1627106; thence along the western property line of said Buford property the next 2 calls S.03°42'18"W. a distance of 249.94' add to a found 3/4" pipe; thence S.03°43'51"W. a distance of 1218.44' to a set #5 rebar with i.d. cap in the northern 50' right-of-way of Island Creek Rd. (S.R. 1185); thence with the northern right-of-way of Island Creek Rd. the following 9 calls with a curve turning to the right with an arc length of 28.32', with a radius of 1042.80', with a chord bearing of S.53°57'22"W., with a chord length of 28.32'; thence S.55°43'28"W. a distance of 143.58'; thence with a curve turning to the left with an arc length of 96.89', with a radius of 1038.94', with a chord bearing of S.53°03'11"W., with a chord length of 96.85'; thence with a curve turning to the right with an arc length of 184.71', with a radius of 754.91', with a chord bearing of S.57°23'27"W., with a chord length of 184.25';



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1 thence with a curve turning to the right with an arc length of 180.86', with a radius of 496.79',
2 with a chord bearing of S.74°49'48"W., with a chord length of 179.86'; thence with a curve
3 turning to the right with an arc length of 297.75', with a radius of 1729.66', with a chord
4 bearing of N.89°48'33"W., with a chord length of 297.38'; thence with a curve turning to the
5 right with an arc length of 123.87', with a radius of 175.00', with a chord bearing of
6 N.64°36'00"W., with a chord length of 121.30'; thence N.44°19'20"W. a distance of 207.10';
7 thence with a curve turning to the left with an arc length of 254.65', with a radius of 335.12',
8 with a chord bearing of N.66°05'28"W., with a chord length of 248.57'; to a point being a set #5
9 rebar with i.d. cap, located N.77°59'58"E. 733.83' from a found right-of-way monument; thence
10 5 new lines through the said Town of Lake Lure property N.17°12'18"E. a distance of 242.06'
11 to a set #5 rebar with i.d. cap; thence N.47°08'09"W. a distance of 121.59' to a set #5 rebar with
12 i.d. cap; thence N.12°24'16"E. a distance of 165.25' to a set #5 rebar with i.d. cap; thence
13 N.76°09'17"W. a distance of 571.52' to a set #5 rebar with i.d. cap; thence S.13°18'15"W. a
14 distance of 304.03' to a set #5 rebar with i.d. cap; thence N.80°47'35"W. a distance of 130.01'
15 to a point in the NCDOT claimed eastern right-of-way of Highway 9 and being 5' from the
16 eastern edge of pavement of NC Highway 9 passing a set #5 rebar with i.d. cap at 120.83';
17 thence along said Highway 9 right-of-way the next 3 calls N.09°31'25"E. a distance of 147.74';
18 thence with a curve turning to the left with an arc length of 382.18', with a radius of 955.00'
19 with a chord bearing of N.01°56'27"W., with a chord length of 379.63'; thence N.13°24'19"W.
20 a distance of 109.92'; thence leaving said NC Highway 9 right-of-way along the southern
21 property line of said Baptist Church N.61°35'39"E. a distance of 636.12', passing a set #5 rebar
22 with i.d. cap at 38.51' to the point of beginning, said parcel contains 80.96 acres area by
23 coordinate computation.

24 Legal description of 80.96 acres located in Chimney Rock Township, Rutherford
25 County, North Carolina; being a portion of the Town of Lake Lure Property as described in
26 Deed Book 153, Page 356, also being a portion of Rutherford County, NC Tax PIN 1641654.
27 The following Legal Description was taken from a plat of survey for the Lake Lure Classical
28 Academy, dated April 10, 2012, prepared by WNC Professional Engineers & Surveyors, PLLC
29 – Job #120305.

30 **SECTION 1.(b)** The Town of Lake Lure may, in its discretion, include in a
31 document conveying all or any portion of the property described in subsection (a) of this
32 section a reversionary clause which provides that if the property ceases to be used for public
33 school purposes, the property shall revert back to the Town of Lake Lure.

34 **SECTION 2.** This act is effective when it becomes law.