

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 493
PROPOSED COMMITTEE SUBSTITUTE H493-PCS40454-THx-21

Short Title: Lake Lure Deannexation/Referendum.

(Local)

Sponsors:

Referred to:

April 2, 2015

A BILL TO BE ENTITLED

AN ACT TO REMOVE CERTAIN DESCRIBED PROPERTY FROM THE CORPORATE
LIMITS OF THE TOWN OF LAKE LURE, SUBJECT TO A REFERENDUM.

The General Assembly of North Carolina enacts:

SECTION 1.(a) The following described property is removed from the corporate
limits of the Town of Lake Lure:

BEGINNING at a point at or near the northern margin of the right-of-way of SR
1186 and marking the southwest corner of the Ingles Markets, Inc. property as described by
deed recorded in Book 836, at Page 621 of the Rutherford County, NC Registry, said point also
being located North 76° 53' 14" West 1217.92 feet from NCGS Monument "Cane Creek"
having coordinates: North: 619089.9016 and East: 1047991.7782, NAD 83/2001; thence from
said established beginning point and along and with the center line of Girl Scout Camp Road
(SR 1186) the following nine calls, to wit: North 83° 03' 32" West 48.58 feet; South 84° 05' 49"
West 47.51 feet; South 60° 17' 14" West 41.56 feet; South 38° 46' 56" West 44.04 feet; South
22° 13' 16" West 42.48 feet; South 09° 07' 23" West 48.67 feet; South 03° 24' 18" East 58.41
feet; South 09° 36' 57" East 65.96 feet; South 12° 01' 06" East 90.41 feet to a point in the
western margin of that tract now or formerly owned by Kimberly Renee Corbitt as described by
deed recorded in Book 743, at Page 74, Rutherford County, NC Registry; thence along and
with the Corbitt tract western boundary, South 15° 24' 32" East 173.00 feet to an existing iron
pin at the southwest corner of the Corbitt property and also marking the northwest corner of
that tract now or formerly owned by Verlin D. Gingerich as described in Book 744, at Page
862, Rutherford County, NC Registry; thence continuing with the Gingerich western line the
following four calls, to wit: South 15° 24' 32" East 127.76 feet to an existing iron pin; thence
South 07° 52' 28" West 84.21 feet to an existing iron pin; thence South 35° 41' 54" West 46.25
feet to a new iron pin; thence South 40° 35' 17" East 448.39 feet to an existing iron pin marking
the southwest corner of the Gingerich tract; thence along and with the northern boundary of
that tract now or formerly owned by Whitson Edwards and wife, Pauline M. Edwards, property
by deed recorded in Book 354, at Page 237, Rutherford County, NC Registry, the following
three calls, to wit: North 84° 34' 58" West 1075.31 feet to an existing iron pin; thence North
14° 36' 24" West 192.62 feet to an existing iron pin; thence South 56° 39' 20" West 397.66 feet
to an existing iron pin; thence leaving the Edwards northern boundary and running with that
line of marking the westernmost boundary of the area within city limits for the Town of Lake
Lure the following two calls, to wit: North 19° 45' 38" West 1026.74 feet to a point and North
07° 01' 14" West 1252.72 feet to an existing iron pin located in the northern boundary of the
Eagle Camp, LLC, tract as described in Book 1017, at Page 188, Rutherford County, NC
Registry, and also being located in the southern line of that tract now or formerly owned by



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1 Mary Ann Dotson; thence along and with the Dotson southern line, South 84° 02' 21" East
2 1984.55 feet to an existing iron pin marking the northwest corner of that tract now or formerly
3 owned by Donald P. Adams property as described by deed recorded in Book 954, at Page 844,
4 Rutherford County, NC Registry, and as also shown by plat recorded in Plat Book 29, at Page
5 44, aforesaid registry; thence along with the Adams western boundary, South 01° 10' 44" East
6 430.48 feet to an existing iron pin marking the northwest corner of the Ingles tract described
7 above; thence along and with the Ingles western boundary, South 10° 10' 01" West 941.46 feet
8 to the point and place of BEGINNING, and BEING the easternmost portion of that property
9 conveyed to Eagle Camp, LLC, a North Carolina limited liability company, which portion is
10 intended to be all of the property that is located within the municipal boundaries of the Town of
11 Lake Lure as described by deed recorded in Book 1017, at Page 188 of the Rutherford County,
12 NC Registry, and as also shown on unrecorded survey for Eagle Camp, LLC, by Donald R.
13 McEntire, PLS, dated January 7, 2011, as revised, and bearing Map #22686, which unrecorded
14 survey is referenced and incorporated herein in its entirety in aid of description.

15 TOGETHER WITH AND SUBJECT TO all easements, restrictions, and
16 rights-of-ways of record, including those restrictions as recorded in Book 836, Page 624, and
17 the Grantor's rights of enforcement as set forth in that restrictive covenant recorded in Book
18 836, Page 628 of the Rutherford County, NC Registry.

19 **SECTION 1.(b)** This section has no effect upon the validity of any liens of the
20 Town of Lake Lure for ad valorem taxes or special assessments outstanding before the effective
21 date of this section. Such liens may be collected or foreclosed upon after the effective date of
22 this section as though the property were still within the corporate limits of the Town of Lake
23 Lure.

24 **SECTION 2.** Section 1 of this act becomes effective only if approved by the
25 registered voters of the Town of Lake Lure in a referendum conducted by the Rutherford
26 County Board of Elections on November 3, 2015. The referendum shall be conducted in
27 accordance with the provisions of Chapter 163 of the General Statutes. The question on the
28 ballot shall be:

29 "[] FOR [] AGAINST

30 The deannexation of the Mystic Waters Farm, LLC, property, formerly known as
31 Eagle Camp, LLC, (Tax PIN # 1645450)."

32 **SECTION 3.** If a majority of the votes cast in the referendum shall be in the
33 affirmative, Section 1 of this act becomes effective June 30, 2016. If a majority of the votes
34 cast in the referendum shall be against the deannexation, Section 1 of this act shall have no
35 force and effect. The remainder of this act is effective when it becomes law.