

MINUTES OF A REGULAR MEETING
OF THE BOARD OF COMMISSIONERS OF THE TOWN OF LAKE LURE
MARCH 27, 1984

The regular meeting of the Board of Commissioners of the Town of Lake Lure was held in the Community Building, March 27, 1984, at 7:30 P.M. Those present were: Mayor Hicks, Commissioners Sadye Gruver, Ted Cashion, Woodrow Price, Frankie Queen and Town Attorney, Jervis Arledge.

The meeting was called to order after the invocation by Dave Lide.

After the minutes of the regular meeting of February 28, 1984, were read, Woodrow Price, made the motion, seconded by Ted Cashion to accept the minutes as read. The vote was unanimous.

Mayor Hicks asked the Commissioners if there was any action regarding the annexation of the Fairfield Mountains, Inc. and Fairfield Communities, Inc. property. Commissioner Sadye Gruver made a motion to annex the property of Fairfield Mountains, Inc. and Fairfield Communities, Inc. as described in the Petition heretofore filed with the Board of Commissioners, which motion was seconded by Commissioner Cashion. Before the vote was taken, Mayor Hicks read the following proposed Annexation Ordinance:

"AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE TOWN OF LAKE LURE, NORTH CAROLINA

WHEREAS, the Board of Commissioners of the Town of Lake Lure has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the Board of Commissioners of the Town of Lake Lure has by resolution directed the Town Clerk or Deputy Town Clerk to investigate the sufficiency of said petition; and

WHEREAS, the Deputy Town Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at the Community Building in the Town of Lake Lure at 7:30 o'clock P.M. on the 28th day of February, 1984, after due notice by publication on the 17th day of February, 1984; and

WHEREAS, the Board of Commissioners of the Town of Lake Lure does hereby find as a fact that said petition meets the requirements of G.S. 160A-31, as amended;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Lake Lure, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-31, as amended, the following described territory, is hereby annexed and made part of the Town of Lake Lure as of the 1st day of April, 1984.

Situate, lying and being in Chimney Rock Township, Rutherford County, North Carolina, and being the major portion of those certain five tracts or parcels of land which were conveyed to Fairfield Communities, Inc. by deed from William Merritt Quattlebaum, Jr. and wife, Dorothy C. Quattlebaum dated August 26, 1981 and recorded in Deed Book 426 at page 538, Rutherford County Registry; and all those three tracts or parcels of land which were acquired by Fairfield Mountains, Inc. by deed from David McDaniel and wife, Juanita McDaniel dated May 10, 1983 of record in Deed Book 445 at page 489, by deed from Lawrence L. Logan and wife, Dovie J. Logan dated June 15, 1983 of record in Deed Book 446 at page 638, and by deed from Homer Sinclair and wife, Gertrude Flynn Sinclair dated October 25, 1983 of record in Deed Book 451 at page 305, Rutherford County Registry; all of said properties being herein described in one consolidated boundary as follows:

Beginning on a railroad spike located in the center of a bridge on which North Carolina State Secondary Road No. 1306 crosses Bill's Creek, said beginning point being the easternmost corner of that 87 acre tract or parcel of land which was conveyed to William Merritt Quattlebaum, Jr. by deed from George B. Davis and wife, Phyllis F. Davis dated January 15, 1968 and recorded in Deed Book 305 at page 569, Rutherford County Registry; and runs thence from said beginning point and with the center line of North Carolina State Secondary Road No. 1306 with a curve to the left having a radius of 414.83 feet, a curve length of 412.59 feet to a point of tangency; thence continuing with the center line of North Carolina State Secondary Road No. 1306, South 61 deg. 09 min. 02 sec. West 580.17 feet to a point of curvature; thence with a curve to the right having a radius of 1302.33 feet, a curve length of 312.49 feet to a point of tangency; thence continuing with the center line of North Carolina State Secondary Road No. 1306, South 74 deg. 53 min. 55 sec. West 72.15 feet to a point in the center of the road; thence leaving the road North 12 deg. 26 min. 25 sec. West 109.14 feet to an iron pin on the bank of a branch; thence South 75 deg. 23 min. 57 sec. West 181.46 feet to an iron pin north of a branch; thence South 19 deg. 10 min. 18 sec. West (crossing an iron pin in the northern right of way of North Carolina State Secondary Road No. 1306 at 98.96 feet) a total distance of 119.55 feet to a point in the center of North Carolina State Secondary Road No. 1306; thence with the center line of North Carolina State Secondary Road No. 1306, South 80 deg. 35 min. 50 sec. West 248.92 feet to a point of curvature; thence with a curve to the left having a radius of 415.41 feet, a curve length of 136.75 feet to a point of tangency; thence continuing with the center line of North Carolina State Secondary Road No. 1306, South 61 deg. 44 min. 10 sec. West 144.16 feet to a point of curvature; thence with a curve to the right having a radius of 317.67 feet a curve length of 255.31 feet to a point of tangency; thence continuing with the center line of North Carolina State Secondary Road No. 1306, North 72 deg. 12 min. 58 sec. West 222.67 feet to a point of curvature; thence with a curve to the right having a radius of 399.23 feet, a curve length of 63.86 feet to a point of tangency; thence continuing with the center line of North Carolina State Secondary Road No. 1306, North 63 deg. 03 min. 03 sec. West 233.17 feet, North 74 deg. 15 min. 32 sec. West 212.59 feet, and North 62 deg. 37 min. 09 sec. West 101.13 feet

to a nail found in the center of North Carolina State Secondary Road No. 1306 where it intersects with North Carolina State Secondary Road No. 1307; thence from said point and with North Carolina State Secondary Road No. 1307, South 55 deg. 02 min. 43 sec. West 207.47 feet, South 63 deg. 02 min. 44 sec. West 160.00 feet, South 64 deg. 47 min. 44 sec. West 95.00 feet, South 54 deg. 02 min. 44 sec. West 132.00 feet to an iron pin in the western right of way of North Carolina State Secondary Road No. 1307; thence continuing with said road, South 19 deg. 32 min. 44 sec. West 200.00 feet, South 0 deg. 17 min. 44 sec. West 200.00 feet, South 1 deg. 27 min. 16 sec. East 256.00 feet, South 4 deg. 40 min. 40 sec. West 98.50 feet, South 11 deg. 05 min. 40 sec. West 100.00 feet, South 36 deg. 35 min. 40 sec. West 210.00 feet and South 52 deg. 50 min. 40 sec. West 100.00 feet to a point in North Carolina State Secondary Road No. 1307; thence leaving said road, North 78 deg. 19 min. 17 sec. West 186.33 feet to an iron pin in a farm road; thence continuing with said farm road, North 43 deg. 51 min. 00 sec. West 87.50 feet, North 26 deg. 21 min. 00 sec. West 130.00 feet, and North 41 deg. 21 min. 00 sec. West 100.00 feet; thence leaving said farm road, North 75 deg. 51 min. 00 sec. West 65.00 feet to an iron pin just south of said farm road; thence crossing said farm road, North 13 deg. 54 min. 00 sec. East 213.00 feet to a stone; thence North 72 deg. 59 min. 37 sec. West 197.45 feet to a stone; South 17 deg. 19 min. 41 sec. West 455.80 feet to a stone; thence North 77 deg. 20 min. 23 sec. West 170.85 feet to an iron pin; North 80 deg. 17 min. 50 sec. West 164.41 feet to an iron pin; thence South 2 deg. 11 min. 39 sec. East 398.21 feet, South 12 deg. 00 min. 47 sec. West 243.10 feet and North 62 deg. 04 min. 55 sec. East 224.31 feet to a 40 inch locust; thence South 9 deg. 05 min. 10 sec. West 77.73 feet to a 10 inch sourwood (dead) in the head of a branch; thence with the center of said branch a general course of South 6 deg. 02 min. 58 sec. East 104.65 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 28 deg. 12 min. 31 sec. East 158.11 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 42 deg. 18 min. 49 sec. East 161.91 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 0 deg. 54 min. 46 sec. East 73.24 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 31 deg. 43 min. 14 sec. East 74.10 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 81 deg. 51 min. 46 sec. East 138.41 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 54 deg. 07 min. 06 sec. East 115.06 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 18 deg. 43 min. 20 sec. East 65.40 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 25 deg. 35 min. 45 sec. West 67.03 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 12 deg. 30 min. 15 sec. East 149.60 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 26 deg. 09 min. 06 sec. East 162.60 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 4 deg. 54 min. 22 sec. East 101.98 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 43 deg. 54 min. 34 sec. East 137.53 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 11 deg. 12 min. 13 sec. West

31.59 feet to an iron pin in the branch; thence North 83 deg. 45 min. 36 sec. East 705.97 feet to a nail found in the top of a large rock; thence South 3 deg. 51 min. 53 sec. West 2526.40 feet to a point; thence South 79 deg. 11 min. 43 sec. West 444.37 feet to an iron pin found; thence North 63 deg. 57 min. 14 sec. West 975.10 feet to an iron pipe found; thence South 47 deg. 58 min. 18 sec. West (crossing the center of a road at 383.87 feet) a total distance of 823.87 feet to an iron pipe found; thence North 64 deg. 53 min. 56 sec. West 213.64 feet to an iron pipe found; thence North 55 deg. 08 min. 03 sec. West 118.94 feet to an iron pipe; thence North 34 deg. 52 min. 21 sec. West 51.45 feet to an iron pin on the top of a ridge; thence continuing with the top of the ridge, the following five courses and distances: (1) North 40 deg. 37 min. 21 sec. West 198.00 feet; (2) North 34 deg. 37 min. 21 sec. West 198.00 feet; (3) North 31 deg. 52 min. 21 sec. West 198.00 feet; (4) North 78 deg. 52 min. 21 sec. West 198.00 feet; and (5) North 64 deg. 52 min. 21 sec. West 198.00 feet to an iron pin; thence leaving said ridge, North 45 deg. 22 min. 39 sec. East 691.44 feet to an iron pin found at the base of a 16 inch beech located on the northeastern margin of an old farm road; thence South 72 deg. 35 min. 31 sec. East 1357.59 feet to an iron pin; thence North 23 deg. 54 min. 48 sec. East 342.88 feet to an iron pin; thence North 3 deg. 50 min. 12 sec. West 511.50 feet to an iron pin; thence North 42 deg. 39 min. 48 sec. East 297.00 feet to an iron pin; thence North 2 deg. 05 min. 12 sec. West 355.02 feet to an iron pipe set; thence South 84 deg. 47 min. 51 sec. West 1402.61 feet to an iron pin; thence North 2 deg. 17 min. 25 sec. East 66.00 feet to a bolt found; North 21 deg. 15 min. 17 sec. East 351.96 feet to a steel bar found; North 7 deg. 27 min. 22 sec. East 131.35 feet to an iron pin; North 6 deg. 22 min. 55 sec. East 476.87 feet to an iron pin; thence South 82 deg. 38 min. 38 sec. West 409.82 feet to a point; thence South 82 deg. 33 min. 06 sec. West 240.52 feet to a 30 inch beech in the center of the branch; thence continuing with the center of the branch a general course of North 15 deg. 55 min. 04 sec. West 115.05 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of North 33 deg. 48 min. 13 sec. West 115.50 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of North 10 deg. 49 min. 26 sec. West 82.50 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of North 3 deg. 45 min. 04 sec. West 132 feet to a point in the center of the branch; thence North 19 deg. 25 min. 59 sec. West 115.50 feet, North 5 deg. 03 min. 48 sec. East 121.73 feet to an 18 inch red oak on a sheltered rock; thence North 45 deg. 45 min. 40 sec. East 38.95 feet and North 12 deg. 32 min. 07 sec. East 330.00 feet to a 42 inch maple in a draw; thence North 43 deg. 29 min. 08 sec. East 248.99 feet to a pine stump; thence North 87 deg. 29 min. 46 sec. East 482.53 feet to an iron pin found at a stone, and North 1 deg. 32 min. 50 sec. West 366.82 feet to a 36 inch white oak; thence North 9 deg. 51 min. 06 sec. East 357.22 feet, North 6 deg. 59 min. 59 sec. East 385.00 feet, North 87 deg. 59 min. 59 sec. East 266.79 feet, and North 8 deg. 29 min. 51 sec. East 180.22 feet to a marked 8 inch white oak; thence North 56 deg. 10 min. 48 sec. West 908.45 feet to an iron pin; thence North 32 deg. 24 min. 51 sec. East 213.45 feet to an iron pin east of a farm road; thence North 50 deg. 52 min. 46 sec. East 450 feet to a stone; thence North 27 deg. 07 min. 14 sec. West 340.00 feet to an iron pin at a fence corner; thence North 84 deg. 19 min. 36 sec. West 39.60 feet to an iron pin; thence North 19 deg. 15 min. 40 sec. East (crossing an iron pin at 762.70 feet) a total distance of 794.28 feet to a point in the center line of North Carolina State Secondary Road No. 1306; thence South 52 deg. 33 min. 42

sec. East 41.65 feet to a nail found in the center line of North Carolina State Secondary Road No. 1306; thence leaving the road North 15 deg. 34 min. 18 sec. West 73.09 feet, North 66 deg. 29 min. 11 sec. East (crossing an iron pin at 666.01 feet) a total distance of 874.15 feet to an iron pin; thence North 34 deg. 07 min. 44 sec. West 535.20 feet to a point in the center of a creek; thence North 89 deg. 21 min. 54 sec. West 251.85 feet to a point; thence North 42 deg. 16 min. 23 sec. West 40.61 feet to an iron pin found; thence South 88 deg. 19 min. 04 sec. West 612.62 feet to an iron pin found; thence South 17 deg. 31 min. 38 sec. West 496.05 feet to a nail in the center of North Carolina State Secondary Road No. 1306; thence with the center of North Carolina State Secondary Road No. 1306, North 62 deg. 07 min. 07 sec. West 411.46 feet to a railroad spike set in the center of the road; thence leaving the road, North 5 deg. 18 min. 18 sec. West 157.19 feet, North 25 deg. 41 min. 42 sec. East 492.28 feet, North 0 deg. 22 min. 27 sec. West 317.53 feet, North 32 deg. 34 min. 01 sec. East 1135.13 feet to a point in a farm where it fords a creek; thence up and with the center of the creek as it meanders, a general course of North 45 deg. 34 min. 53 sec. East 110.32 feet to a point in the center of the creek; thence still with the center of the creek a general course of North 1 deg. 56 min. 51 sec. East 294.36 feet to a point in the center of the intersection of the creek and Jack's Branch; thence up and with the center of Jack's Branch, a general course of North 10 deg. 28 min. 48 sec. West 491.89 feet to a point in the center of Jack's Branch; thence still with the center of Jack's Branch the following general courses and distances: North 15 deg. 30 min. 51 sec. East 126.78 feet, North 15 deg. 48 min. 30 sec. West 45.08 feet, North 60 deg. 00 min. 47 sec. East 50.04 feet, North 8 deg. 58 min. 53 sec. West 218.76 feet, North 4 deg. 02 min. 40 sec. East 170.32 feet, North 38 deg. 17 min. 03 sec. East 107.44 feet, North 20 deg. 31 min. 07 sec. West 66.03 feet, and North 6 deg. 23 min. 58 sec. East 97.26 feet to a point in Jack's Branch; thence North 63 deg. 59 min. 20 sec. East (passing a concrete monument at 10.00 feet), a total distance of 168.40 feet to a concrete monument set in an old pine stump; thence North 38 deg. 29 min. 20 sec. East 432.15 feet to a concrete monument; thence North 8 deg. 34 min. 47 sec. East 1018.83 feet to a concrete monument; thence South 27 deg. 29 min. 20 sec. East 2350.64 feet to a concrete monument; thence South 30 deg. 46 min. 21 sec. West 307.54 feet to an iron pipe replacing a stone found at the corner of the Lake Lure Corporation (formerly Leibowitz and Caplan) and Lester Logan property; thence with the Lester Logan line, South 30 deg. 46 min. 21 sec. West 261.71 feet to a concrete monument replacing a stone found; thence South 17 deg. 44 min. 49 sec. West 617.26 feet to an iron pipe; thence South 20 deg. 23 min. 41 sec. West 687.50 feet to an iron pipe; thence South 51 deg. 06 min. 19 sec. East 1386.19 feet to an iron pin in the northern right of way of North Carolina State Secondary Road No. 1308; thence South 38 deg. 21 min. 09 sec. East 627.00 feet to a point in the northern right of way of said road; thence leaving the right of way of said road North 30 deg. 41 min. 32 sec. East (crossing an iron pin at 30.00 feet) a total distance of 709.50 feet to a 14 inch maple on the south bank of a branch; thence South 61 deg. 19 min. 58 sec. East 253.20 feet to a point in the center line of the branch; thence with the center line of said branch a general course of South 26 deg. 39 min. East 244.17 feet to a point in the center of the branch; thence continuing with the center line of the branch a general course of South 1 deg. 08 min. 52 sec. East 232.25 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 10 deg. 05 min. 21 sec. East 189.03 feet to a persimmon at the north bank of a branch;

thence with the center of the branch a general course of South 4 deg. 33 min. 47 sec. East 177.40 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 23 deg. 07 min. 09 sec. East 92.21 feet to a point in the center of the branch; thence still with the branch, South 53 deg. 47 min. 01 sec. East 74.30 feet to a point in the center of the branch; thence continuing with the branch a general course of South 59 deg. 34 min. 05 sec. East 123.80 feet to a stone found at the south bank of the branch; thence continuing with the center of the branch a general course of South 37 deg. 30 min. 04 sec. East 202.10 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 62 deg. 02 min. East 178.31 feet to an iron pin located in the center of the intersection of two branches; thence continuing with the center line of the branch a general course of South 45 deg. 41 min. 01 sec. East 189.67 feet to an iron pin in the center of the intersection of a branch and ditch; thence continuing with the center line of the branch a general course of South 26 deg. 59 min. 53 sec. East 104.01 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 74 deg. 21 min. 09 sec. East 128.59 feet to an iron pin in the center of the intersection of the branch with Bill's Creek; thence with the center line of Bill's Creek a general course of North 83 deg. 26 min. 52 sec. East 168.54 feet to a point in the center of the Creek; thence continuing with the center of Bill's Creek a general course of South 40 deg. 34 min. 17 sec. East 124.59 feet to a point in the center of the Creek; thence continuing with the center of the creek a general course of South 17 deg. 43 min. 39 sec. East 125.43 feet to a point in the center of the creek; thence continuing with the center of the creek a general course of South 54 deg. 11 min. 05 sec. East 136.10 feet to an iron pin found in the center of the Creek; thence leaving Bill's Creek North 20 deg. 13 min. 52 sec. East (crossing a car jack found at 10.00 feet) a total distance of 914.81 feet to an iron pin; thence North 38 deg. 26 min. 29 sec. East 290.32 feet to a stone and pointers found; thence South 39 deg. 03 min. 40 sec. East 349.36 feet to a stone found at the west bank of a branch; thence South 7 deg. 51 min. 43 sec. West 484.68 feet to a 24 inch walnut found at the west bank of a branch; thence South 4 deg. 54 min. 52 sec. East 540.65 feet to a stone found at the west bank of branch; thence South 37 deg. 42 min. 33 sec. East 195.09 feet to an iron pin, North 77 deg. 41 min. 12 sec. East 66.00 feet to an iron pin; South 79 deg. 18 min. 48 sec. East 132.00 feet to an iron pin; South 29 deg. 18 min. 48 sec. East 198.00 feet to an iron pin; and South 10 deg. 41 min. 12 sec. West 82.50 feet to an iron pin located in the northern edge of North Carolina State Secondary Road No. 1306; thence South 36 deg. 18 min. 48 sec. East 33.00 feet to the point and place of beginning, and containing 636.458 acres.

THERE IS EXCEPTED HOWEVER from the above described boundary the following tract or parcel of land which is not owned by Fairfield Mountains, Inc. or Fairfield Communities, Inc.:

Beginning at a point which stands North 57 deg. 06 min. 26 sec. West 305.41 feet from a nail in the center line of North Carolina State Secondary Road No. 1306 (a/k/a Buffalo Road) where it intersects with the center line of North Carolina State Secondary Road No. 1307; said beginning point being the westernmost corner of the tract conveyed by Homer Sinclair and wife, Gertrude Flynn Sinclair to Fairfield Mountains, Inc. by deed of record in Deed Book 451 at

page 305, Rutherford County Registry; thence North 39 deg. 41 min. 28 sec. East (crossing an iron pin at 29.48 feet) a total distance of 231.46 feet to an iron pin and North 5 deg. 25 min. 10 sec. East 74.51 feet to an iron pin; thence North 58 deg. 28 min. 48 sec. West 100.89 feet, North 39 deg. 46 min. 12 sec. West 63.85 feet, North 39 deg. 46 min. 12 sec. West 189.03 feet, North 40 deg. 04 min. 32 sec. West 346.40 feet to a 15 inch white oak at a fence corner; thence North 61 deg. 43 min. 19 sec. West 974.64 feet to a stone; thence North 22 deg. 11 min. 04 sec. West 329.54 feet to an iron pin; North 82 deg. 08 min. 57 sec. West 265.15 feet to an iron pin, North 80 deg. 59 min. 36 sec. West 293.67 feet to an axle; thence South 9 deg. 04 min. 03 sec. West 72.52 feet to a railroad spike found in the center of North Carolina State Secondary Road No. 1306; thence South 59 deg. 40 min. 02 sec. East 380.43 feet to a point of curvature; thence with a curve to the right having a radius of 1504.10 feet, a curve length of 475.98 feet to a point of tangency, South 41 deg. 32 min. 07 sec. East 518.34 feet to a point of curvature, thence with a curve to the left having a radius of 1593.22 feet, a curve length of 285.24 feet to a point of tangency; South 51 deg. 47 min. 35 sec. East 573.55 feet, South 53 deg. 33 min. 24 sec. East 40.01 feet and South 57 deg. 06 min. 26 sec. East 160.1 feet to the point and place of beginning, and containing 14.868 acres.

Section 2. Upon and after the 1st day of April, 1984, 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 Lake Lure and shall be entitled to the same privileges and benefits as other parts of the Town of Lake Lure. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 3. The Mayor of the Town of Lake Lure shall cause to be recorded in the Office of the Register of Deeds of Rutherford 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 hereof, together with a duly certified copy of this Ordinance."

The foregoing Ordinance was adopted by the following Vote:

Ayes: Commissioner Price, Commissioner Cashion, Commissioner Gruver
Noes: Commissioner Queen

Upon motion of Commissioner Gruver, seconded by Commissioner Cashion, the following Ordinance was read and presented for adoption:

"AN ORDINANCE AMENDING THE ZONING
ORDINANCE AND MAP OF THE TOWN OF LAKE LURE

Whereas, the Board of Commissioners of the Town of Lake Lure, after due notice, conducted a public hearing on the 28th day of February, 1984, upon the question of amending the Zoning Ordinance and Map in certain respects; and

Whereas, the Town Council deems it in the best interest of the Town to enact certain amendments considered at such hearing;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE:

SECTION 1: The Zoning Ordinance and Zoning Map of the Town of Lake Lure is hereby amended by extending the Town Zoning boundary and jurisdiction to include the territory hereinafter described annexed on the 27th day of March, 1984, and described in the Annexation Ordinance of that date, and by designating said territory as being within the R-3 Resort Residential District. Said territory is more particularly described as follows:

Situate, lying and being in Chimney Rock Township, Rutherford County, North Carolina, and being the major portion of those certain five tracts or parcels of land which were conveyed to Fairfield Communities, Inc. by deed from William Merritt Quattlebaum, Jr. and wife, Dorothy C. Quattlebaum dated August 26, 1981 and recorded in Deed Book 426 at page 538, Rutherford County Registry; and all those three tracts or parcels of land which were acquired by Fairfield Mountains, Inc. by deed from David McDaniel and wife, Juanita McDaniel dated May 10, 1983 of record in Deed Book 445 at page 489, by deed from Lawrence L. Logan and wife, Dovie J. Logan dated June 15, 1983 of record in Deed Book 446 at page 638, and by deed from Homer Sinclair and wife, Gertrude Flynn Sinclair dated October 25, 1983 of record in Deed Book 451 at page 305, Rutherford County Registry; all of said properties being herein described in one consolidated boundary as follows:

Beginning on a railroad spike located in the center of a bridge on which North Carolina State Secondary Road No. 1306 crosses Bill's Creek, said beginning point being the easternmost corner of that 87 acre tract or parcel of land which was conveyed to William Merritt Quattlebaum, Jr. by deed from George B. Davis and wife, Phyllis F. Davis dated January 15, 1968 and recorded in Deed Book 305 at page 569, Rutherford County Registry; and runs thence from said beginning point and with the center line of North Carolina State Secondary Road No. 1306 with a curve to the left having a radius of 414.83 feet, a curve length of 412.59 feet to a point of tangency; thence continuing with the center line of North Carolina State Secondary Road No. 1306, South 61 deg. 09 min. 02 sec. West 580.17 feet to a point of curvature; thence with a curve to the right having a radius of 1302.33 feet, a curve length of 312.49 feet to a point of tangency; thence continuing with the center line of North Carolina State Secondary Road No. 1306, South 74 deg. 53 min. 55 sec. West 72.15 feet to a point in the center of the road; thence leaving the road North 12 deg. 26 min. 25 sec. West 109.14 feet to an iron pin on the bank of a branch; thence South 75 deg. 23 min. 57 sec. West 181.46 feet to an iron pin north of a branch; thence South 19 deg. 10 min. 18 sec. West (crossing an iron pin in the northern right of way of North Carolina State Secondary Road No. 1306 at 98.96 feet) a total distance of 119.55 feet to a point in the center of North Carolina State Secondary Road No. 1306; thence with the center line of North Carolina State Secondary Road No. 1306, South 80 deg. 35 min. 50 sec. West 248.92 feet to a point of curvature; thence with a curve to the left having a radius of 415.41 feet, a curve length of 136.75 feet to a point of tangency; thence continuing with the center line of North Carolina State Secondary Road No. 1306, South 61 deg. 44 min. 10 sec. West 144.16 feet to a point of curvature; thence with a curve to the right having a radius of 317.67 feet, a curve length of 255.31 feet to a point of tangency; thence continuing with

the center line of North Carolina State Secondary Road No. 1306, North 72 deg. 12 min. 58 sec. West 222.67 feet to a point of curvature; thence with a curve to the right having a radius of 399.23 feet, a curve length of 63.86 feet to a point of tangency; thence continuing with the center line of North Carolina State Secondary Road No. 1306, North 63 deg. 03 min. 03 sec. West 233.17 feet, North 74 deg. 15 min. 32 sec. West 212.59 feet, and North 62 deg. 37 min. 09 sec. West 101.13 feet to a nail found in the center of North Carolina State Secondary Road No. 1306 where it intersects with North Carolina State Secondary Road No. 1307; thence from said point and with North Carolina State Secondary Road No. 1307, South 55 deg. 02 min. 43 sec. West 207.47 feet, South 63 deg. 02 min. 44 sec. West 160.00 feet, South 64 deg. 47 min. 44 sec. West 95.00 feet, South 54 deg. 02 min. 44 sec. West 132.00 feet to an iron pin in the western right of way of North Carolina State Secondary Road No. 1307; thence continuing with said road, South 19 deg. 32 min. 44 sec. West 200.00 feet, South 0 deg. 17 min. 44 sec. West 200.00 feet, South 1 deg. 27 min. 16 sec. East 256.00 feet, South 4 deg. 40 min. 40 sec. West 98.50 feet, South 11 deg. 05 min. 40 sec. West 100.00 feet, South 36 deg. 35 min. 40 sec. West 210.00 feet and South 52 deg. 50 min. 40 sec. West 100.00 feet to a point in North Carolina State Secondary Road No. 1307; thence leaving said road, North 78 deg. 19 min. 17 sec. West 186.33 feet to an iron pin in a farm road; thence continuing with said farm road, North 43 deg. 51 min. 00 sec. West 87.50 feet, North 26 deg. 21 min. 00 sec. West 130.00 feet, and North 41 deg. 21 min. 00 sec. West 100.00 feet; thence leaving said farm road, North 75 deg. 51 min. 00 sec. West 65.00 feet to an iron pin just south of said farm road; thence crossing said farm road, North 13 deg. 54 min. 00 sec. East 213.00 feet to a stone; thence North 72 deg. 59 min. 37 sec. West 197.45 feet to a stone; South 17 deg. 19 min. 41 sec. West 455.80 feet to a stone; thence North 77 deg. 20 min. 23 sec. West 170.85 feet to an iron pin; North 80 deg. 17 min. 50 sec. West 164.41 feet to an iron pin; thence South 2 deg. 11 min. 39 sec. East 398.21 feet, South 12 deg. 00 min. 47 sec. West 243.10 feet and North 62 deg. 04 min. 55 sec. East 224.31 feet to a 40 inch locust; thence South 9 deg. 05 min. 10 sec. West 77.73 feet to a 10 inch sourwood (dead) in the head of a branch; thence with the center of said branch a general course of South 6 deg. 02 min. 58 sec. East 104.65 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 28 deg. 12 min. 31 sec. East 158.11 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 42 deg. 18 min. 49 sec. East 161.91 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 0 deg. 54 min. 46 sec. East 73.24 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 31 deg. 43 min. 14 sec. East 74.10 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 81 deg. 51 min. 46 sec. East 138.41 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 54 deg. 07 min. 06 sec. East 115.06 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 18 deg. 43 min. 20 sec. East 65.40 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 25 deg. 35 min. 45 sec. West 67.03 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 12 deg. 30 min. 15 sec. East 149.60 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 26 deg.

09 min. 06 sec. East 162.60 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 4 deg. 54 min. 22 sec. East 101.98 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 43 deg. 54 min. 34 sec. East 137.53 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 11 deg. 12 min. 13 sec. West 31.59 feet to an iron pin in the branch; thence North 83 deg. 45 min. 36 sec. East 705.97 feet to a nail found in the top of a large rock; thence South 3 deg. 51 min. 53 sec. West 2526.40 feet to a point; thence South 79 deg. 11 min. 43 sec. West 444.37 feet to an iron pin found; thence North 63 deg. 57 min. 14 sec. West 975.10 feet to an iron pipe found; thence South 47 deg. 58 min. 18 sec. West (crossing the center of a road at 383.87 feet) a total distance of 823.87 feet to an iron pipe found; thence North 64 deg. 53 min. 56 sec. West 213.64 feet to an iron pipe found; thence North 55 deg. 08 min. 03 sec. West 118.94 feet to an iron pipe; thence North 34 deg. 52 min. 21 sec. West 51.45 feet to an iron pin on the top of a ridge; thence continuing with the top of the ridge, the following five courses and distances: (1) North 40 deg. 37 min. 21 sec. West 198.00 feet; (2) North 34 deg. 37 min. 21 sec. West 198.00 feet; (3) North 31 deg. 52 min. 21 sec. West 198.00 feet; (4) North 78 deg. 52 min. 21 sec. West 198.00 feet; and (5) North 64 deg. 52 min. 21 sec. West 198.00 feet to an iron pin; thence leaving said ridge, North 45 deg. 22 min. 39 sec. East 691.44 feet to an iron pin found at the base of a 16 inch beech located on the northeastern margin of an old farm road; thence South 72 deg. 35 min. 31 sec. East 1357.59 feet to an iron pin; thence North 23 deg. 54 min. 48 sec. East 342.88 feet to an iron pin; thence North 3 deg. 50 min. 12 sec. West 511.50 feet to an iron pin; thence North 42 deg. 39 min. 48 sec. East 297.00 feet to an iron pin; thence North 2 deg. 05 min. 12 sec. West 355.02 feet to an iron pipe set; thence South 84 deg. 47 min. 51 sec. West 1402.61 feet to an iron pin; thence North 2 deg. 17 min. 25 sec. East 66.00 feet to a bolt found; North 21 deg. 15 min. 17 sec. East 351.96 feet to a steel bar found; North 7 deg. 27 min. 22 sec. East 131.35 feet to an iron pin; North 6 deg. 22 min. 55 sec. East 476.87 feet to an iron pin; thence South 82 deg. 38 min. 38 sec. West 409.82 feet to a point; thence South 82 deg. 33 min. 06 sec. West 240.52 feet to a 30 inch beech in the center of the branch; thence continuing with the center of the branch a general course of North 15 deg. 55 min. 04 sec. West 115.05 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of North 33 deg. 48 min. 13 sec. West 115.50 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of North 10 deg. 49 min. 26 sec. West 82.50 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of North 3 deg. 45 min. 04 sec. West 132 feet to a point in the center of the branch; thence North 19 deg. 25 min. 59 sec. West 115.50 feet, North 5 deg. 03 min. 48 sec. East 121.73 feet to an 18 inch red oak on a sheltered rock; thence North 45 deg. 45 min. 40 sec. East 38.95 feet and North 12 deg. 32 min. 07 sec. East 330.00 feet to a 42 inch maple in a draw; thence North 43 deg. 29 min. 08 sec. East 248.99 feet to a pine stump; thence North 87 deg. 29 min. 46 sec. East 482.53 feet to an iron pin found at a stone, and North 1 deg. 32 min. 50 sec. West 366.82 feet to a 36 inch white oak; thence North 9 deg. 51 min. 06 sec. East 357.22 feet, North 6 deg. 59 min. 59 sec. East 385.00 feet, North 87 deg. 59 min. 59 sec. East 266.79 feet, and North 8 deg. 29 min. 51 sec. East 180.22 feet to a marked 8 inch white oak; thence North 56 deg. 10 min. 48 sec. West 908.45 feet to an iron pin; thence North 32 deg. 24 min. 51

sec. East 213.45 feet to an iron pin east of a farm road; thence North 50 deg. 52 min. 46 sec. East 450 feet to a stone; thence North 27 deg. 07 min. 14 sec. West 340.00 feet to an iron pin at a fence corner; thence North 84 deg. 19 min. 36 sec. West 39.60 feet to an iron pin; thence North 19 deg. 15 min. 40 sec. East (crossing an iron pin at 762.70 feet) a total distance of 794.28 feet to a point in the center line of North Carolina State Secondary Road No. 1306; thence South 52 deg. 33 min. 42 sec. East 41.65 feet to a nail found in the center line of North Carolina State Secondary Road No. 1306; thence leaving the road North 15 deg. 34 min. 18 sec. West 73.09 feet, North 66 deg. 29 min. 11 sec. East (crossing an iron pin at 666.01 feet) a total distance of 874.15 feet to an iron pin; thence North 34 deg. 07 min. 44 sec. West 535.20 feet to a point in the center of a creek; thence North 89 deg. 21 min. 54 sec. West 251.85 feet to a point; thence North 42 deg. 16 min. 23 sec. West 40.61 feet to an iron pin found; thence South 88 deg. 19 min. 04 sec. West 612.62 feet to an iron pin found; thence South 17 deg. 31 min. 38 sec. West 496.05 feet to a nail in the center of North Carolina State Secondary Road No. 1306; thence with the center of North Carolina State Secondary Road No. 1306, North 62 deg. 07 min. 07 sec. West 411.46 feet to a railroad spike set in the center of the road; thence leaving the road, North 5 deg. 18 min. 18 sec. West 157.19 feet, North 25 deg. 41 min. 42 sec. East 492.28 feet, North 0 deg. 22 min. 27 sec. West 317.53 feet, North 32 deg. 34 min. 01 sec. East 1135.13 feet to a point in a farm where it fords a creek; thence up and with the center of the creek as it meanders, a general course of North 45 deg. 34 min. 53 sec. East 110.32 feet to a point in the center of the creek; thence still with the center of the creek a general course of North 1 deg. 56 min. 51 sec. East 294.36 feet to a point in the center of the intersection of the creek and Jack's Branch; thence up and with the center of Jack's Branch, a general course of North 10 deg. 28 min. 48 sec. West 491.89 feet to a point in the center of Jack's Branch; thence still with the center of Jack's Branch the following general courses and distances: North 15 deg. 30 min. 51 sec. East 126.78 feet, North 15 deg. 48 min. 30 sec. West 45.08 feet, North 60 deg. 00 min. 47 sec. East 50.04 feet, North 8 deg. 58 min. 53 sec. West 218.76 feet, North 4 deg. 02 min. 40 sec. East 170.32 feet, North 38 deg. 17 min. 03 sec. East 107.44 feet, North 20 deg. 31 min. 07 sec. West 66.03 feet, and North 6 deg. 23 min. 58 sec. East 97.26 feet to a point in Jack's Branch; thence North 63 deg. 59 min. 20 sec. East (passing a concrete monument at 10.00 feet), a total distance of 168.40 feet to a concrete monument set in an old pine stump; thence North 38 deg. 29 min. 20 sec. East 432.15 feet to a concrete monument; thence North 8 deg. 34 min. 47 sec. East 1018.83 feet to a concrete monument; thence South 27 deg. 29 min. 20 sec. East 2350.64 feet to a concrete monument; thence South 30 deg. 46 min. 21 sec. West 307.54 feet to an iron pipe replacing a stone found at the corner of the Lake Lure Corporation (formerly Leibowitz and Caplan) and Lester Logan property; thence with the Lester Logan line, South 30 deg. 46 min. 21 sec. West 261.71 feet to a concrete monument replacing a stone found; thence South 17 deg. 44 min. 49 sec. West 617.26 feet to an iron pipe; thence South 20 deg. 23 min. 41 sec. West 687.50 feet to an iron pipe; thence South 51 deg. 06 min. 19 sec. East 1386.19 feet to an iron pin in the northern right of way of North Carolina State Secondary Road No. 1308; thence South 38 deg. 21 min. 09 sec. East 627.00 feet to a point in the northern right of way of said road; thence leaving the right of way of said road North 30 deg. 41 min. 32 sec. East (crossing an iron pin at 30.00 feet) a total distance of 709.50 feet to a 14 inch maple on the south bank of a branch; thence South 61 deg. 19 min. 58 sec. East 253.20 feet to a point in the center line of the branch;

thence with the center line of said branch a general course of South 26 deg. 39 min. East 244.17 feet to a point in the center of the branch; thence continuing with the center line of the branch a general course of South 1 deg. 08 min. 52 sec. East 232.25 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 10 deg. 05 min. 21 sec. East 189.03 feet to a persimmon at the north bank of a branch; thence with the center of the branch a general course of South 4 deg. 33 min. 47 sec. East 177.40 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 23 deg. 07 min. 09 sec. East 92.21 feet to a point in the center of the branch; thence still with the branch, South 53 deg. 47 min. 01 sec. East 74.30 feet to a point in the center of the branch; thence continuing with the branch a general course of South 59 deg. 34 min. 05 sec. East 123.80 feet to a stone found at the south bank of the branch; thence continuing with the center of the branch a general course of South 37 deg. 30 min. 04 sec. East 202.10 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 62 deg. 02 min. East 178.31 feet to an iron pin located in the center of the intersection of two branches; thence continuing with the center line of the branch a general course of South 45 deg. 41 min. 01 sec. East 189.67 feet to an iron pin in the center of the intersection of a branch and ditch; thence continuing with the center line of the branch a general course of South 26 deg. 59 min. 53 sec. East 104.01 feet to a point in the center of the branch; thence continuing with the center of the branch a general course of South 74 deg. 21 min. 09 sec. East 128.59 feet to an iron pin in the center of the intersection of the branch with Bill's Creek; thence with the center line of Bill's Creek a general course of North 83 deg. 26 min. 52 sec. East 168.54 feet to a point in the center of the Creek; thence continuing with the center of Bill's Creek a general course of South 40 deg. 34 min. 17 sec. East 124.59 feet to a point in the center of the Creek; thence continuing with the center of the creek a general course of South 17 deg. 43 min. 39 sec. East 125.43 feet to a point in the center of the creek; thence continuing with the center of the creek a general course of South 54 deg. 11 min. 05 sec. East 136.10 feet to an iron pin found in the center of the Creek; thence leaving Bill's Creek North 20 deg. 13 min. 52 sec. East (crossing a car jack found at 10.00 feet) a total distance of 914.81 feet to an iron pin; thence North 38 deg. 26 min. 29 sec. East 290.32 feet to a stone and pointers found; thence South 39 deg. 03 min. 40 sec. East 349.36 feet to a stone found at the west bank of a branch; thence South 7 deg. 51 min. 43 sec. West 484.68 feet to a 24 inch walnut found at the west bank of a branch; thence South 4 deg. 54 min. 52 sec. East 540.65 feet to a stone found at the west bank of branch; thence South 37 deg. 42 min. 33 sec. East 195.09 feet to an iron pin, North 77 deg. 41 min. 12 sec. East 66.00 feet to an iron pin; South 79 deg. 18 min. 48 sec. East 132.00 feet to an iron pin; South 29 deg. 18 min. 48 sec. East 198.00 feet to an iron pin; and South 10 deg. 41 min. 12 sec. West 82.50 feet to an iron pin located in the northern edge of North Carolina State Secondary Road No. 1306; thence South 36 deg. 18 min. 48 sec. East 33.00 feet to the point and place of beginning, and containing 636.458 acres.

THERE IS EXCEPTED HOWEVER from the above described boundary the following tract or parcel of land which is not owned by Fairfield Mountains, Inc. or Fairfield Communities, Inc.:

Beginning at a point which stands North 57 deg. 06 min. 26 sec. West 305.41 feet from a nail in the center line of North Carolina State Secondary Road No. 1306 (a/k/a Buffalo Road) where it intersects with the center line of North Carolina State Secondary Road No. 1307; said beginning point being the westernmost corner of the tract conveyed by Homer Sinclair and wife, Gertrude Flynn Sinclair to Fairfield Mountains, Inc. by deed of record in Deed Book 451 at page 305, Rutherford County Registry; thence North 39 deg. 41 min. 28 sec. East (crossing an iron pin at 29.48 feet) a total distance of 231.46 feet to an iron pin and North 5 deg. 25 min. 10 sec. East 74.51 feet to an iron pin; thence North 58 deg. 28 min. 48 sec. West 100.89 feet, North 39 deg. 46 min. 12 sec. West 63.85 feet, North 39 deg. 46 min. 12 sec. West 189.03 feet, North 40 deg. 04 min. 32 sec. West 346.40 feet to a 15 inch white oak at a fence corner; thence North 61 deg. 43 min. 19 sec. West 974.64 feet to a stone; thence North 22 deg. 11 min. 04 sec. West 329.54 feet to an iron pin; North 82 deg. 08 min. 57 sec. West 265.15 feet to an iron pin, North 80 deg. 59 min. 36 sec. West 293.67 feet to an axle; thence South 9 deg. 04 min. 03 sec. West 72.52 feet to a railroad spike found in the center of North Carolina State Secondary Road No. 1306; thence South 59 deg. 40 min. 02 sec. East 380.43 feet to a point of curvature; thence with a curve to the right having a radius of 1504.10 feet, a curve length of 475.98 feet to a point of tangency, South 41 deg. 32 min. 07 sec. East 518.34 feet to a point of curvature, thence with a curve to the left having a radius of 1593.22 feet, a curve length of 285.24 feet to a point of tangency; South 51 deg. 47 min. 35 sec. East 573.55 feet, South 53 deg. 33 min. 24 sec. East 40.01 feet and South 57 deg. 06 min. 26 sec. East 160.1 feet to the point and place of beginning, and containing 14.868 acres.

SECTION 2: The Building Inspector shall make the necessary corrections and additions to the Zoning Ordinance and Map so as to implement the provisions of this Ordinance, and shall henceforth enforce the Zoning Ordinance and Map as hereby amended.

SECTION 3: This Ordinance shall be applicable upon its adoption, but shall take effect on April 1, 1984, the effective date of the Annexation Ordinance."

The foregoing Ordinance was adopted by the following vote:

Ayes: Commissioner Price, Commissioner Cashion and Commissioner Gruver
Noes: Commissioner Queen

Motion was made by Commissioner Cashion, seconded by Commissioner Price to renew the lease on the town marina with George Marsh and Danny Thomas until the January 1985 Regular Meeting. The vote was unanimous.

Commissioner Cashion made a motion to dispense with the permit fee for the Bass Invitational at Fairfield Mountains and to provide a \$100.00 award. Commissioner Gruver seconded the motion and the vote was unanimous.

Motion was made by Commissioner Price, seconded by Commissioner Cashion to give free fishing permits to all permanent residents of Lake Lure. The vote was unanimous.

Commissioner Cashion made a motion to hire Dotti Summerville as a permanent employee. Commissioner Price seconded the motion and the vote was unanimous.

Motion was made by Commissioner Cashion, seconded by Commissioner Gruver to go into Executive Session to discuss the acquisition of real property. The vote was unanimous.

Motion was made by Commissioner Cashion, seconded by Commissioner Price to resume the Regular Session. The vote was unanimous.

Regular session was resumed and a Resolution stating the proposed exchange of properties belonging to Lee and Thelma Powers and the Town of Lake Lure was read. Upon motion of Commissioner Cashion, seconded by Commissioner Gruver, the following Resolution was unanimously adopted:

"RESOLUTION

Whereas Lee L. Powers and wife, Thelma Odom Powers are the owners of a tract or parcel of land which is located adjacent to property recently acquired by the Town of Lake Lure for the construction of a maintenance building, said tract or parcel of land being more particularly described as follows:

Situate, lying and being in the Town of Lake Lure, Chimney Rock Township, Rutherford County, North Carolina, and being all of Lot Number Eight (8) and Lot Number Twenty-Four (24) of Block "A" as shown on a plat of property of Chimney Rock Mountains, Incorporated, recorded in the office of the Register of Deeds for Rutherford County, North Carolina, in Plat Book 2 at page 12, together with all of the land which lies between said lots on said plat, said tract herein conveyed being more particularly described by courses and distances as follows:

Beginning on an iron pin, said beginning point being the northeast corner of Lot No. Eight (8) hereinabove referred to and the southeast corner of Lot No. 7 of Block "A" of the abovesaid subdivision, said beginning point also being the southeast corner of that particular 0.43 acre tract or parcel of land which was conveyed by Lee L. Powers and wife, Thelma Odom Powers to The Town of Lake Lure, by deed dated March 8, 1984, and recorded in Deed Book 455 at page 582, Rutherford County Registry; thence from said beginning point and with the southern line of the abovesaid 0.43 acre tract, North 65 deg. 55 min. West 220 feet to an existing iron pin, said point being the southwest corner of Lot No. Twenty-Five (25) of Block "A" of the abovesaid subdivision and the northwest corner of Lot No. Twenty-Four (24) hereinabove referred to; thence South 24 deg. 05 min. West 25 feet to an iron pin, said point being the southeast corner of Lot No. Twenty-Four (24) hereinabove referred to and the northwest corner of Lot No. Twenty-Three (23) of Block "A" of the abovesaid subdivision;

thence South 65 deg. 55 min. West 220 feet to an iron pin, said point being the southeast corner of Lot No. Eight (8) hereinabove referred to and the northeast corner of Lot No. Nine (9) of Block "A" of the abovesaid subdivision; thence North 24 deg. 05 min. East 25 feet back to the point and place of beginning.

Being a portion of the property designated as Fourth Tract in that certain deed from Clyde W. Keeter and wife, Elizabeth Keller Keeter to Lee L. Powers dated February 1, 1965, and recorded in Deed Book 280 at page 645, Rutherford County Registry.

And whereas Lee L. Powers and wife, Thelma Odom Powers have requested the Town of Lake Lure to Quitclaim any right, title or interest which it may have in the following tract or parcel of land:

Situate, lying and being in Chimney Rock Township, Rutherford County, North Carolina, and Beginning on an iron pipe located in the northeast margin of the right of way line of Highway 74, said iron pipe also being the southeast corner of a tract of land conveyed to J. C. Brooks and wife from Lee L. Powers and wife by deed dated December 11, 1959, and recorded in Deed Book 251 at page 127, Rutherford County Registry; and running thence North 55 deg. 00 min. East 150 feet to an iron pipe; thence South 56 deg. 30 min. East 134 feet, more or less, to a stake; thence South 55 deg. 00 min. West 150 feet to a stake in the northeast margin of Highway 74 right of way line, the said stake also being North 55 deg. 00 min. East 10 feet, more or less, from the northwest abutment of the highway concrete bridge crossing Broad River; thence with said margin of said Highway 74, North 56 deg. 30 min. West 134 feet, more or less, to the place of the Beginning.

And whereas Lee L. Powers and wife, Thelma Odom Powers have offered to convey the property hereinabove described now owned by them to the Town of Lake Lure in exchange for any right, title or interest of the Town of Lake Lure in the second tract of land hereinabove described; and whereas the Board of Commissioners of the Town of Lake Lure believes that the tract of land proposed to be conveyed to the Town of Lake Lure by Mr. and Mrs. Powers has a fair market value of \$2,255.00, which value is full and fair consideration for the Town's interest in the tract to be exchanged for said property; and whereas the Board of Commissioners of the Town of Lake Lure believes that it would be in the best interest of the Town of Lake Lure to exchange any right, title or interest it has in the second tract of land hereinabove described, which has a very nominal, if any, fair market value for the tract hereinabove described now owned by Mr. and Mrs. Powers having a fair market value of \$2,255.00.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Town of Lake Lure intends to authorize the exchange of the aforesaid properties at its next regular meeting to be held on April 24, 1984; and

BE IT FURTHER RESOLVED that this notice of the Board of Commissioners intention to authorize such exchange be given by publication in a local newspaper of general circulation pursuant to North Carolina General Statute §160A-271."

NORTH CAROLINA

RUTHERFORD COUNTY

NOTICE

Notice is hereby given that the Board of Commissioners of the Town of Lake Lure, at its meeting to be held on April 24, 1984, at 7:30 P.M. in the Community Building, intends to authorize the exchange of all its right, title and interest in the property owned by it hereinafter described for a tract of land owned by Lee L. Powers and wife, Thelma Odom Powers hereinafter described; the tract to be acquired by the Town in such exchange having a fair market value of \$2,255.00, which is full and fair consideration for the Town's interest in the tract to be exchanged therefor; the tract to be conveyed to Lee L. Powers and wife, Thelma Odom Powers by the Town having a very nominal, if any, fair market value.

The tract of land to be conveyed to the Town of Lake Lure by Lee L. Powers and wife, Thelma Odom Powers is described as follows:

Situate, lying and being in the Town of Lake Lure, Chimney Rock Township, Rutherford County, North Carolina, and being all of Lot Number Eight (8) and Lot Number Twenty-Four (24) of Block "A" as shown on a plat of property of Chimney Rock Mountains, Incorporated, recorded in the office of the Register of Deeds for Rutherford County, North Carolina, in Plat Book 2 at page 12, together with all of the land which lies between said lots on said plat, said tract herein conveyed being more particularly described by courses and distances as follows:

Beginning on an iron pin, said beginning point being the northeast corner of Lot No. Eight (8) hereinabove referred to and the southeast corner of Lot No. 7 of Block "A" of the abovesaid subdivision, said beginning point also being the southeast corner of that particular 0.43 acre tract or parcel of land which was conveyed by Lee L. Powers and wife, Thelma Odom Powers to The Town of Lake Lure, by deed dated March 8, 1984, and recorded in Deed Book 455 at page 582, Rutherford County Registry; thence from said beginning point and with the southern line of the abovesaid 0.43 acre tract, North 65 deg. 55 min. West 220 feet to an existing iron pin, said point being the southwest corner of Lot No. Twenty-Five (25) of Block "A" of the abovesaid subdivision and the northwest corner of Lot No. Twenty-Four (24) hereinabove referred to; thence South 24 deg. 05 min. West 25 feet to an iron pin, said point being the southeast corner of Lot No. Twenty-Four (24) hereinabove referred to and the northwest corner of Lot No. Twenty-Three (23) of Block "A" of the abovesaid subdivision; thence South 65 deg. 55 min. West 220 feet to an iron pin, said point being the southeast corner of Lot No. Eight (8) hereinabove referred to and the northeast corner of Lot No. Nine (9) of Block "A" of the abovesaid subdivision; thence North 24 deg. 05 min. East 25 feet back to the point and place of beginning.

Being a portion of the property designated as Fourth Tract in that certain deed from Clyde W. Keeter and wife, Elizabeth Keller Keeter to Lee L. Powers dated February 1, 1965, and recorded in Deed Book 280 at page 645, Rutherford County Registry.

The tract of land to be conveyed by the Town of Lake Lure to Lee L. Powers and wife, Thelma Odom Powers is described as follows:

Situate, lying and being in Chimney Rock Township, Rutherford County, North Carolina, and Beginning on an iron pipe located in the northeast margin of the right of way line of Highway 74, said iron pipe also being the southeast corner of a tract of land conveyed to J. C. Brooks and wife from Lee L. Powers and wife by deed dated December 11, 1959, and recorded in Deed Book 251 at page 127, Rutherford County Registry; and running thence North 55 deg. 00 min. East 150 feet to an iron pipe; thence South 56 deg. 30 min. East 134 feet, more or less, to a stake; thence South 55 deg. 00 min. West 150 feet to a stake in the northeast margin of Highway 74 right of way line, the said stake also being North 55 deg. 00 min. East 10 feet, more or less, from the northwest abutment of the highway concrete bridge crossing Broad River; thence with said margin of said

Highway 74, North 56 deg. 30 min. West 134 feet, more or less, to the place of the Beginning.

This Notice is given pursuant to North Carolina General Statute §160A-271.

This the 11th day of April, 1984.

Bonnie Nelon, Town Clerk

Publish: 4/11/84

RESOLUTION CALLING FOR A PUBLIC HEARING ON THE
QUESTION OF AMENDING THE TOWN OF LAKE LURE
ZONING ORDINANCE AND MAP

WHEREAS, the Board of Commissioners of the Town of Lake Lure has received a recommendation from the Zoning Board that certain amendments be made to the Town Zoning Ordinance and Map; and

WHEREAS, the Board of Commissioners desires to give consideration to such proposed amendments;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Lake Lure, that:

Section 1. In accordance with the provisions of G. S. 160A-364, and the provisions of Section 1300 of the Zoning Ordinance, as amended, a public hearing will be held at the Community Building in Lake Lure, North Carolina, on the 29th day of May, 1984, at 7:30 P.M. for the purpose of considering a proposed amendment to the Town Zoning Ordinance and Map as follows: By designating from the R-1B Residential District to the R-3, Resort Residential District, the following described property:

Situate, lying and being in Chimney Rock Township, Rutherford County, North Carolina, and being that property conveyed to L. M. Pearson and Thomas D. Infantino and wife, Frances Infantino by deed dated September 23, 1969, of record in Deed Book 321 at page 141 and Deed Book 321 at page 143, Rutherford County Registry and being described by metes and bounds in accordance with a plat and survey by J. J. Wells dated September 25, 1980, as follows:

Beginning at a point in the center of State Road 1306, said point being located near the intersection of State Road 1306 and State Road 1316, said point marking the northeast corner of that property owned by Rampart Investments, Inc. and being further located South 74 deg. 3 min. East 799.67 feet from NCGS Coordinate Station "The Mountains"; and precedes thence North 47 deg. 00 min. 30 sec. East 19.98 feet to a point in the center of State Road 1306 where said road is intersected by State Road 1316; thence, along and with the center of State Road 1306, North 53 deg. 15 min. East 94.91 feet, North 45 deg. 14 min. East 61.48 feet, North 35 deg. 48 min. 30 sec. East 132.17 feet, North 48 deg. 08 min. 10 sec. East 43.72 feet, North 79 deg. 50 min. 10 sec. East 36.41 feet, South 69 deg. 07 min. 20 sec. East 53.73 feet, South 45 deg. 11 min. 30 sec. East 93.46 feet, South 35 deg. 00 min. 20 sec. East 153.95 feet, South 47 deg. 17 min. East 95.18 feet, South 57 deg. 46 min. 40 sec. East 132.41 feet, South 67 deg. 55 min. 40 sec. East 118.51 feet, South 75 deg. 24 min. 10 sec. East 254.83 feet, South 59 deg. 47 min. East 52.05 feet, South 46 deg. 51 min. 50 sec. East 56.90 feet, South 39 deg. 37 min. 30 sec. East 152.40 feet, South 51 deg. 39 min. East 94.09 feet, South 59 deg. 24 min. 40 sec. East 323.45 feet, South 61 deg. 03 min. 50 sec. East 187.36 feet, South 62 deg. 11 min. 50 sec. East 263.13 feet; thence, leaving State Road 1306 and running along and with the common boundary with Frank Wilson, South 11 deg. 19 min. 40 sec. West (crossing an iron pin at 30.33 feet) 159.40 feet; thence, North 87 deg. 15 min. West 957.10 feet to an iron pin; thence, along and with the common boundary with the property owned by Martha Jane Powers, North 87 deg. 36 min. 20 sec. West (crossing an iron pin at 1,316.26 feet) 1,355.33 feet to a point in the center of State Road 1306, said point being located South 14 deg. 24 min. 30 sec. West 100.92 feet and South 87 deg. 36 min. 20 sec. East 22.11 feet from an existing concrete monument; thence, along and with the center of State Road 1306, North 15 deg. 56 min. 30 sec. East 158.68 feet, North 26 deg. 16 min. 40 sec. East 216.60 feet, North 35 deg. 53 min. 40 sec. East 62.10 feet, North 44 deg. 46 min. 10 sec. East 114.00 feet, North 30

deg. 55 min. East 46.67 feet, and North 17 deg. 7 min. East 29.72 feet; thence, leaving State Road 1306, North 64 deg. 17 min. West (crossing iron pins at 19.70 feet and 104.04 feet) 112.04 feet to a point; thence North 13 deg. 14 min. West 63.66 feet to a point; thence, South 86 deg. 42 min. 50 sec. East (crossing an iron pin and a concrete monument at 33.65 feet and 103.66 feet, respectively) 116.31 feet to a point in State Road 1306; thence following State Road 1306, North 16 deg. 17 min. 40 sec. East 74.65 feet, North 18 deg. 55 min. 40 sec. East 72.91 feet, and North 39 deg. 41 min. 40 sec. East 99.92 feet to the point and place of Beginning, containing 34.46 acres, more or less.

Section 2. The Town Clerk is hereby directed to publish notice of the said public hearing in the Daily Courier, a newspaper having general circulation in the Town of Lake Lure, once a week for two successive calendar weeks, which notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the public hearing. The Town Clerk is also directed to secure Publisher's Affidavit that publication of such notice was duly made.

This the 7th day of May, 1984.

Mayor

ATTEST:

Bonnie D. Helm
Town Clerk

AN ORDINANCE AMENDING THE ZONING
ORDINANCE AND MAP OF THE TOWN OF LAKE LURE

WHEREAS, the Town Council of the Town of Lake Lure, after due notice, conducted a public hearing on the 28th day of July, 1981, upon the question of amending the zoning ordinance and map in certain respects; and

WHEREAS, after considerable discussion and debate at such public hearing, the Town Council deemed it in the best interest of the Town to enact certain amendments considered at such hearing and certain amendments which resulted from debates and discussion at such public hearing.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE:

Section 1. That Section 400 of the Zoning Ordinance pertaining to Use Districts be and the same is hereby amended to read as follows:

SECTION 400. Use Districts. For the purpose of this Ordinance, the Town of Lake Lure is hereby divided into nine (9) districts, designated as follows:

R-1 Residential District
R-1A Residential District
R-1B Residential District
R-2 General Residential District
R-3 Resort Residential District
C-1 Commercial District
L-1 Lake District
M-1 Reserved Mountainous District
I-1 Industrial District

Section 2. That those certain sections and subsections of the Zoning Ordinance hereinafter set forth be and the same are hereby given a new section and subsection number as hereinafter set forth:

Present Section or
Subsection Number

Section 703
Subsection 703.1
Subsection 703.2
Subsection 703.3
Section 704
Subsection 704.1
Subsection 704.2
Subsection 704.3
Section 705

New Section or
Subsection Number

Section 704
Subsection 704.1
Subsection 704.2
Subsection 704.3
Section 705
Subsection 705.1
Subsection 705.2
Subsection 705.3
Section 706

established, and is hereby inserted in the Zoning Ordinance immediately after the R-1A Residential District and thereby becomes new Section 703; that the provisions and regulations pertaining to the R-1B District shall read as follows:

SECTION 703. R-1B Residential District.

703.1 Intent. The R-1B Residential District is established as a district in which the principal use of land is for single-family dwellings. Large lot size and low-density residential land use are encouraged in this area. It is the intention of these regulations to discourage any use which would be detrimental to the low-density, single-family residential nature of the area included within the district.

703.2 Permitted Uses. Within the R-1B Residential District, a building or land shall be used only for the following purposes:

- 1) Single-family dwellings, excluding mobile homes.
- 2) Basement or garage apartment and duplexes.
- 3) Customary accessory buildings, including private garages, storage buildings, boat houses and non-commercial workshops.
- 4) Signs, incidental or accessory, as defined in Article XIV, Section 1400 (24) of this Ordinance.
- 5) Temporary construction signs, as defined in Article XIV, Section 1400 (28) of this Ordinance, located at least ten (10) feet inside any lot line.
- 6) Group projects as defined in Article XIV, Section 1400 (8) of this Ordinance and subject to all conditions stated in Article X, Section 1003. However, no building located in a group project shall contain more than two (2) dwelling units.

703.3 Special Use Permit. The following uses require a special use permit as provided for in Article XII, Section 1204.1 of this Ordinance.

- 1) Public utility buildings and facilities if such use is essential for the service of the immediate area and provided that:
 - a) All buildings shall be located at least thirty-five (35) feet from any lot line.
 - b) Fences and/or other appropriate safety devices are installed to protect the public safety and welfare.
 - c) No vehicles or equipment are stored, maintained or repaired on the premises.
 - d) All structures are in keeping with the residential character of the neighborhood.
 - e) Adequate landscaping, screening and/or buffering shall be provided to ensure compatibility with the neighborhood.
- 2) Home occupations as defined in Article XIV, Section 1400 (3) of this Ordinance and subject to all conditions stated therein, provided there is no external evidence of such occupation except an announcement or professional sign not more than two (2) square feet in area.

Section 4. That Article VIII of the Zoning Ordinance, pertaining to

building site minimum dimensional requirements, be and the same is hereby amended to read as shown on Exhibit "A" attached to this Ordinance, and incorporated in this Section 4 by reference.

Section 5. That the Zoning Ordinance and Zoning Map be and the same is hereby amended by redesignating from the R-1A Residential District to the R-1B Residential District hereinabove established the following described parcel of land.

Situate, lying and being in Chimney Rock Township, Rutherford County, North Carolina, and being that property conveyed to L. M. Pearson and Thomas D. Infantino and wife, Frances Infantino by deed dated September 23, 1969, of record in Deed Book 321 at page 141 and Deed Book 321 at page 143, Rutherford County Registry, and being described by metes and bounds in accordance with a plat and survey by J. J. Wells dated September 25, 1980, as follows:

BEGINNING at a point in the center of State Road 1306, said point being located near the intersection of State Road 1306 and State Road 1316, said point marking the northeast corner of that property owned by Rampart Investments, Inc. and being further located South 74 deg. 3 min. East 799.67 feet from NCGS Coordinate Station "The Mountains"; and precedes thence North 47 deg. 00 min. 30 sec. East 19.98 feet to a point in the center of State Road 1306 where said road is intersected by State Road 1316; thence, along and with the center of State Road 1306 North 53 deg. 15 min. East 94.91 feet, North 45 deg. 14 min. East 61.48 feet, North 35 deg. 48 min. 30 sec. East 132.17 feet, North 48 deg. 08 min. 10 sec. East 43.72 feet, North 79 deg. 50 min. 10 sec. East 36.41 feet, South 69 deg. 07 min. 20 sec. East 53.73 feet, South 45 deg. 11 min. 30 sec. East 93.46 feet, South 35 deg. 00 min. 20 sec. East 153.95 feet, South 47 deg. 17 min. East 95.18 feet, South 57 deg. 46 min. 40 sec. East 132.41 feet, South 67 deg. 55 min. 40 sec. East 118.51 feet, South 75 deg. 24 min. 10 sec. East 254.83 feet, South 59 deg. 47 min. East 52.05 feet, South 46 deg. 51 min. 50 sec. East 56.90 feet, South 39 deg. 37 min. 30 sec. East 152.40 feet, South 51 deg. 39 min. East 94.09 feet, South 59 deg. 24 min. 40 sec. East 323.45 feet, South 61 deg. 03 min. 50 sec. East 187.36 feet, South 62 deg. 21 min. 50 sec. East 263.18 feet; thence, leaving State Road 1306 and running along and with the common boundary with Frank Wilson, South 11 deg. 19 min. 40 sec. West (crossing an iron pin at 30.33 feet) 159.40 feet; thence, North 87 deg. 15 min. West 957.10 feet to an iron pin; thence, along and with the common boundary with the property owned by Martha Jane Powers North 87 deg. 36 min. 20 sec. West (crossing an iron pin at 1,316.26 feet) 1,355.33 feet to a point in the center of State Road 1306, said point being located South 14 deg. 24 min. 30 sec. West 100.92 feet and South 87 deg. 36 min. 20 sec. East 22.11 feet from an existing concrete monument; thence, along and with the center of State Road 1306, North 15 deg. 56 min. 30 sec. East 158.68 feet, North 26 deg. 16 min. 40 sec. East 216.60 feet, North 35 deg. 53 min. 40 sec. East 62.10 feet, North 44 deg. 46 min. 10 sec. East 114.00 feet, North 30 deg. 55 min. East 46.67 feet, and North 17 deg. 7 min. East 29.72 feet; thence, leaving State Road 1306, North 64 deg. 17 min. West (crossing iron pins at 19.70 feet and 104.04 feet) 112.04 feet to a point; thence North 13 deg. 14 min. West 63.66 feet to a point; thence, South 86 deg. 42 min. 50 sec. East (crossing an iron pin and a concrete monument at 33.65 feet and 103.66 feet, respectively) 116.31 feet to a point in State Road 1306; thence following State Road 1306 North 16 deg. 17 min. 40 sec. East 74.65 feet, North 18 deg. 55 min. 40 sec. East 72.91 feet, and North 39 deg. 41 min. 40 sec. East 99.92 feet to the point and place of Beginning, and containing 34.46 acres, more or less.

Section 6. That Subsection 701.2 of the Zoning Ordinance be and the same is hereby amended by adding the following subparagraph:

- 6) Group projects as defined in Article XIV, Section 1400 (8) of this Ordinance and subject to all conditions stated in Article X, Section 1003. However, no building located in a group project shall contain more than two (2) dwelling units.

Section 7. That Subsection 702.2 of the Zoning Ordinance be and the same is hereby amended by adding the following subparagraph:

- 6) Group projects as defined in Article XIV, Section 1400 (8) of this Ordinance and subject to all conditions stated in Article X, Section 1003. However, no building located in a group project shall contain more than two (2) dwelling units.

Section 8. That Subsection 704.2 (formerly 703.2) of the Zoning Ordinance be and the same is hereby amended by adding the following subparagraph:

- 8) Group projects as defined in Article XIV, Section 1400 (8) of this Ordinance and subject to all conditions stated in Article X, Section 1003.

Section 9. That Section 1003 of the Zoning Ordinance pertaining to Group Projects, be and the same is hereby amended to read as follows:

SECTION 1003. Group Projects. In the case of two (2) or more principal buildings to be constructed on a plot of ground of at least two (2) acres not subdivided into the customary streets and lots and which will not be so subdivided, a group project may be authorized by the building inspector in districts where they are permitted and in a manner that will be in harmony with the character of the neighborhood, provided:

- 1) Such uses are limited to those permitted within the zoning district in which the project is located.
- 2) The overall intensity of land use is no higher, and the standard of open space is no lower than that permitted in the district in which the project is located.
- 3) The distance of every building from the nearest property line shall meet the front, side and rear yard requirements of the district in which the project is located.
- 4) If the property lies within or abuts upon a residential district, and is to be used for a non-residential purpose, there shall be a densely planted evergreen buffer strip at least eight (8) to ten (10) feet in height and not less than ten (10) feet in width along the rear and/or side lot lines abutting the residential properties. No buffer, shall, however, extend nearer to a street right-of-way line than the established building line of the adjoining residential lot.

Section 10. That subparagraph 9) of subsection 704.3 (formerly 703.3) of the Zoning Ordinance be and the same is hereby amended to read as follows:

- 9) Apartment buildings, condominium, basement or garage apartments.

Section 11. That Section 901 of the Zoning Ordinance, pertaining to off-street parking, be and the same is hereby amended, in part, as follows:

- (a) That the Required Parking for Sanitarium, Nursing Homes, Etc. be as follows:

One (1) space for each six (6) patient beds, plus one (1) space for each staff or visiting doctor, plus one (1) space for each four (4) employees.

(b) That the Required Parking for Places of Assembly or Recreation Without Fixed Seats be as follows:

One (1) space for each two hundred (200) square feet of gross floor space directed to patron use.

Section 12. That subparagraph c) of subsection 1204.1 of the Zoning Ordinance be and the same is hereby amended to read as follows:

Refuse and service areas, with particular reference to the items in (a) and (b) above.

Section 13. That subparagraph 5) of Section 1400 of the Zoning Ordinance be and the same is hereby amended to read as follows:

Dwelling, Single Family. A building arranged or designed to be occupied by one (1) family.

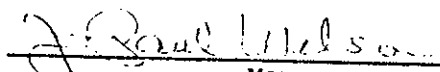
Section 14. That Section 1300 of the Zoning Ordinance, pertaining to Amendments, be and the same is hereby amended to read as follows:

SECTION 1300. Amendments. This Ordinance, including the Official Zoning Map, may be amended from time to time. However, no amendment shall become effective unless it shall have been proposed by, or shall have first been submitted to, the Town of Lake Lure Zoning and Planning Board for review and recommendations. The Zoning and Planning Board shall have forty-five (45) days within which to submit its report. If the Zoning and Planning Board fails to submit a report within the forty-five (45) day period, it shall be deemed to have approved the proposed amendment. A public hearing shall be held by the Town Council before adoption of any proposed amendment to the Ordinance. A notice of such public hearing shall be given once a week for two successive calendar weeks in a newspaper of general circulation in the Town of Lake Lure, said notices to be published the first time not less than ten (10) days and not more than twenty-five (25) days prior to the date established for such public hearing. In the case of a protest against an amendment, supplement, change, modification or repeal signed by the owners of twenty percent (20%) or more either of the area of lots included in such proposed change, or of those immediately adjacent thereto, either in the rear thereof or on either side thereof, extending one hundred (100) feet from the street frontage of such opposite lots, such amendments shall not become effective except by favorable vote of three-fourths of all members of the Town Council. Any amendment which initially zones property added to the territorial coverage of this Ordinance as a result of annexation or otherwise is exempt from the above twenty percent (20%) protest provisions.

Section 15. The building inspector shall make the necessary corrections and additions to the Zoning Ordinance and the Zoning Map so as to implement the provisions of this Ordinance, and shall henceforth enforce the Zoning Ordinance as hereby amended.

Section 16. This Ordinance shall be effective upon its adoption.

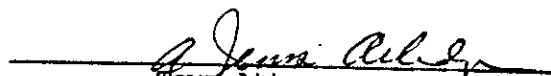
Adopted this the 28th day of July, 1981.


Mayor

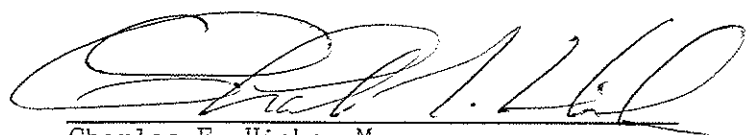
ATTEST:

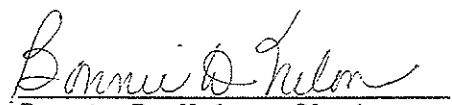

Town Clerk

APPROVED AS TO FORM


Town Attorney

There being no further business, upon motion made by Commissioner Cashion, seconded by Commissioner Gruver, and unanimously carried, the meeting was adjourned.


Charles F. Hicks, Mayor


Bonnie D. Nelon, Clerk

118 Hudson Drive
Hendersonville, NC 28739
April 11, 1984

Town Council
Town of Lake Lure
Lake Lure, NC 28746

Gentlemen:

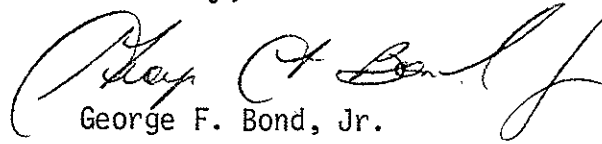
The purpose of this letter is to formally request the assignment from you of a franchise to own and operate the "Showboat" attraction on Lake Lure. As you know, I acquired the Showboat on Labor Day week-end last fall and ran the excursion boat on week-ends through the first week-end in November. We tried to establish a regular and dependable schedule of operating the boat from 11:00 until 6:00 and we give the people an honest 50-minute ride covering 17 or 18 miles of Lake Lure. From the response we received, we feel that the business will grow substantially this summer due to our commitment to operating on a dependable schedule. I would like to propose that we be given a franchise to operate under the same conditions as last year with one exception and that being that I am willing to raise the guarantee to the Town from \$300 to \$500 a year based upon what I think will be a much more positive revenue situation than has existed in the past. I have kept careful records on our revenues during the nine weeks we operated the Showboat in the fall and found that we are running about 50% ahead of the best reported year of the Showboat's operation. In spite of what most people think (including me until I actually bought the boat) the Showboat is not a tremendous money maker but I do expect gross receipts of around \$9,000 during the upcoming season. It actually costs in gas alone \$5.00 every time the Showboat leaves the dock and so when I haul two or less people on a ride, I actually lose cash from the till. For every ride that has 16 aboard, there will be 50 with four or five on board so the revenue picture is not nearly as rosey as the impression one gets when you simply observe the Showboat on a Sunday afternoon. Nevertheless, I am confident enough of the increased revenue to raise the minimum to \$500, which should help the Town somewhat with maintenance of the dock and keeping the grass cut in the area.

I appreciate the opportunity to operate the Showboat as I think it is one of the leading attractions in our community. I do not anticipate raising ticket prices and plan to operate the boat on week-ends during the month of May, daily from Memorial Day through Labor Day and again on week-ends in September and October. Some have asked why we don't operate one week-end earlier in April or stay open a week-end or so into November but the insurance is prohibitive in the current premium at \$600 for a six months policy. If I start operating in April, then I have to stop on the last day of September which of course is just when our leaves are beginning to turn. Conversely, if I want to operate into November, then I can't run the boat in May and I do feel that, at least for Memorial Day week-end, there will be a substantial amount of business. At any rate, please know that I am committed to providing

April 11, 1984

absolutely top-flight service to those wishing to see the lake at a reasonable price and hope that you will see fit to award the franchise to me again in the coming season. If additional information is needed, please do not hesitate to give me a call.

Sincerely,

A handwritten signature in cursive script, appearing to read "George F. Bond, Jr.", written in dark ink.

George F. Bond, Jr.

GFB/sk

AN ORDINANCE REQUIRING ALL
RESTAURANTS TO PROVIDE
RESTROOM FACILITIES

WHEREAS, the Town of Lake Lure is dedicated to safeguarding the public health and safety of the citizens of Lake Lure, and

WHEREAS, public restroom facilities now provided by the Town of Lake Lure are limited in number and location, and

WHEREAS, the Town Council of the Town of Lake Lure believes that any individual or business which sells food and beverages to the general public should provide restroom facilities for the use and benefit of their customers,

NOW, THEREFORE, LET IT BE ORDAINED AND ENACTED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE:

That all individuals or businesses who sell both food and beverage to the general public shall provide separate restroom facilities for both men and women on their premises.

BE IT FURTHER ORDAINED that this ordinance is applicable to only those restaurants and eating establishments which are required to have a license pursuant to the provisions of North Carolina General Statutes §§130A-247 through 130A-250 inclusive.

BE IT FURTHER ORDAINED that restroom facilities shall be defined as including both toilet and lavatory.

This ordinance shall become effective upon its adoption.

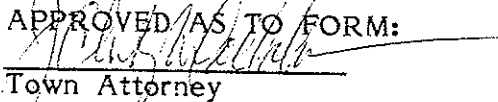
Adopted this 3rd day of May, 1984.


Mayor

ATTEST:


Town Clerk

APPROVED AS TO FORM:


Town Attorney