

**MINUTES OF THE SPECIAL MEETING OF THE LAKE LURE TOWN COUNCIL HELD
TUESDAY, JANUARY 26, 2010, 4:00 P.M., AT THE LAKE LURE MUNICIPAL CENTER**

PRESENT: Mayor Bob Keith
Commissioner Mary Ann Dotson
Commissioner Wayne Hyatt
Commissioner John W. Moore
Commissioner Linda Turner

Christopher Braund, Town Manager
J. Christopher Callahan, Town Attorney

ABSENT: N/A

CALL TO ORDER

Mayor Keith called the special meeting to order at 4:00 p.m.

INVOCATION

Attorney Callahan gave the invocation.

APPROVE THE AGENDA

After discussion, Commissioner Hyatt made a motion to approve the agenda as presented. Commissioner Turner seconded the motion and the vote of approval was unanimous.

**CONSIDER ADOPTING RESOLUTION NO. 10-01-26 AUTHORIZING THE LEASE OF
THE LAKE LURE MUNICIPAL GOLF COURSE PROPERTY**

Town Manager Braund gave a brief overview of Resolution No. 10-01-26.

After discussion, Commissioner Turner made a motion to adopt Resolution No. 10-01-26 as presented. Commissioner Dotson seconded the motion and the vote of approval was unanimous.

RESOLUTION NO. 10-01-26

**Resolution Authorizing the Lease of the
Lake Lure Municipal Golf Course Property**

WHEREAS, at its regular meeting on the 12th day of January, 2010, the Town Council of the Town of Lake Lure adopted Resolution Number 10-01-12 stating its intent to consider at its regular meeting to be held on the 12th day of January, 2010, the lease of real property of the town; and

WHEREAS, public notice of the intent of the Town Council and of the time and place of the meeting was published along with a description of the real property and a statement of the lease payments, as required by law; and

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WHEREAS, at its regular meeting on the 12th day of January, 2010, the Town Council considered the lease of the property and desires to lease the real property of the Town described below;

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

1. The following described property below will not be needed by the town for maximum term of lease, not exceed ten years:

LAKE LURE GOLF COURSE TRACT

Lying and being in Chimney Rock Township, Rutherford County, State of North Carolina, and bounded and more particularly described as follows:

BEGINNING on a stone at a small cliff of rock the Northwest corner of what was originally the L.R. Wilson Fifty Acre Tract, and the Southeast corner of what was originally the B. Ledbetter 2.28 Acre Tract, said stone being located approximately 60 feet west of the center of State Highway No. 192, known as the Mill Springs Road, and running thence with the Southern Boundary of the B.L. Ledbetter 2.28 Acre Tract and the Southern boundary of what was formerly the W. W. Wilson Thirty-Four Acre Tract, North 85 deg. 42 min. West 452.5 feet to a stake in the same; thence North 4 deg. 18 min. East 748.8 feet to a stake; thence North 55 deg. 34 min. East 227 feet to a stake in the center of the afore-mentioned Mill Springs Road, said road having a right of way of sixty feet; thence with the center line of said road and right of way the following courses and distances: North 30 deg. 41 min. West 123.1 feet to a stake; North 26 deg. 50 min. West 200 feet to a stake; North 12 deg. 44 min. West 100 feet to a stake; North 4 deg. 48 min. East 100 feet to a stake North 20 deg. 42 min. East 100 feet to a stake; North 34 deg. 86 min. East 100 feet to a stake; North 40 deg. 39 min. East 300 feet to a stake; North 36 deg. 20 min East 100 feet to a stake; in the center of same; thence leaving said center line of said road and right of way, North 80 deg. 05 min. East 193.7 feet to a large pine; thence North 5 deg. 13 min. East 244 feet to a stake; thence North 59 deg. 30 min. East 1615 feet to a stake; thence North 34 deg. 45 min. East 243.9 feet to a stake in the Eastern margin of the 66 foot right of way for State Highway No. 20; thence with said margin of said right of way North 26 deg. 04 min. East 288 feet to a stake; thence crossing said highway and right of way, North 63 deg. 52 min. West 132.6 feet to a stake; thence North 6 deg. 31 min. West 193.7 feet to a stake; thence North 11 deg. 06 min. West 236 feet to a stake; thence North 25 deg. 49 min. East 420.9 feet to a stake; thence North 36 deg. 13 min. East 116 feet to a stake; thence North 14 deg. 24 min. East 99.3 feet to a stake; thence North 7 deg. 49 min. West 153.9 feet to a stake; thence North 3 deg. 5 min. West 126.2 feet to a stake; North 3 deg. 15 min. West 225.3 feet to a stake; thence North 2 deg. 23 min. West 140.4 feet to a stake; thence North 26 deg. 29 min West 186 feet to a stake in the center of the sixty foot right of way hereby reserved by the parties of the first part; thence with the center line of said right of way North 25 deg. 52 min. East 267.45 feet to a stake in the same at the intersection of said sixty foot right of way with the center line of a forty foot road or street hereinafter referred to; thence continuing North 25 deg. 52 min. East and with the center line of a forty foot right of way, a distance of 130.85 feet to a stake; thence continuing with said forty foot right of way South 83 deg. 53 min. East 601.5 feet to a stake in the same; thence leaving said right of way South 76 deg. 40 min. East crossing the center line of said State Highway No. 20 at 451.6 feet a total distance of 670 feet to a stake on the side of the hill; thence South 21 deg. 53 min. West 418 feet to a stake; thence South 2 deg. West 990 feet to a stake; thence South 18 deg. West 1450 feet to a stake; thence South 48 deg. 8 min. West 709.8 feet to a stake; thence South 57 deg. 16 min. West 215.9 feet to a stake; thence South 14 deg. 16 min. East 315 feet to a stake; thence South 16 deg. 16 min. West

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224.3 feet to a stake; thence North 85 deg. 17 min East 363 feet to a six inch pine, a corner of the West Boundary of the B. E. Haynes property and the Eastern boundary of the property formerly belonging to Chimney Rock Mountains Incorporated; thence with the dividing line between the properties formerly belonging to Chimney Rock Mountains Incorporated and the property of B.E. Haynes, the following courses and distances; South 87 deg. 23 min. East 145 feet to an oak stump; South 14 deg. 21 min. West 339.85 feet to a locust stake by a white oak; North 63 deg. 7 min. West 124 feet to a pine stump; thence South 1 deg. 43 min. West 2198.25 feet to a stake; thence South 8 deg. East 247 feet to a stake; thence South 2 deg. 3 min. West 219.85 feet to a stake in the same; thence South 80 deg. 47 min. West 443.4 feet to a stake; thence North 73 deg. 57 min. West 514.2 feet to a stake; thence North 6 deg. 16 min. East 411.6 feet to a stake on the south side of a branch; thence North 73 deg. 1 min. West 370.3 feet to a stake; thence South 77 deg. 48 min. West 499.8 feet to a persimmon on the South side of a small branch; thence North 7 deg. 14 min. East 260.1 feet to a stake; thence North 89 deg. 49 min. West 525.5 feet to a stake in a maple stump 48 feet east of the center of the aforementioned Mills Springs Road; thence North 4 deg. 38 min. East crossing the center of the said Mills Springs Road at 420 feet, a total distance of 613.7 feet to the point of BEGINNING, and containing 259.00 acres, exclusive of reservations, rights of way, and the 2.22 acre Tract belonging to Cane Creek Baptist Church, herein reserved and excepted, excepting and reserving from said tract above described the said Baptist Church lot, which is more particularly described as follows: BEGINNING on a planted stone located North 2 deg. 37 min. East 859.4 feet from the beginning corner of the Golf Course Tract, and runs thence North 3 deg. 25 min. East 200.3 feet to a planted stone; thence South 98 deg. 58 min. East 478 feet to a stake; thence South 0 deg. 29 min. West 200.00 feet to a stake; thence North 88 deg. 58 min. West 488.2 feet to the place of BEGINNING, and containing 2.22 acres; and excepting and reserving also a forty foot road or right of way previously constructed and used as a detour for traffic during the construction of State Highway No. 20, and leaving said State Highway No. 20 approximately 475 feet in a Southern direction from its intersection with the Northern boundary of the above mentioned Golf Course Tract, and running in a westerly direction approximately 1040 feet to its intersection with a sixty foot right of way as mentioned in the description of the Golf Course Tract, said intersection being located South 25 deg. 52 min. West 130.35 feet from the Northwest corner of said Golf Course Tract, said Golf Course Tract being shown on a plat made from a survey by B. B. Bible in the month of June, 1932, said plat being duly recorded in the office of the Register of Deeds for Rutherford County, North Carolina, in Plat Book 2, page 28.

THE CLUB HOUSE TRACT

Being the 2.81-Acre Tract adjoining the Western boundary of the Golf Course Tract and near the Northwest corner of said Golf Course Tract, and designated as the Club House Tract on a plat of Lake Lure Golf Course made from a survey by B. B. Bible in the month of June, 1932, said plat being duly recorded in the office of the Register of Deeds for Rutherford County, North Carolina in Plat Book 2, page 28, and bounded and more particularly described as follows: BEGINNING at a stake at the intersection of the center line of a sixty foot right of way with the center line of a forty foot road and right of way, said stake and intersection being located South 25 deg. 52 min. West 130.85 feet from the Northwest corner of the above mentioned Golf Course tract; and running thence with the center line of said 40 foot road and right of way, North 52 deg. 27 min. West 123 feet to a stake in the same; thence leaving said road and right of way South 54 deg. 11 min. West 162.5 feet to a stake; thence South 61 deg. 57 min. West 213.7 feet to a stake; thence South 86 deg. 30 min. West 101.5 feet to a stake; thence North 83 deg. 41 min. West 161.1 feet to a stake; thence South 89 deg. 22 min. West 233 feet to a ten inch point; thence South 31 deg. 00 min. West 12 feet more or less to contour 992 feet above sea level as located by the engineers for Chimney Rock Mountains Incorporated, from United States Geological Survey data; thence with said contour 992 feet above sea level in an Easterly, Southerly and Westerly direction a distance of 297 feet more or less to a

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point in the same; thence South 15 deg. 00 min. West 6 feet more or less to a ten inch white oak; thence South 61 deg. 20 min. East 51.4 feet to a stake; thence North 84 deg. 41 min. East 141.8 feet to a stake; thence South 79 deg. 48 min. East 289.4 feet to a stake; thence South 88 deg. 24 min. East 248 feet to a stake; thence North 79 deg. 33 min. East 78.9 feet to a stake in the center line of the 60 foot right of way; thence with the center line of said right of way, North 25 deg. 52 min. East 267.45 feet to the place of BEGINNING, and containing 2.81 acres, be the same more or less; reserving, however, to the parties or the first part, its successors and assigns, the right of ingress and egress over any portion of the above described Club House Tract, and the further right to lay out, construct and maintain a forty (40) foot street or road across any portion of said tract lying West of the line parallel to the Eastern boundary or the above described Club House Tract and located 200 feet in a Northwesterly direction from said Eastern boundary.

Saving and excepting from the above Golf Course tract any portion of the following "General Development Plan" tract which may be encompassed by the description in the first tract described above:

Being a portion of the Town of Lake Lure property as described and recorded in deed book 153, page 356. Lying in Chimney Rock Township, Rutherford County, NC and beginning at a point located in the centerline of Island Creek Road being the southern property corner of Willard Buford as described in deed book 712, page 719, in the property line of the said Town of Lake Lure property thence with the said Town of Lake Lure property the following ten(10) property line calls: (1) S.03°23'18"W. a distance of 352.29' to a point; (2) thence S.09°11'39"E. a distance of 324.66' to a point; (3) thence S.01°07'06"E. a distance of 249.00' to a point; (4) thence S.83°31'54"W. a distance of 494.15' to a point; (5) thence N.73°03'25"W. a distance of 440.13' to a point; (6) thence N.07°00'21"E. a distance of 415.76' to a point; (7) thence N.70°29'55"W. a distance of 208.70' to a point; (8) thence N.81°35'39"W. a distance of 165.00' to a point; (9) thence S.84°02'32"W. a distance of 501.60' to a point; (10) thence N.07°38'35"E. a distance of 342.85' to a point in the centerline of Island Creek Road; thence with the centerline of Island Creek Road the following two (2) calls: (1) with a curve turning to the right with an arc length of 200.91', with a radius of 1071.84', with a chord bearing of S.86°57'59"W., with a chord length of 200.62' to a point; (2) thence S.89°24'06"W. a distance of 313.31' to a point in the intersection of Island Creek Road and NC Highway 9; thence with the centerline of Highway 9 the following two (2) calls (1) N.09°39'19"E. a distance of 611.63' to a point; (2) thence with a curve turning to the left with an arc length of 487.39', with a radius of 996.66', with a chord bearing of N.04°21'16"W., with a chord length of 482.55'; thence leaving Highway 9 with the property line of Cane Creek Missionary Baptist Church the following three (3) calls (1) N.61°39'15"E. a distance of 650.68'; thence (2) N.02°54'22"E. a distance of 226.65'; thence (3) N.88°27'46"W. a distance of 708.16' to a point in the centerline of NC Highway 9; thence with the centerline of Highway 9 three (3) calls (1) a curve turning to the right with an arc length of 327.99', with a radius of 949.70', with a chord bearing of N.04°19'09"E., with a chord length of 326.36' to a point; (2) thence N.12°47'37"E. a distance of 300.56' to a point; (3) thence with a curve turning to the left with an arc length of 155.07', with a radius of 1007.56', with a chord bearing of N.08°23'05"E., with a chord length of 154.92'; thence leaving NC Highway 9 with the said Town of Lake Lure property the following four (4) calls (1) N.80°59'14"E. a distance of 179.25' to a point; (2) thence N.06°07'14"E. a distance of 241.70' to a point; (3) thence N.60°14'48"E. a distance of 1618.01' to a point; (4) thence N.35°31'00"E. a distance of 139.28' to a point in the eastern edge of US Highway 64/74; thence with the following thirty-nine (39) new calls through the said Lake Lure property, as described in deed book 153, page 356, (1) S.05°29'06"E. a distance of 50.57' to a point; (2) thence S.33°12'37"W. a distance of 55.80' to a point; (3) thence S.41°49'00"W. a distance of 69.01' to a point; (4) thence S.48°42'21"W. a distance of 101.52' to a point; (5) thence S.53°57'42"W. a distance of 109.34' to a point; (6) thence S.18°04'53"W. a distance of 345.80' (7); thence S.23°25'16"W. a distance of 191.34' to a point; (8) thence S.54°16'58"W. a distance of 168.34' to a

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point; (9) thence S.35°18'04"W. a distance of 111.30' to a point; (10) thence S.12°12'45"E. a distance of 201.96' to a point; (11) thence S.00°03'08"E. a distance of 210.27' to a point; (12) thence S.23°59'06"E. a distance of 84.05' to a point; (13) thence N.40°09'35"E. a distance of 135.65' to a point; (14) thence N.72°09'54"E. a distance of 176.56' to a point; (15) thence N.38°54'23"E. a distance of 290.24' to a point; (16) thence N.27°24'45"E. a distance of 491.82' to a point; (17) thence N.62°59'55"E. a distance of 177.12' to a point; (18) thence N.82°37'05"E. a distance of 120.62' to a point; (19) thence N.01°33'13"E. a distance of 97.42' to a point; (20) thence N.48°09'16"E. a distance of 665.36' to a point; (21) thence N.89°08'18"E. a distance of 163.34' to a point; (22) thence N.19°27'22"E. a distance of 90.79' to a point; (23) thence N.67°52'02"W. a distance of 126.79' to a point; (24) thence N.73°55'56"W. a distance of 146.93' to a point; (25) thence N.59°05'13"W. a distance of 277.42' to a point; (26) thence N.30°18'49"W. a distance of 149.31' to a point; (27) thence N.08°26'53"E. a distance of 110.15' to a point; (28) thence N.35°00'08"E. a distance of 286.47' to a point; (29) thence N.52°39'51"E. a distance of 175.03' to a point; (30) thence N.71°05'27"E. a distance of 59.75' to a point; (31) thence N.11°27'35"E. a distance of 116.41' to a point; (32) thence S.89°21'22"W. a distance of 76.79' to a point; (33) thence N.33°53'40"E. a distance of 235.98' to a point; (34) thence N.34°40'52"E. a distance of 176.32' to a point; (35) thence N.06°08'47"E. a distance of 111.85' to a point; (36) thence N.46°58'27"E. a distance of 125.20' to a point; (37) thence N.28°40'40"E. a distance of 231.25' to a point; (38) thence N.24°59'28"E. a distance of 358.38' to a point; (39) thence N.15°25'24"E. a distance of 247.64' to a point in a property line of the said Town of Lake Lure property thence with the said Town of Lake Lure property the following fifteen (15) calls (1) S.75°09'20"E. a distance of 108.81' to a point; (2) thence S.22°38'06"W. a distance of 420.97' to a point; (3) thence S.02°59'39"W. a distance of 893.25' to a point; (4) thence S.04°09'10"W. a distance of 100.02' to a point; (5) thence S.18°51'43"W. a distance of 1433.48' to a point; (6) thence S.48°25'41"W. a distance of 707.94' to a point; (7) thence S.57°01'21"W. a distance of 215.11' to a point; (8) thence S.17°52'14"E. a distance of 314.86' to a point; (9) thence S.12°48'11"W. a distance of 220.87' to a point; (10) thence N.81°56'20"E. a distance of 210.78' to a point; (11) thence N.86°50'28"E. a distance of 156.08' to a point; (12) thence S.71°36'35"E. a distance of 79.80' to a point; (13) thence S.08°48'17"W. a distance of 493.02' to a point; (14) thence S.88°39'09"W. a distance of 125.83' to a point; (15) thence S.03°43'01"W. a distance of 1520.08' to the point of beginning. Said parcel contains approximately 181 acres.

Also saving and excepting from either the Golf Course Tract above or the Club House Tract above any lots or parcels of land previously conveyed by the Town of Lake Lure to any third parties.

2. The Mayor, Town Manager, and the Town Clerk are hereby authorized to execute a lease for the real property of the Town described above, said lease agreement to be for an initial lease period of slightly less than five years, with one option to renew for one additional five year period.
3. The annual lease payment for the real property of the Town of Lake Lure described above shall be as outlined in the lease agreement.

Adopted this 26th day of January, 2010.

ATTEST:

Town Clerk Mary A. Flack, MMC

Mayor Bob Keith

CONSIDER APPROVAL OF AN AGREEMENT BETWEEN THE TOWN OF LAKE LURE AND COURSE DOCTORS, INC. OF FLAT ROCK NORTH CAROLINA TO LEASE THE LAKE LURE MUNICIPAL GOLF COURSE PROPERTY; ALSO, AUTHORIZE THE TOWN MANAGER, MAYOR, AND THE TOWN CLERK TO SIGN THIS AGREEMENT

Town Manager Braund reviewed and answered questions regarding the agreement between the Town of Lake Lure and Course Doctors, Inc. of Flat Rock North Carolina to lease the Lake Lure Municipal golf course property.

After discussion, Commissioner Moore made a motion to approve the agreement between the Town of Lake Lure and Course Doctors, Inc. of Flat Rock North Carolina to lease the Lake Lure Municipal golf course property as submitted by the town manager. Also, authorize the town manager, mayor, and the town clerk to sign this agreement. Commissioner Hyatt seconded the motion and the vote of approval was unanimous.

Town Manager Braund asked council members to provide direction regarding the status of the Lake Lure Golf Course Advisory Committee. He informed council members that with the Course Doctors, Inc. in charge of the golf course now, there is less need for this committee's oversight and advice to town council. Mr. Braund recommended that the oversight of the golf course be done by the town manager on a regular basis and that town council review the operations and finances of the golf course on an annual basis. He also stated that the Lake Lure Parks and Recreation Board is an appropriate board to provide some guidance to the council on how the town can utilize the golf course as part of its overall parks and recreation assets.

Mr. Braund suggested that council members consult with the chairman of the golf course committee and their members about the status of their committee. He also volunteered to send out letters of appreciations to members of the golf course committee once town council has made their decision regarding this committee.

Council members held a brief discussion on the status of the Lake Lure Golf Course Advisory Committee and agreed to hold further discussion at a future meeting.

ADJOURN THE MEETING

With no further items of discussion, Commissioner Turner made a motion to adjourn the meeting at 5:05 p.m. Commissioner Hyatt seconded the motion and the vote of approval was unanimous.

ATTEST:


Mary A. Flack, MMC
Town Clerk


Mayor Bob Keith