

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS35452-LM-184A (05/19)

Short Title: Forest City/Convey Property. (Local)

Sponsors: Senator Clary.

Referred to:

A BILL TO BE ENTITLED

AN ACT AUTHORIZING THE TOWN OF FOREST CITY TO CONVEY CERTAIN
DESCRIBED PROPERTY BY PRIVATE SALE OR LONG-TERM LEASE.

The General Assembly of North Carolina enacts:

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

Lying and being in the Town of Forest City, Rutherford County, North Carolina, and being more particularly described as follows:

BEGINNING at a four inch pipe found, a corner of the property of Quality Oil Co Inc. (now or formerly) as described in Deed Book 773, Page 769 in the Rutherford County Public Registry (hereinafter the "Registry"), having Grid Coordinates of N=578282.32' E=1147512.98', said pipe found being located S. 66-24-38 W. 9,420.34 feet from N.C.G.S. Monument "Burl" having Grid Coordinates of N=582052.14' E=1156146.13'; thence, from the point of Beginning, N. 82-34-47 E. 2.69 feet to a point in the assumed western margin of the right-of-way of S. Broadway Street (U.S. Highway 221-A); thence, with and along the assumed western margin of the right-of-way of S. Broadway Street, the following four (4) courses and distances: (1) N. 30-17-18 W. 100.40 feet to a point; (2) with the arc of a circular curve to the right having a radius of 1,506.11 feet, an arc length of 484.23 feet and a chord bearing and distance N. 21-04-40 W. 482.14 feet to a point; (3) S. 88-09-32 W. 5.83 feet to a bent rebar found in concrete; and (4) N. 09-29-05 W. 226.66 feet to a 3 inch pipe found at the intersection of the assumed western margin of the right-of-way of S. Broadway Street and the assumed southern margin of the right-of-way of Pointer Drive (S.R. 2160); thence, with and along the assumed southern margin of the right-of-way of Pointer Drive, N. 85-43-43 W. 323.13 feet to a bent rebar found, a corner of the property of Heritage Village Ltd (now or formerly) as described in Book 437, Page 347 in the Registry; thence, with and along the boundary line of the property of Heritage Village Ltd., the following five (5) courses and distances: (1) S. 04-23-11 W. 218.32 feet to a #5 rebar set; (2) N. 82-21-00 W. 125.05 feet to a flat iron found; (3) S. 07-13-25 W. 139.85 feet to a flat iron found; (4) N. 82-51-58 W. 169.83 feet to a flat iron found; and (5) N. 05-30-32 E. 363.27 feet to a bent pipe found in the assumed southern margin of the right-of-way of Pointer Drive; thence, with and along the assumed southern margin of the



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1 right-of-way of Pointer Drive, N. 83-49-28 W. 367.86 feet to a 3 inch pipe found, a corner of
2 the property of Charles R. Summey and Peggy P. Summey (now or formerly) as described in
3 Book 224, Page 591 in the Registry; thence, with and along the boundary line of the property of
4 Charles R. Summey and Peggy P. Summey, S. 03-51-02 W. 939.90 feet to a tall pipe found, a
5 corner of the property of Robert L. Hensley, Jr. and Linda J. Smith (now or formerly) as
6 described in Book 719, Page 447 in the Registry; thence, with and along the boundary line of
7 the property of Robert L. Hensley, Jr. and Linda J. Smith, N. 78-59-22 E. 470.19 feet to a bent
8 pipe found, a corner of the property of Billie Forehand Beavers (now or formerly) as described
9 in Book 835, Page 557 in the Registry; thence, with and along the boundary line of the property
10 of Billie Forehand Beavers, N. 79-05-42 E. 104.99 feet to a bent pipe found, a corner of the
11 property of Helen S. Price (now or formerly) as described in Book 817, Page 711 in the
12 Registry; thence, with and along the boundary line of the property of Helen S. Price, the
13 following two (2) courses and distances: (1) N. 31-37-10 W. 83.79 feet to a #4 rebar found; and
14 (2) N. 78-03-56 E. 94.89 feet to a #4 rebar found, a corner of the property of Hazel W. Shires
15 (now or formerly) as described in Book 817, Page 07 in the Registry; thence, with and along
16 the boundary line of the property of Hazel W. Shires, N. 78-01-14 E. 92.02 feet to a rebar
17 w/cap found, a corner of the property of Iva I. Williams (now or formerly) as described in Book
18 817, Page 703 in the Registry; thence, with and along the boundary line of the property of Iva I.
19 Williams, the following three (3) courses and distances: (1) S. 85-07-58 E. 134.90 feet to a
20 rebar w/cap found; (2) S. 26-41-12 E. 103.00 feet to point (passing a rebar w/cap found at
21 94.26 feet); and (3) S. 52-39-19 W. 71.50 feet to a big pipe found, a corner of the property of
22 Rutherford County Arts Council Inc. (now or formerly) described in Book 779, Page 85 in the
23 Registry; thence, with and along the boundary line of the property of Rutherford County Arts
24 Council Inc., S. 26-10-41 E. 66.37 to a big pipe found, a corner of the property of Rutherford
25 County Arts Council Inc. (now or formerly) as described in Book 715, Page 463 in the
26 Registry; thence, with and along the boundary line of the property of Rutherford County Arts
27 Council Inc. (Book 715, Page 463), N. 82-47-30 E. 298.73 feet to a #4 rebar found, a corner of
28 the property of Quality Oil Co Inc. (now or formerly) as described in Book 773, Page 769 in
29 the Registry; thence, with and along the boundary line of the property of Quality Oil Co Inc.,
30 N. 82-34-47 E. 155.75 to a 4 inch pipe found, the point and place of BEGINNING, containing
31 18.07 acres, more or less, as shown on an ALTA/ACSM Land Title Survey dated October 8,
32 2008, and last revised November 4, 2008, prepared by Lattimore & Peeler Surveying, Dobbin
33 Lattimore, NCPLS, License Number L-3336.

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