

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 909
HOUSE BILL 2249

AN ACT TO ALLOW MCDOWELL COUNTY TO CONVEY CERTAIN
PROPERTY AT PRIVATE SALE.

The General Assembly of North Carolina enacts:

Section 1. Notwithstanding G.S. 153A-176 or Article 12 of Chapter 160A of the General Statutes, McDowell County may convey to any governmental unit, nonprofit corporation, or nonprofit association, at private sale, with or without monetary consideration, any or all of its right, title and interest in the following described property, in Marion Township of McDowell County, for use to build a recreational, cultural or civic type facility for the people of McDowell County:

TRACT ONE: BEGINNING on an iron pin in the Southern city limits line of the City of Marion, which said beginning point is located North 86 degrees 36 minutes 20 seconds West 202.46 feet from the fifth corner of that certain tract of land described in a deed from Hugh Bailey Nystrom to Hugh Bailey Nystron and his wife, Cecelia Grace Nystrom, dated December _____, 1965, and which is recorded in Book 186, Page 608, of McDowell County Deed Records, and runs thence from said beginning point South 6 degrees 36 minutes West 56.91 feet to an iron pin; thence South 12 degrees 01 minute West 34.71 feet to an iron pin; thence South 15 degrees 44 minutes 30 seconds West 34.73 feet to an iron pin; thence South 19 degrees 33 minutes West 34.92 feet to an iron pin; thence South 23 degrees 17 minutes West 34.64 feet to an iron pin; thence South 27 degrees 21 minutes West 33.77 feet to an iron pin; thence South 31 degrees 08 minutes West 34.82 feet to an iron pin; thence South 34 degrees 45 minutes West 36.10 feet to an iron pin; thence South 38 degrees 07 minutes West 36.83 feet to an iron pin; thence South 40 degrees 57 minutes West 41.14 feet to an iron pin; thence South 42 degrees 43 minutes West 45.20 feet to an iron pin; thence South 43 degrees 31 minutes 30 seconds West 285.04 feet to an iron pin; thence South 46 degrees 28 minutes 30 seconds East 230.0 feet to a point in the center of County Secondary Road 1001; thence along and with the center of said County Secondary Road 1001, South 43 degrees 31 minutes 30 seconds West 200.0 feet to a point in the center of said road; thence North 46 degrees 28 minutes 30 seconds West 230.0 feet to an iron pin; thence South 43 degrees 31 minutes 30 seconds West 450.53 feet to an iron pin; thence North 88 degrees West 265.52 feet to an iron pin; thence South 56 degrees 25 minutes west 626.69 feet to a stake in the North margin of an old woods road; thence North 73 degrees 58 minutes 48 seconds West 55.85 feet to an iron pin; thence North 86 degrees 16 minutes West 38.15 feet to an iron pin; thence North 3 degrees 31 minute 30 seconds West 1478.58 feet to a point in the center of the right-of-way of the Southern Railroad Company; thence South 86 degrees

36 minutes 20 seconds east 2003.04 feet to the point of BEGINNING. Containing 39.92 acres, more or less, and being a part of the lands described in said deed from Hugh Bailey Nystrom to Hugh Bailey Nystrom and wife, Cecelia Grace Nystrom.

AND BEING THE SAME LAND as described in and conveyed by deed dated November 29, 1979 from Hugh Bailey Nystrom and wife, Cecelia Grace Nystrom; Oscar Arvid Nystrom, Jr. and wife, Nancy Tom Nystrom to McDowell County Board of Education, recorded in Book 289, Page 542 of the McDowell County Public Registry.

EXCEPTING from this conveyance that parcel heretofore conveyed by deed dated August 30, 1983 to McDowell County, recorded in Book 322, Page 921 of the McDowell County Public Registry.

TRACT TWO: BEGINNING on an existing iron pin, said iron pin being the 17th corner of the McDowell County Board of Education property as described in a deed from Hugh Bailey Nystrom et al, to McDowell County Board of Education dated November 29, 1979 and recorded in Book 289, Page 542 of the McDowell County Deed Registry runs thence from said beginning iron pin South 43 degrees 55 minutes 36 seconds East 234.78 feet to a point in Sugar Hill Road (State Road 1001); thence with said Sugar Hill Road, North 45 degrees 28 minutes 00 seconds East 450.56 feet to a point; thence leaving Sugar Hill Road, North 43 degrees 55 minutes 36 seconds West (passing an iron pin at 50.00 feet) a total of 230.00 feet to an existing iron pin, the 16th corner of the McDowell County Board of Education property; thence South 46 degrees 04 minutes 24 seconds West 450.53 feet to the BEGINNING. Containing 2.40 acres, description furnished by R.L. Greene Surveying and Mapping.

TRACT THREE: BEGINNING at an existing iron pin at the margin of Sugar Hill Road, said iron pin being the 10th corner of the McDowell County, North Carolina property of which this description is a part, and running thence from said beginning point, North 84 degrees 03 minutes 26 seconds West 202.46 feet to an existing iron pin, the beginning corner of the McDowell County Board of Education property (Deed Book 289, Page 542); thence with the McDowell County Board of Education property the following thirteen bearing and distances: South 09 degrees 08 minutes 54 seconds West 56.91 feet to an existing iron pin; South 14 degrees 33 minutes 54 seconds West 34.71 feet to an existing iron pin; South 18 degrees 17 minutes 24 seconds West 34.73 feet to an existing iron pin; South 22 degrees 05 minutes 54 seconds West 34.92 feet to an existing iron pin; South 25 degrees 49 minutes 54 seconds West 34.64 feet to an existing iron pin; South 29 degrees 53 minutes 54 seconds West 33.77 feet to an existing iron pin; South 33 degrees 40 minutes 54 seconds West 34.82 feet to an existing iron pin; South 37 degrees 17 minutes 54 seconds West 36.10 feet to an existing iron pin; South 40 degrees 39 minutes 54 seconds West 36.83 feet to an existing iron pin; South 43 degrees 29 minutes 54 seconds West 41.14 feet to an existing iron pin; South 45 degrees 15 minutes 00 seconds West 45.20 feet to an existing iron pin; South 46 degrees 04 minutes 24 seconds West 285.04 feet to an existing iron pin; South 43 degrees 55 minutes 36 seconds East (passing an iron pin at 180.00 feet) a total of 230.00 feet to a point in the centerline of Sugar Hill Road (State Road 1001); thence with the said Sugar Hill Road the following twelve (12) bearings and distances: North 46 degrees 04 minutes 24 seconds East 286.69 feet; North 45

degrees 15 minutes 00 seconds East 50.37 feet; North 43 degrees 29 minutes 54 seconds East 50.34 feet; North 40 degrees 39 minutes 54 seconds East 49.28 feet; North 37 degrees 17 minutes 54 seconds East 50.12 feet; North 33 degrees 40 minutes 54 seconds East 49.68 feet; North 29 degrees 53 minutes 54 seconds East 49.53 feet; North 25 degrees 49 minutes 54 seconds East 50.30 feet; North 22 degrees 05 minutes 54 seconds East 50.06 feet; North 18 degrees 17 minutes 24 seconds East 49.86 feet; North 14 degrees 33 minutes 54 seconds East 53.07 feet; North 08 degrees 54 minutes 36 seconds East 80.65 feet to a point; thence leaving said Sugar Hill Road, North 84 degrees 03 minutes 26 seconds West 27.54 feet to the BEGINNING. Containing 4.17 acres, description furnished by R.L. Greene Mapping and surveying.

AND BEING THE SAME LANDS as described in and conveyed by deed dated September 6, 1983 from McDowell County, a municipal corporation, to McDowell County Board of Education recorded in Book 322, Page 905 of the McDowell County Public Registry.

This conveyance is made SUBJECT TO the right-of-way agreement dated July 24, 1984 between the McDowell County Board of Education and North Carolina Department of Transportation recorded in Book 336, Page 110 of the McDowell County Public Registry.

Sec. 1.1. Notwithstanding G.S. 153A-176 or Article 12 of Chapter 160A of the General Statutes, McDowell County may convey to any governmental unit, nonprofit corporation, or nonprofit association, at private sale, with or without monetary consideration, any or all of its right, title and interest in the following described property, in Marion Township of McDowell County.

BEGINNING at an existing iron pin located in the property line of William Woessner (Deed Book 242 at page 433, McDowell County Register of Deeds), said existing iron pin also being the Eastern corner of the McDowell Hospital property (Deed Book 312 at page 720) and runs from said beginning point with McDowell Hospital property line, North 31 degrees 03 minutes 00 seconds West 268.96 feet to an existing iron pin, said existing iron pin being the South corner of the McDowell Medical Park property (Deed Book 330 at page 594); thence with McDowell Medical Park property, North 59 degrees 45 minutes 36 seconds East 267.68 feet to an existing iron pin; thence South 83 degrees 43 minutes 06 seconds East 38.15 feet to an existing iron pin; thence South 71 degrees 25 minutes 54 seconds East 55.85 feet to an existing iron pin; thence North 58 degrees 57 minutes 54 seconds East 532.62 feet to an existing iron pin, said existing iron pin being common corner of McDowell Medical Park and McDowell County Board of Education (Deed Book 289 at page 542 and Deed Book 322 at page 905); thence with McDowell County Board of Education's property line, North 58 degrees 57 minutes 54 seconds East 94.07 feet to an existing iron pin; thence South 85 degrees 27 minutes 06 seconds East 265.52 feet to an existing iron pin, said existing iron pin being the Western corner of the McDowell County Board of Education property (Deed Book 322 page 905, Tract 1); thence with the McDowell County Board of Education property line (Tract 1), South 43 degrees 55 minutes 36 seconds East 234.78 feet to a point in the center of SR#1001 (Sugar Hill Road); thence with Sugar Hill Road, South 45 degrees 28 minutes 00 seconds West 33.36 feet to a point in the center of the intersection of

SR#1001 (Sugar Hill Road) and Rankin Drive; thence continuing with SR#1001, South 41 degrees 22 minutes 36 seconds West 23.42 feet to a point, said point being located in the property line of W. C. Hall (Deed Book 134 at page 504); thence with Hall property line, North 85 degrees 28 minutes 12 seconds West 341.98 feet to a 15" maple; thence South 58 degrees 56 minutes 54 seconds West 896.18 feet to the point of BEGINNING, containing 6.27 acres, DMD, description based on survey prepared by R. L. Greene Surveying & Mapping, dated May 10, 1985, License #L-1517.

AND BEING a portion of the lands described in that certain Deed to McDowell County recorded in Deed Book 296 at page 933 and Deed Book 322 at page 921, McDowell County Register of Deeds to which reference is hereby made.

SUBJECT to the right of ways of Rankin Drive, SR#1001 (Sugar Hill Road), and all easements of record.

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 23rd day of June, 1988.