

Line Runner Ridge Maintenance Corporation

Board Actions From Annual Association Meeting - Spring, 2019

Date: June 14, 2019

Association Members,

At the last meeting there was a motion that the Association vote on whether the property owned by Rufus Henry Temple could be removed from Line Runner Ridge Maintenance Corporation (LRRMC) as he had secured a proposed offer of sale from the State of North Carolina. The LRRMC Board agreed that we would look into this issue and report back to the association as to the details so that a vote could be held by the entire membership.

In response to that motion, the LRRMC Board met with Attorney at Law Gayle Ramsey in Brevard on June 10th to discuss any potential legal ramifications to the association in general and what our Restrictive Covenants portray pertaining to this issue. It should also be noted that LRRMC has to incur the expenses of that meeting which was solely for the benefit of Mr. Temple. We intend to bring this cost up again at a later time for reimbursement.

Some of the highlights of that meeting were:

- The Henry Temple Property deed in question, which is located in **Deed Book 411, Page 404 Transylvania County Registry** has specific stipulations. **Stipulation 2 lists that "Title to Property hereinabove described is subject to the following exceptions: Restrictive Covenants and Easements of Record"**. To that end, Mr. Ramsey stated that it is in violation of North Carolina Law and our LRRMC Restrictive Covenants for either the LRRMC Association (members) or the LRRMC Board to vote the property out of the LRRMC Association since that would be altering the Deed of Record. We also can not change or alter the Right of Way description of limitations.
- Second, several years ago another Land Owner in LRRMC requested similar Options to remove himself from LRRMC. At that time, Mr. Ramsey was consulted and advised against this action for the same reasons. He reminded us that a precedent has been set and for the LRRMC to act in violation of this previous action would open the door for legal disputes from this previous Land Owner.
- The LRRMC Board also discussed with a Board Member of Conneetee Falls Development how they handle similar situations, and the response was that their Attorney advised them similarly, and they never let any property out of their association.
- Finally, there are nearly a dozen properties at the boundary of LRRMC and the North Carolina State Game Lands. Acting in violation of State Law and LRRMC could allow multiple Land Owners to make a similar request and have far-reaching effects and burdens on the LRRMC as a whole and the entire atmosphere in the place that we so love and enjoy.

Any land owner can sell their property to anyone. This property could still be sold to the state of NC. The state would then become a member of LRRMC, pay dues and have all the same rights/restrictions as any other member. They could not, however, build a road on LRRMC property to their adjoining property.

We ,the LRRMC Board, thank all of those that have helped, supported and placed your trust in us this past year. We also thank you in advance for supporting this decision to continue the improvements in LRRMC. Our sole purpose is to protect the environment that we so richly enjoy for now and for the distant future. If you have any questions, feel free to call any of us.

Sincerely,

