

RESOLUTION TO APPROVE **The Town of Ruth's** MEMBERSHIP IN RUTHERFORD
RAILROAD DEVELOPMENT CORPORATION AND PROPOSED BYLAWS

WHEREAS, Rutherford Railroad Development Corporation ("RRDC") is a North Carolina Nonprofit Corporation currently located at 230 Spindale Street, Spindale, North Carolina, 28160 which holds fee simple title to a rail corridor in Rutherford County being generally comprised of the railroad corridor between Alexander Mills and Gilkey, North Carolina, commonly referred to as the Gilkey Line and the railroad corridor between Forest City and Bostic, North Carolina, commonly referred to as the Bostic Spur, (collectively, the "Rail Corridor"); and

WHEREAS, the County of Rutherford, the Town of Forest City, the Town of Ruth, the Town of Rutherfordton, and the Town of Spindale (collectively referred to herein as the "Trail Partners") have each entered into a separate lease agreement with RRDC, for certain portions of the rail corridor which lie within their respective jurisdictions;; and

WHEREAS, . RRDC currently has only one Director, James Cowan, who has expressed his support for reconstituting RRDC to meet its current needs; and

WHEREAS, the Trail Partners built and currently maintain a twelve foot wide paved trail which traverses the entire 13.36 miles of the Gilkey Line from Forrest Hunt Elementary School to Gilkey (the "Thermal Belt Rail Trail"); and

WHEREAS, the Trail Partners and RRDC executed an Interlocal Agreement dated August 30, 2017 concerning management and maintenance of the TBRT for the ongoing benefit of the citizens of Rutherford County and its visitors. Said Interlocal Agreement anticipated the future restructuring of RRDC in such a way to allow the Trail Partners to control and manage the TBRT; and

WHEREAS, in order for the Trail Partners to be able to more effectively manage the Rail Corridor, including but not limited to the Thermal Belt Rail Trail, the Trail Partners have agreed for each Trail Partner to join as new Members of RRDC pursuant to the Amended and Restated Bylaws ("Bylaws") which are incorporated by reference as if fully set forth herein and are attached as Exhibit "A."

NOW THEREFORE BE IT RESOLVED, that **The Town of Ruth** hereby agrees to join as a Member of Rutherford Railroad Development Corporation, approves the attached Bylaws, and authorizes **Mayor David Guy** to execute the same on behalf of **The Town of Ruth**.

Adopted this the first day of June, 2021.

Mayor David Guy (Official Name and Title)

Clerk, Amie Goode Hanaway (Clerk Name and Title)