

MINUTES OF REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF THE TOWN OF LAKE LURE, HELD IN THE TOWN OFFICE AT LAKE
LURE, NORTH CAROLINA, ON TUESDAY, JUNE 9, 1953, at seven-
thirty o'clock, P. M.

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At a regular meeting of the Board of Commissioners of the Town of Lake Lure, held in the Town Office at Lake Lure, North Carolina, on Tuesday, June 9, 1953, at seven-thirty o'clock, P. M., the following were present:

L. M. Pearson, Jr., Mayor, W. C. Allison, and S. A. Eudy,
Commissioners.

After the meeting was called to order by the Mayor, the following resolutions were, upon motions duly made and seconded, unanimously adopted:

FIRST

WHEREAS, under date of July 28, 1932, Lureland Realty Corporation executed a deed to the Town of Lake Lure for several tracts of land located in said town, which deed is recorded in Deed Book 153, at Page 356, Rutherford County Registry; and

WHEREAS, said deed contains the following clause: "Tracts third to eighteenth inclusive are hereby conveyed, subject to the restriction and condition that the same shall be used exclusively for park purposes and in the event of abandonment of any or all of said tracts by the party of the second part, or the use of same for any purpose other than as public parks, title to the same shall, at the option of the party of the first part, revert to the party of the first part, its successors and assigns. It is understood and agreed, however, that the failure of the party of the second part to improve the said tracts of land for park purposes shall not be construed as an abandonment of said property by the party of the second part. The party of the second part shall, how-

said deed being as follows: "Except such rights as were reserved to it (Lureland Realty Corporation) under its deed dated July 28, 1932, to the Town of Lake Lure, recorded in Deed Book 153, Page 356."

AND WHEREAS, conditions in the Town of Lake Lure have greatly changed since the execution of the deed from Lureland Realty Corporation to the Town of Lake Lure dated July 28, 1932, and hereinabove referred to; and WHEREAS, the best interests of the Town of Lake Lure and all of its citizens would be materially promoted if the Town of Lake Lure owned in fee simple the lands described in the deed hereinabove referred to from Lureland Realty Corporation to the Town of Lake Lure, so that said lands could be used as the Town Board sees fit for the improvement and betterment of the Town and its citizens;

AND WHEREAS, Lureland Realty Corporation has been dissolved and has ceased to exist as a corporation; and WHEREAS, United States Fidelity & Guaranty Company, as former owner of the common stock of Lureland Realty Corporation, is now empowered under the laws of the State of North Carolina to execute a Quit Claim Deed to the Town of Lake Lure releasing the right of reversion contained in the deed hereinabove referred to, which right was formerly held by Lureland Realty Corporation; NOW, THEREFORE,

BE IT RESOLVED, That the Board of Commissioners of the Town of Lake Lure hereby respectfully request United States Fidelity & Guaranty Company to convey to the Town of Lake Lure by proper Quit Claim Deed, all of the right, title, and interest of Lureland Realty Corporation or of the United States Fidelity & Guaranty Company as former owner of all of the common stock of Lureland Realty Corporation, in and to the following described lands:

Situate, lying and being in the Town of Lake Lure, Chimney Rock Township, Rutherford County, North Carolina, and being described as Tracts Three (3) to Eighteen (18) inclusive in a cer-

WHEREAS, it would promote the best interests of the citizens of the Town of Lake Lure and the Town of Lake Lure itself, if one additional Justice of the Peace for Chimney Rock Township, Rutherford County, North Carolina, were appointed by the Governor of the State of North Carolina; and

WHEREAS, to the knowledge of the Board of Commissioners of the Town of Lake Lure, Julius Bender is an honest, capable and reputable man, and well qualified to hold the office of Justice of the Peace in Chimney Rock Township, Rutherford County, North Carolina; NOW, THEREFORE,

BE IT RESOLVED, That His Excellency, the Governor of the State of North Carolina, be and he is hereby respectfully requested to appoint Julius Bender a Justice of the Peace for Chimney Rock Township, Rutherford County, North Carolina.

THIRD

WHEREAS, it has come to the attention of the Board of Commissioners of the Town of Lake Lure that public dance halls in said Town are now being operated after midnight; and

WHEREAS, it has further come to the attention of the Board of Commissioners that the operation of said public dance halls after midnight and the noise resulting therefrom has caused considerable annoyance to the citizens of the Town; and WHEREAS, it is to the best interests of public peace and morals that said dance halls be not operated at any time after midnight; NOW, THEREFORE,

BE IT RESOLVED, That it shall be unlawful to operate any public dance hall in the Town of Lake Lure after the hour of twelve o'clock, P. M., and before the hour of ten o'clock, A. M.

FOURTH

WHEREAS, it has been ascertained by the Board of Commissioners of the Town of Lake Lure that the present schedule of water rates is inadequate to cover the actual cost of operating the public water supply system now owned by the Town of Lake Lure;

AND WHEREAS, in order to provide a sufficient amount of revenue to keep said public water system in operation and pay the costs thereof, it is necessary to raise the water rates now in effect in the Town of Lake Lure;

AND WHEREAS, it will be impossible to continue to operate said municipal water system and pay the expenses thereof without raising said water rates; and WHEREAS, it is to the best interest of the Town of Lake Lure and its citizens that said municipal water system be operated and that said rates be raised; NOW, THEREFORE,

BE IT RESOLVED, That every person, firm, or corporation, hereinafter referred to as "Customer", now connected to, or hereafter connected with, the municipal water system of the Town of Lake Lure shall pay the following rates for all water furnished them by the Town of Lake Lure:

I.

MINIMUM RATES

1) For the remainder of the year 1953, \$12.00, for all or any part of the period beginning July 1, 1953, and ending December 31, 1953. This sum may be paid at the rate of not less than \$2.00 per month beginning August 1, 1953, and ending January 1, 1954.

2) For all or any part of the calendar year 1954 and for all or any part of each calendar year thereafter, the sum of \$24.00. Said sum of \$24.00 may be paid at the rate of not less than \$2.00 per calendar month beginning February 1, 1954 and on the first day of each calendar month thereafter.

EXCEPT THAT:

Any customer owning a private water system which has never been connected with the municipal water system of the Town of Lake Lure shall, upon the connection of such private water system to said municipal water system, pay his pro rata part of the minimum charges from the date of such connection until the end of the calendar year.

4) The above minimum rates shall cover the use or consumption of each customer of not in excess of 3,000 gallons of water in any calendar month.

II.

RATES FOR WATER USED IN EXCESS OF 3,000 GALLONS IN ANY ONE CALENDAR MONTH

1) For all water used by any one customer in any one calendar month in excess of 3,000 gallons, but not in excess of 6,000 gallons sixty cents (60¢) per 1,000 gallons, or part thereof.

2) For all water used by any one customer in any one calendar month in excess of 6,000 gallons, but not in excess of 10,000 gallons, fifty cents (50 ¢) per 1,000 gallons, or part thereof.

3) For all water used by any one customer in any one calendar month in excess of 10,000 gallons, but not in excess of 15,000 gallons forty cents (40 ¢) per 1,000 gallons, or part thereof.

4) For all water used by any one customer in any one calendar month in excess of 15,000 gallons thirty cents (30 ¢) cents per 1,000 gallons, or part thereof.

III.

PAYMENT OF WATER BILLS

- I) The minimum rate of Two Dollars (\$2.00) per month and all amounts due for water used by any customer in excess of 3,000 gallons in any one calendar month shall be due and payable on the first day of the next succeeding calendar month.
- 2) In the event that any customer shall fail to pay to the Town of Lake Lure all amounts due said Town on account of the water supplied by said Town to such customer within ten (10) Days after such payment shall become due, it shall be the duty of the authorities of the Town of Lake Lure to disconnect said customer from the municipal water system, and such customer shall not be again connected to the municipal water system until all amounts due the Town for water shall have been paid.

IV.

CONNECTIONS AND DISCONNECTIONS

It shall be unlawful for any customer to connect his private water system to the municipal water system owned by the Town of Lake Lure, or to disconnect such private water system from the municipal water system of the Town of Lake Lure. All connections of private water systems to the municipal water

water systems to the municipal water system of the Town of Lake Lure and all disconnections of private water systems from the municipal water system of the Town of Lake Lure shall be made by the Town of Lake Lure. A charge of Five Dollars (\$5.00) for each connection and disconnection shall be paid to the Town of Lake Lure at the time of said connection and disconnection.

V.

EFFECTIVE DATE OF ABOVE RATES.

The above rates shall be in full force and effect from and after July 1, 1953.

Mr. C.M. Sharpe, Chief of Police, tendered his resignation to become effective at July 1, 1953. No action was taken. The Clerk was instructed to file.

Mr. Hamrick advised that the trial re the Town's Bonds is to be held in Asheville Federal Court July 17, 1953

No further business appearing, the meeting adjourned.


Clerk


Mayor