

The Regular Meeting Of The Board Of Commissioners
Met In The Town Hall At 12:30 P.M., May 31, 1965.

All members of the Board were present,

J. Paul Wilson, Mayor
W. E. Franks, Sr. Comm.
S. E. Nelson, Comm.

The Mayor called the meeting to order, no old business
to be discussed, new business was in order:

The Mayor brought to the attention of the Board, At the
request of the Town employees, State Retirement Plan for
Governmental Employees. This was discussed at length, the
Board instructed the Clerk to call Mr. Nathan Yelton for
further information about the retirement program.

The 1965-1966 fiscal year budget was discussed, no action
was taken at this meeting on the budget.

The Clerk was instructed to have 5000 Lake Lure Brochures
printed by Miller Printing Co., of Asheville, N.C.

All general business being taken care of, the following
Resolution was drawn up, unanimously passed, signed and
sealed by the Clerk, Municipal Seal attached.

A RESOLUTION AMENDING SECTIONS 202, 203, 205 AND 406 OF THE RESOLUTION ADOPTED BY THE BOARD OF COMMISSIONERS ON MARCH 27, 1964, ENTITLED:

"A RESOLUTION AUTHORIZING THE ACQUISITION OF THE LAKE KNOWN AS LAKE LURE, TOGETHER WITH A TRUNK SEWERAGE LINE, DAM AND ELECTRIC POWER GENERATING PLANT AND ANCILLARY FACILITIES BY THE TOWN OF LAKE LURE, NORTH CAROLINA: AUTHORIZING THE ISSUANCE, UNDER THE PROVISIONS OF THE REVENUE BOND ACT OF 1938 AND CHAPTER 437 OF THE 1963 SESSION LAWS OF NORTH CAROLINA, OF REVENUE BONDS OF THE TOWN PAYABLE SOLELY FROM REVENUES, TO PROVIDE FUNDS FOR PAYING THE COST OF SUCH ACQUISITION: PROVIDING FOR THE COLLECTION OF RATES, FEES AND CHARGES AND FOR THE CREATION OF CERTAIN SPECIAL FUNDS: PLEDGING TO THE PAYMENT OF THE PRINCIPAL OF AND THE INTEREST ON SUCH REVENUE BONDS CERTAIN NET REVENUES OF SAID PROPERTY HEREIN AUTHORIZED TO BE ACQUIRED: AND SETTING FORTH THE RIGHTS AND REMEDIES OF THE HOLDERS OF SUCH BONDS."

WHEREAS, the Board of Commissioners on March 27, 1964, adopted a resolution entitled:

"A RESOLUTION AUTHORIZING THE ACQUISITION OF THE LAKE KNOWN AS LAKE LURE, TOGETHER WITH A TRUNK SEWERAGE LINE, DAM AND ELECTRIC POWER GENERATING PLANT AND ANCILLARY FACILITIES, BY THE TOWN OF LAKE LURE, NORTH CAROLINA: AUTHORIZING THE ISSUANCE, UNDER THE PROVISIONS OF THE REVENUE BOND ACT OF 1938 AND CHAPTER 437 OF THE 1963 SESSION LAWS OF NORTH CAROLINA, OF REVENUE BONDS OF THE TOWN PAYABLE SOLELY FROM REVENUES, TO PROVIDE FUNDS FOR PAYING THE COST OF SUCH ACQUISITION: PROVIDING FOR THE COLLECTION OF RATES, FEES AND CHARGES AND FOR THE CREATION OF CERTAIN SPECIAL FUNDS: PLEDGING TO THE PAYMENT OF THE PRINCIPAL OF AND THE INTEREST ON SUCH REVENUE BONDS CERTAIN NET REVENUES OF SAID PROPERTY HEREIN AUTHORIZED TO BE ACQUIRED: AND SETTING FORTH THE RIGHTS AND REMEDIES OF THE HOLDERS OF SUCH BONDS."

and

WHEREAS, the Board has decided to change the date of the bonds authorized by said resolution adopted on March 27, 1964 (hereinafter called the "Bond Resolution") from May 1, 1964

to May 1, 1965 and to change the schedule of maturities, the disposition of the proceeds of the bonds and the requirements of the Reserve Account as set forth in the Bond Resolution; now, therefore,

BE IT RESOLVED by the Board of Commissioners of the Town of Lake Lure:

Section 1. Section 202 of the Bond Resolution is hereby amended to read as follows:

"Section 202. Said bonds shall be designated "Lake Lure Electric Power Facility Revenue bonds", shall consist of 390 bonds of the denomination of One Thousand Dollars (\$1,000) each, numbered 1 to 390, inclusive, shall be dated as of the 1st day of May, 1965, shall bear interest from their date until their payment, such interest to the respective maturities of said bonds being payable semi-annually on the 1st days of May and November in each year, and shall be stated to mature (subject to the right of prior redemption as hereinafter set forth), in numerical order, lowest numbers first, on the 1st day of May in the following years and in the following amounts, respectively:

<u>Year of</u> <u>Maturity</u>	<u>Principal</u> <u>Amount</u>	<u>Year of</u> <u>Maturity</u>	<u>Principal</u> <u>Amount</u>
1967	\$15,000	1976	\$23,000
1968	16,000	1977	24,000
1969	17,000	1978	25,000
1970	17,000	1979	26,000
1971	18,000	1980	28,000
1972	19,000	1981	29,000
1973	20,000	1982	30,000
1974	21,000	1983	40,000
1975	22,000		

Both the principal of and the interest on the bonds shall be payable at The Chase Manhattan Bank, in the Borough of Manhattan, City and State of New York (hereinafter sometimes called the "Paying Agent"), in any coin or currency of the United States of America which, at the respective dates of payment thereof, is legal tender for the payment of public and private debts. Payment of the principal of the bonds shall be made upon the presentation and surrender of such bonds as the same shall become due and payable. Payment of the interest on the bonds shall be made only upon the presentation and

surrender of the coupons representing such interest as the same respectively become due and payable."

Section 2. The bond form set forth in Section 203 of the Bond Resolution is amended by changing the date of the bonds as it appears in the witnessing clause from "1st day of May, 1964" to "1st day of May, 1965".

Section 3. Section 205 of the Bond Resolution is hereby amended to read as follows:

"Section 205. The bonds shall be approved and sold by the Local Government Commission of North Carolina in the same manner as municipal bonds are approved and sold by said Commission. The bonds shall be delivered to or upon the order of the purchaser or purchasers thereof upon payment of the purchase price therefor, and the proceeds of the bonds (including accrued interest) shall be applied simultaneously with the delivery of the bonds as follows:

(1) The sum of \$375,000 shall be paid to Carolina Mountain Power Corporation, but only upon receipt by the Town of an opinion, signed by the Town Attorney, stating that in his opinion the Town has a fee simple title to the Lake Facilities free and clear of all liens and encumbrances thereon and of all defects of title except liens, encumbrances or other defects of title which do not have a materially adverse effect upon the Town's right to use the Lake Facilities for the purposes intended.

(2) An amount sufficient to pay the interest which will become due on the bonds on November 1, 1965 shall be deposited to the credit of the Bond Service Account (hereinafter created).

(3) The balance of said proceeds shall be deposited to the credit of a special checking account to be used by the Town for the payment of any amounts due to Carolina Mountain Power Corporation in prorating any items of current expenses and for the payment of expenses incident to the cost of acquisition of the Lake Facilities. Each such payment shall be made by check drawn on such account and signed by the Town Clerk and Treasurer. Upon the filing with the Mayor of a certificate

signed by the Town Clerk and Treasurer stating that all amounts due to Carolina Mountain Power Corporation and that all expenses incident to the cost of such acquisition have been paid, the Town Clerk and Treasurer shall withdraw any balance to the credit of such special checking account and deposit the same to the credit of the Revenue Fund (hereinafter created). Any amounts paid to the Town by Carolina Mountain Power Corporation in prorating any items of current expenses shall be deposited to the credit of the Revenue Fund."

Section 4. Clause (b) of Section 406 of the Bond Resolution is hereby amended to read as follows:

"(b) to the credit of the Reserve Account, such amount, if any, of any balance remaining after making the deposit under clause (a) above (or the entire balance if less than the required amount) as may be required to make the amount then to the credit of the Reserve Account equal to \$35,000,"

Section 5. This resolution shall become effective immediately upon its passage.

Commissioner Nelson moved the passage of the foregoing resolution and Commissioner Franks seconded the motion, and the resolution was passed by the following vote:

Ayes: Commissioners Unanimously

Noes: None.

* * * * *

I, Blanche B. Liles, Town Clerk and Treasurer of the Town of Lake Lure, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the meeting of the Board of Commissioners of said Town held on May 31, 1965, and that said record was made in Minute Book No. 4, beginning at page 112 and ending at page 118, and is a true copy of so much of said minutes as relate in any way to the passage of the resolution hereinabove set forth.

WITNESS my hand and the corporate seal of said Town this 31 day of May, 1965



Signed Blanche B. Liles
Town Clerk and Treasurer