

MINUTES OF REGULAR MEETING OF BOARD
OF COMMISSIONERS OF THE TOWN OF LAKE LURE
TUESDAY, NOVEMBER 10, 1970

The regular meeting of the board of commissioners was held in the Town Hall at 7:30 P. M. on November 10, 1970. The following members of the board were present: Mayor J. Paul Wilson; Commissioners Robert B. Jones and Woodrow Price. Hollis M. Owens Jr., Town Attorney, was also present.

The Mayor, J. Paul Wilson, called the meeting to order and the minutes of the last meeting were read. The minutes were approved as written.

Mayor Wilson suggested that letters be sent to all persons, firms and corporations owning property in Lake Lure, advising them of the regulations adopted by the North Carolina Wildlife Resources Commission governing boating and skiing on Lake Lure.

Upon motion of Commissioner Jones, seconded by Commissioner Price and unanimously passed the clerk was authorized and directed to have one thousand letters printed and mailed to all owners of property in Lake Lure advising said owners of the fact that the North Carolina Wildlife Resources Commission has adopted regulations governing skiing and boating on the lake known as Lake Lure and to include with said letters to said property owners, regulations published by the North Carolina Wildlife Resources Commission on boating and skiing, and in particular those adopted by said Commission for the lake known as Lake Lure.

The matter of fees to be charged for boat permits for the use of boats on the lake known as Lake Lure for the year beginning on January 1, 1971, and extending through December 31, 1971, was discussed.

Commissioner Jones moved, seconded by Commissioner Price that any person, wishing to place a boat or to have a boat placed on the lake known as Lake Lure must secure a permit from the Town of Lake Lure before doing so, and that beginning on January 1, 1971, and extending through December 31, 1971, fees for such boat permits shall be charged as follows:

1. For those persons, owning, renting, or leasing real property within the Town of Lake Lure:

a. For a daily permit regardless of horsepower of boat the fee shall be \$3.25 per day per boat

b. For a permit for the period from January 1, 1971 through December 31, 1971, for a boat with a motor having not more than 21 horsepower, the fee shall be \$5.25 per boat

c. For a permit for the period from January 1, 1971, through December 31, 1971, for a boat with a motor having more than 20 but not more than 95 horsepower, the fee shall be \$8.25 per boat.

d. For a permit for the period from January 1, 1971, through December 31, 1971, for a boat with a motor having more than 95 horsepower, the fee shall be \$12.25 per boat

2. For the owners of camps who do not own, lease, or rent real property within the corporate limits of the Town of Lake Lure, the fee for a permit for the period from January 1, 1971, through December 31, 1971 shall be \$200.00 per boat, and no owner of a camp who does not own, lease, or rent real property within the corporate limits of the Town of Lake Lure shall be allowed to place or to have placed more than two boats on the lake known as Lake Lure.

3. For those persons, other than owners of camps, who do not own, lease, or rent real property within the corporate limits of the Town of Lake Lure:

a. For a daily permit regardless of horsepower of boat, the fee shall be \$5.25 per day per boat.

b. For a permit for the period from January 1, 1971, through December 31, 1971, for a boat with a motor having not more than 20 horsepower, the fee shall be \$8.25 per boat.

c. For a permit for the period from January 1, 1971, through December 31, 1971, for a boat having a motor with more than 20 but not more than 95 horsepower, the fee shall be \$25.25 per boat.

d. For a permit for the period from January 1, 1971, through December 31, 1971, for a boat having a motor with more than 95 horsepower the fee shall be \$30.25 per boat.

Upon vote the motion was unanimously adopted.

The Board was advised by the Mayor of the possibility that the Town of Lake Lure might obtain an additional grant from the Federal Government in the amount EIGHT THOUSAND, SIX HUNDRED (\$8,600.00) dollars to be applied on the costs of the Lake Lure Sewage Treatment plant.

Upon motion of Commissioner Price, seconded by Commissioner Jones and unanimously passed the Board instructed the Mayor and Town Clerk to make whatever application necessary on behalf of Town of Lake Lure for said additional funds.

The Board was advised by the clerk that, pursuant to the provisions of General Statute 160-59 and a resolution adopted by the Board on the 8th day of September, 1970, and after advertisement as required by law, the property owned by the Town of Lake Lure known as the Penn Memorial Lodge and consisting of 2.36 acres of land was offered for sale at public auction on the 20th day of October, 1970, at the Town Hall in Lake Lure at 10:00 o'clock A. M., subject to the terms and conditions contained in the resolution adopted by the Board on the 8th day of September, 1970, and that at said public auction the highest bid was in the sum of \$32,000.00 and that said bid was placed by Mrs. Frances C. Richardson.

The matter of whether to accept or reject the bid of Mrs. Frances C. Richardson in the amount of \$32,000.00 came up for discussion. Mayor Wilson advised the Board that Herman Sorkey, owner of a leasehold interest in the tract of land containing 2.36 acres and containing a building known as Penn Memorial Lodge, had offered to sell said leasehold interest in said property to the Town of Lake Lure for the sum of \$2,000.00. It was brought out in discussion that if the property was freed of said leasehold interest it would probably bring considerably more at public auction.

After discussion Commissioner Jones, moved, seconded by Commissioner Price that the bid of Mrs. Frances C. Richardson in the amount of \$32,000.00 be rejected. This motion unanimously passed, and the Clerk was instructed to notify Mrs. Frances C. Richardson immediately by letter that said bid had been rejected.

After further discussion concerning the 2.36 acres of land containing the Penn Memorial Lodge, Commissioner Price moved, seconded by Commissioner Jones that the following resolution be adopted.

WHEREAS, the Town of Lake Lure is the owner of that certain tract of land containing 2.36 acres and embracing what is known as "Penn Memorial Lodge" together with certain furniture, furnishings and equipment located in said "Penn Memorial Lodge", the said 2.36 acres of land being more particularly described as follows:

BEGINNING at a stake at a point where the 995 contour three feet in elevation above the surface of Lake Lure, intersects the center of an old road in a ravine, said stake standing North 62 degrees East 12 feet from a 12 inch maple marked as a pointer, and said stake also standing South 15 degrees West about 1400 feet from the center of the "Island" on Lake Lure, and runs thence with the said old road which leads past the former Dock Jones Residence sit, South 37 degrees 10 minutes East 255 feet to an iron pin in the center of the road which traverses the top of the ridge; thence South 65 degrees East 60 feet to a stake in the 995 foot contour, three feet in elevation above the surface of Lake Lure; thence with the said contour, South 10 degrees 46 minutes West 95.3 feet to a stake in the said contour; thence due West, recrossing the aforesaid road which traverses the ridge at 80 feet, 292 feet to a stake in the 995 contour, said stake standing at the foot of a 4 inch black oak sapling marked a pointer; thence with the 995 contour three feet in elevation above the surface of Lake Lure, in a northwesterly, a northerly, and a southeasterly direction 580 feet to the point of beginning, and containing 2.36 acres, and embracing a building known as the "Penn Memorial Lodge".

TOGETHER WITH all furniture, furnishings, fixtures and equipment located in the said "Penn Memorial Lodge."

SAVING, EXCEPTING AND RESERVING HOWEVER from the real property above described, a strip of land 40 feet wide, as a right of way for a road for the benefit of the tract of land lying north of the herein described boundary, the center line of which said strip of land shall begin on an iron pin, the second corner of the above described, boundary, and runs South 19 degrees West 126 feet to a stake in the southern boundary line of the above described real property.

AND WHEREAS, by that certain lease agreement, dated November 6, 1969, of record in Deed Book 328 at page 364, Rutherford County Registry, between the Town of Lake Lure and Herman Sorkey, the land above described, together with all furniture, furnishings, and equipment located in the said "Penn Memorial Lodge", was leased to the said Herman Sorkey for a term of ten years, and

AND WHEREAS the said Herman Sorkey has offered to sell his leasehold interest in the property above described to the Town of Lake Lure for the sum of \$2,000.00

WHEREAS, the said 2.36 acres of land embracing the said Penn Memorial Lodge and the furniture, furnishings and equipment located in said Penn Memorial Lodge are surplus property and are not needed for any public purpose of the Town of Lake Lure;

NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS:

(1) That the Board of Commissioners of the Town of Lake Lure hereby finds, determines and declares that the tract of land hereinabove described embracing what is known as the "Penn Memorial Lodge" and all furniture, furnishings and equipment located in said "Penn Memorial Lodge" are surplus property and are not needed for any public purpose of the Town of Lake Lure.

(2) That the Board is of the opinion that it is in the best interest of the Town of Lake Lure to accept the offer of Herman Sorkey to sell his leasehold interest in the property above described to the Town of Lake Lure for the sum of \$2,000.00 and said offer is hereby accepted, and that the Town Attorney be and he is hereby instructed to prepare the necessary agreement to cancel the lease dated November 6, 1969, between Herman Sorkey and the Town of Lake Lure, and that the Mayor and Town Clerk be and they are hereby authorized to execute said agreement of cancellation on behalf of the Town of Lake Lure and that the Town Clerk be and she is hereby authorized to pay to the said Herman Sorkey, the sum of \$2,000.00 upon the execution by him of said cancellation agreement, and that after said agreement cancelling said lease has been duly executed by all parties thereto and after Herman Sorkey has paid to the Town of Lake Lure the sum of \$2,000.00, the Town Attorney is instructed to have said agreement recorded in the office of the Register of Deeds for Rutherford County.

(3) That after the agreement cancelling said lease has been recorded as aforesaid the municipally owned real property hereinabove described together with all furniture, furnishings, fixtures and equipment located in the said "Penn Memorial Lodge" be offered for sale to the highest bidder for cash after due advertisement pursuant to Section 160-59 of the General Statutes of North Carolina, upon the following terms and conditions:

(a) The main building located on the property to be sold shall continue to be named and referred to as "Penn Memorial Lodge" and the bronze plaque containing the names of the building committee and the purposes of the "Penn Memorial Lodge" shall be retained in its present location over the fireplace in said lodge.

(b) If the property above described is sold at such time, the same shall be sold to the highest bidder for cash.

(c) The Town of Lake Lure expressly reserves the right to reject any and all bids.

(3) That the Town Clerk be and she is hereby authorized, ordered and directed to comply with the provisions of Section 160-59 of the General Statutes of North Carolina, and to advertise pursuant to said statute the fact that the above described property will be offered for sale to the highest bidder upon the terms and conditions hereinabove set forth.

The following commissioners voting in the affirmative: J. Paul Wilson, Mayor; Robert B. Jones, Commissioner, Woodrow Price, Commissioner.

The following commissioners voting in the negative: None

There being no further business the meeting adjourned at 10:30 o'clock, P. M.

Blanche B. Giles
Town Clerk

J. Paul Wilson
Mayor