

MINUTES OF REGULAR MEETING OF BOARD  
OF COMMISSIONERS OF THE TOWN OF LAKE LURE  
TUESDAY, FEBRUARY 8, 1972

The regular meeting of the Board of Commissioners was held in the Town Hall at 7:30 o'clock, P. M., on February 8, 1972. The following members of the board were present: J. Paul Wilson, Mayor; Avery T. Cashion, Jr., Commissioner; Zeb V. Dalton, Commissioner; Hollis M. Owens, Jr., Town Attorney was also present.

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

Mayor Wilson recognized Mrs. Steve Hurt who asked whether the board had any objections to the sale of a boat house owned by her and located on property of the Town of Lake Lure. She was advised that the board had no objections to such sale as long as said boat house was conveyed by a bill of sale and no attempt was made to sell the real estate on which said boat house is located.

Upon motion of Commissioner Dalton, seconded by Commissioner Cashion and unanimously adopted the Board voted to ask the North Carolina Wildlife Commission to stock the lake known as "Lake Lure" with as many channel cat fish as said Commission will give to the Town of Lake Lure.

Mayor Wilson recognized Mr. Sidney Nelson who advised the board that he felt tax notices received by him from the Town of Lake Lure for the years 1965, 1966, 1967, and 1968 are in error in that certain items of personal property included in said notices were located in the State of Maryland and taxes were paid by him on such property to the State of Maryland. Mr. Nelson was advised that the Town of Lake Lure got its property listing for the years in question from the Rutherford County Tax Records. Mr. Nelson advised that he had paid his Rutherford County taxes for the years in question. He was told that the Town of Lake Lure could make no change in its listing unless and until Rutherford County took formal action to change said County listings.

Upon motion of Commissioner Dalton, seconded by Commissioner Cashion, and unanimously passed the board decided to bring the level of the lake known as "Lake Lure" up to normal by February 22, 1972.

Mayor Wilson advised the board that Mr. W. T. Crowder of Gatlinburg, Tennessee, has made an oral offer to pay to the Town of Lake Lure the sum of \$35,000.00 in cash for a certain tract of land owned by the Town of Lake Lure and containing 2.36 acres of land and embracing what is known as "Penn Memorial Lodge", together with certain furniture, furnishings, and equipment located in said "Penn Memorial Lodge".

After discussion Commissioner Cashion moved, seconded by Commissioner Dalton 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 site, 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 north-westerly, 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.

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; and

WHEREAS, Mr. W. T. Crowder of Gatlinburg, Tennessee has made an oral offer to pay to the Town of Lake Lure, the sum of \$35,000.00, in cash, for said property.

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 and 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 if W. T. Crowder submits an offer, in writing, to pay to the Town of Lake Lure the sum of \$35,000.00, in cash, for the property hereinabove described, and makes a cash deposit of five per cent (5%) of said offer, the Town of Lake Lure shall receive said offer and advertise the same for upset bids pursuant to the provisions and authority of North Carolina General Statutes 160A-266 and 160A-269, and this resolution:

(3) That the Town Clerk be and she is hereby authorized, ordered and instructed to notify the said W. T. Crowder that if he submits an offer, in writing, to pay to the Town of Lake Lure the sum of \$35,000.00, in cash, for the property hereinabove described, and makes a cash deposit of five per cent (5%) of said offer, the Town of Lake Lure will receive said offer and advertise the same for upset bids pursuant to the provisions and authority of North Carolina General Statutes 160A-266 and 160A-269 and this resolution.

(4) That if W. T. Crowder submits an offer, in writing to pay to the Town of Lake Lure the sum of \$35,000.00 in cash, for the property hereinabove described and makes a cash deposit of five per cent (5%) of said offer, the Town Clerk is hereby authorized, ordered and instructed to receive said offer on behalf of the Town of Lake Lure and to advertise said offer for upset bids pursuant to the provisions and authority of North Carolina General Statutes 160A-266 and 160A-269 and this resolution.

(5) That if said W. T. Crowder submits an offer in compliance with North Carolina General Statutes 160A-266 and 160A-269 and this resolution and after advertisement for upset bids as aforesaid, the said bid so advertised is raised within the time allowed by law, the Town Clerk is hereby authorized, ordered and instructed to readvertise said offer at the increased bid and to repeat said advertising procedure until no further qualifying upset bids are received, at which time the Town of Lake Lure may accept the highest offer and sell the property hereinabove described in this resolution to the highest bidder for cash.

(6) That in the event the property hereinabove described is sold, said sale will be on 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 purpose of the "Penn Memorial Lodge" shall be retained in its present location over the fireplace in said Lodge.

B. The said property will be sold to the highest bidder for cash.

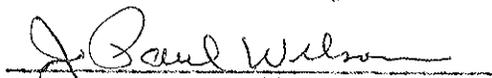
C. The Town of Lake Lure expressly reserves the right, at any time, to reject any and all offers.

The following commissioners voted in the affirmative: J. Paul Wilson, Mayor, Avery T. Cashion, Jr., Commissioner, Zeb V. Dalton, Commissioner.

The following commissioners voted in the negative: None.

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

  
Town Clerk

  
Mayor