

RUTHERFORD COUNTY
NORTH CAROLINA
LAKE LURE

THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS
OF THE TOWN OF LAKE LURE WAS HELD IN THE TOWN HALL THE
SECOND TUESDAY NIGHT, NOVEMBER 12, 1957 at 7.30, P.M.
ALL MEMBERS WERE PRESENT.

J. PAUL WILSON, MAYOR
C. ROY SMITH COMM.
W.E. FRANKS, SR. COMM.

BLANCHE B. LILES CLERK.

Minutes of the October meeting were read and approved.

A representative of the Picturesque Publishing Co. was present and discussed advertising for the 1958 Tourist season. The Board agreed to use this as a medium of advertising for the coming season, and took a one page add with a picture, the picture to be selected from scenes of the Lake. The add with picture to cost \$150.00. A down payment of \$50.00 was made, the remainder of \$100.00 to be paid when proofs of the add are available.

The Golf course Committee will give their report at a later meeting.

In regard to Mr. Pearson's request for purchase of a tract of land owned by The Town of Lake Lure, ~~the~~ A motion was made by C. Roy Smith, seconded by Gene Franks against the sale of any property or timber owned by the Town of Lake Lure. All Board members were agreed to this.

The Town Board agreed to give Mr. Pearson an exit or an entrance through Town property, to his property, with a forty foot (40) right-of-way for a street. This exit or entrance to be at the discretion of the Board. Also, suitable culverts must be used for proper drainage. The Clerk was ordered to advise Mr. Pearson of their decision.

Mayor Wilson read the Duke Power Franchise relating to the purchase of the power lines in the Town of Lake Lure. Mr. C. Roy Smith made a motion that the Town Board accept the Franchise as read by the Mayor, the motion was seconded by Mr. Franks, the Board agreed to accept it. The Franchise will be read at the December meeting for final approval. Mayor Wilson agreed with the other Board members to send the Franchise to Lawyer Fred Hamrick for his approval.

Current bills were approved for payment.

No other business, a motion was made to

adjourn.

Blanche B. Liles
Clerk

Mayor.

STATE OF NORTH CAROLINA)
COUNTY OF RUTHERFORD)
TOWN OF LAKE LURE)

AN ORDINANCE AND RESOLUTION granting permission unto the Duke Power Company to construct and maintain its lines for the transmission of electricity upon, along, over, through and under the highways, etc. of the Town of Lake Lure, in the County of Rutherford, State of North Carolina, and to conduct and carry on within said Town of Lake Lure the business authorized by and under the terms of the charter of said Duke Power Company.

SECTION 1. BE IT RESOLVED AND ORDAINED by the Mayor and the Board Commissioners

of the Town of Lake Lure, in the County of Rutherford, State of North Carolina, that assent and permission be, and the same hereby is given and granted unto the said Duke Power Company, its successors and assigns, for the term of sixty (60) years from and after the enactment hereof, to lay, plant, extend, construct, build, erect, maintain, repair and remove its lines, poles, wires, appliances, conductors, fixtures, and other appurtenances for the conducting, conveying and the transmission of power by electricity upon, along, over, through and under any and all the highways, roads, streets, avenues, sidewalks, alleys, lanes, bridges, and other public places now laid out or in use and all that hereafter may be laid out or put into use, within and near said Town of Lake Lure, and to do all necessary acts for that purpose; and assent and permission is hereby given and granted unto said Duke Power Company to conduct, carry on, transact and do within and near the limits of said Town of Lake Lure, the business of leasing, selling, conveying and transmitting power by electricity for manufacturing, lighting, heating, motive power or any other purpose or purposes.

SECTION 2. All poles used by said Duke Power Company shall be erected under the supervision and direction of the Committee on Streets of

other appliances, shall be promptly replaced by said Duke Power Company at its own expense and to the satisfaction of said Committee on Streets, and all poles shall be substantial and symmetrical and so located as not to interfere with the public use of said highways, roads, streets, sidewalks, avenues, lanes, alleys, bridges or other public places, or to endanger the property or person of the citizens of said Town. And in case said Duke Power Company shall fail to replace or repair said highways, streets, roads, avenues, lanes, sidewalks, alleys, bridges, or other public places within ten days after written notice so to do from the Chairman of said Committee on Streets, the same may be replaced or repaired by the proper authorities of said Town, and the said Duke Power Company, in the event thereof, shall forthwith pay to said Town the cost of such work and shall pay, in addition thereto, the sum of Five(\$5.00) Dollars for each and every place so replaced or repaired, by way of a penalty for such failure.

SECTION 3. Said Duke Power Company shall be subject to the Ordinances of said Town of Lake Lure relative to the use of such highways, roads, streets, avenues, lanes, sidewalks, alleys, bridges or other public places.

SECTION 4. Said Duke Power Company shall hold said Town free and harmless from all damages or claims for damages arising by reason of the negligent construction or maintenance of said lines, poles, wires, appliances, fixtures, and appurtenances.

Adopted this 10th day of December, 1957.

/s/ J. Paul Wilson
Mayor

/s/ W. E. Franks, Sr.
Commissioner

I, C. ROY SMITH, one of the Board of Commissioners of the Town of Lake Lure, hereby certify that the foregoing and attached instrument is a true and correct copy of Ordinance and Resolution granting a franchise to Duke Power Company duly adopted upon its first meeting at a regular meeting of the Commissioners on November 12, 1957, and duly adopted upon its second and final ^{Reading} meeting at a regular meeting of the Commissioners on December 10, 1957; I further certify that I was present at both of said meetings and that the signatures to said instrument are the true signatures of J. Paul Wilson, Mayor; W. E. Franks, Sr., Commissioner; C. Roy Smith, Commissioner, and Blanche B. Liles, Town Clerk.

This the 11th day of December, 1957.


C. Roy Smith

STATE OF NORTH CAROLINA)
COUNTY OF RUTHERFORD)
TOWN OF LAKE LURE)

AN ORDINANCE AND RESOLUTION granting permission unto the DUKE POWER COMPANY to construct and maintain its lines for the transmission of electricity upon, along, over, through and under the highways, etc. of the TOWN OF LAKE LURE, in the COUNTY OF RUTHERFORD, STATE OF NORTH CAROLINA, AND to conduct and carry on within said TOWN of LAKE LURE THE business authorized by and under the charter of said DUKE POWER COMPANY.

SECTION I. BE IT RESOLVED AND ORDAINED by the MAYOR and the BOARD OF COMMISSIONERS OF THE TOWN OF LAKE LURE, in the COUNTY of RUTHERFORD OF THE STATE OF NORTH CAROLINA, that assent and permission be, and the same hereby is given and granted unto the said DUKE POWER COMPANY, ITS successors and assigns, for the term of sixty (60) years from and after the enactment hereof, to lay, plant, extend, construct, build, erect, maintain, repair, and remove its lines, poles, wires, conductors, fixtures, appliances, and other appurtenances for the conducting, conveying and the transmission of power by electricity upon, along, over, through and under any and all highways, roads, streets, avenues, sidewalks, alleys, lanes, bridges, and other public places now laid out or in use and all that hereafter may be laid out or put in use, within and near the said TOWN OF LAKE LURE, and to do all necessary acts for that purpose; and assent and permission is hereby given and granted unto said DUKE POWER COMPANY to conduct, carry on, transact and to do within and near the limits of said TOWN OF LAKE LURE, the business of leasing, selling, conveying and transmitting power by electricity for manufacturing, lighting, heating, motive power or any other purpose or purposes.

SECTION 2. ALL poles used by said DUKE POWER COMPANY SHALL BE erected under the supervision and direction of the COMMITTEE ON STREETS of said TOWN OF LAKE LURE, and all highways, roads, streets, sidewalks, avenues, lanes, alleys, bridges, and other public places that may be disturbed or damaged in the construction or maintenance of said lines, poles, wires, and other appliances, shall be promptly replaced by said DUKE POWER COMPANY at its own expense and to the satisfaction of said COMMITTEE on STREETS, and all poles shall be substantial and symmetrical and so located as not to interfere with the public use of said highways, roads, streets, sidewalks, avenues, lanes, alleys, bridges or other public places, or to endanger the property or person of the citizens of said TOWN. AND in case said DUKE POWER COMPANY shall fail to replace or repair said highways, streets, roads, avenues, lanes, sidewalks, alleys, bridges, or other public places within ten days after written notice so to do from the chairman of said COMMITTEE on STREETS, the same may be replaced or repaired by proper authorities of said TOWN, AND THE DUKE POWER COMPANY, in the event thereof, shall forthwith pay to the said Town the cost of such work and shall pay, in addition thereto the sum of Five (\$5.00) DOLLARS for each and every place so replaced or repaired, by way of a penalty for such failure.

SECTION 3. Said DUKE POWER COMPANY shall be subject to the ORDINANCES of said TOWN of LAKE LURE relative to the use of such HIGHWAYS, ROADS, STREETS, AVENUES, LANES, SIDEWALKS, ALLEYS, BRIDGES, OR other public places.

SECTION 4. Said DUKE POWER COMPANY shall hold said TOWN free and harmless from all damages or claims for damages arising by reason of the negligent construction or maintenance of said lines, poles, wires, appliances, fixtures, and appurtenances.

ADOPTED THIS 10th day of DECEMBER, 1957

OVER

J. Paul Wilson
MAYOR

W. E. Franks Sr
COMMISSIONER

C. Roy Smith
COMMISSIONER

ATTEST:

Blanche B. Liles
CLERK.

I, C. ROY SMITH, one of the Board of commissioners of the TOWN OF LAKE LURE, hereby certify that the foregoing and attached instrument is a true and correct copy of ORDINANCE AND RESOLUTION granting a FRANCHISE to DUKE POWER COMPANY duly adopted upon its first reading at a regular meeting of the commissioners on November 12, 1957, and duly adopted upon its second and final reading at a regular meeting of the commissioners on DECEMBER 10, 1957; I further certify that I was present at both of said meetings and that the signatures to said instrument are the true signatures of J. PAUL WILSON, MAYOR; W. E. FRANKS, SR.; COMMISSIONER; C. ROY SMITH, COMMISSIONER; and BLANCHE B. LILES, TOWN CLERK.

This the 11th day of DECEMBER, 1957.

C. Roy Smith
COMMISSIONER

MR. C. ROY SMITH DELIVERED THE FRANCHISE TO THE CHARLOTTE OFFICE OF THE DUKE POWER COMPANY. IT WAS AGREED BY BOARD MEMBERS TO DELIVER THE FRANCHISE AT THE CHARLOTTE OFFICE BY A BOARD MEMBER.