Carteret County Times
10-22-70

The Readers Write

Route 1 Smyrna
Oct. 20, 1970

TO THE EDITOR:

In a recent article in THE NEWS-TIMES on the subject of the condemnation of the Core Banks Rod and Gun Club, it was stated that the 1969 Law requires the state to take the "slow route of condemnation." That is the understatement of the decade.

Over 10 years and 3 governors ago, legislation was passed by the General Assembly authorizing the purchase of the lands of the Outer Banks for a State park. From the very beginning the land acquisition program has been a botched-up affair. Apparently there has never been a state plan, policy or guidelines for the program. It appears that each purchase has been treated separately and different rules were applied to each.

IN 1961 WHEN the first acreage was acquired the State paid $20 per acre. However, by 1964 the State was paying $53 per acre. Then in 1969 a "1,000 acre" tract was acquired for $150,000 -- $150 per acre. This particular tract was listed in the Carteret County Tax Office as "290 acres" and a recent survey indicated 297 acres. The State purchasing people were aware of this, yet the transaction was approved on the basis of 1,000 acres.

When questioned about the acreage discrepancies the State's rationale was: "The important thing is not whether we got 1,000 or 400 or 200 acres. The important thing was to acquire the property and the owners' full interest in it." -- arrogant indifference to the taxpayer's interest.

More recently other tracts have been acquired at even more unrealistic prices per acre. If the present prices being paid per acre are a "fair market price" then those who sold in 1961 for $20 per acre were literally swindled out of their holdings by the State and they should be recompensated.

ALSO, THOSE who sold their property before Jan. 1, 1966 were not given the same option as those who sold afterwards. Any person who on Jan. 1, 1966, owned property which on July 1, 1963 was developed and used for noncommercial residential purposes "may reserve for himself and his assigns a right of use and occupancy of the residence and not in excess of three acres of land on which the residence is situated, for a definite term not to exceed twenty-five years." This is just another example where those who sold in good faith in 1961 have been grossly discriminated against.

One of the strange aspects of the Cape Lookout National Seashore legislation (Public Law 89-366) is the unexplained reason for the exclusion of 250 acres of privately owned land from the land acquisition program. It is in the area of Cape Lookout and includes some of the most desirable park acreage.

IN THE US Senate hearings on the Seashore legislation the only reference to the exclusion was a statement by the Under Secretary of the Interior: "The boundary that would be established by S.251 excludes from the national seashore a tract of about 250 acres located just north of Cape Lookout that contains a number of vacation residences and has been subdivided into multiple ownerships."

In this excluded area there are 15 to 20 camps, cottages, etc. of which only 3 or 4 can be called anything other than "shacks". In other areas on Core Banks there are just as many group camps and vacation cottages and they have just as much right to be excluded.

Likewise, the Core Banks Gun Club area has the same right to be excluded as the Cape Lookout "250 acre" area. The only difference is that the "250 acre" Lookout area is owned almost 100 per cent by one person who has grandiose plans for its commercial development.

IN THE US House hearings on the same legislation the question was asked if the county or townships have "passed proper zoning regulations so that if this piece of land is excepted from the operations of the bill, that we will not have a honkey-tonk or the things which would detract from the general nature of the national seashore."

The House sponsor of the legislation replied: "Let me say they have." This is about the most ridiculous statement of the decade for the simple reason that county zoning boards are comprised of people whose tenures of office are not for life. Zoning boards change and what one zoning board may approve another zoning board may disapprove.

Already the Carteret County Zoning Board has approved a "plat" which subdivides part of this excluded area into lots of at least 15,000 sq. ft., the minimum Health Department requirement for a mobile home, trailer or cottage not connected to a municipal water and sewer system.

The only way to prevent the 250 acre exclusion area from becoming a "honkey-tonk" area is to include it in the Seashore and treat its present owners the same as the other property owners on Core Banks. Public Law 89-366 should be amended accordingly.

Unless the State gets off its "ditty box" and starts fulfilling its obligations under Public Law 89-366, it could be another decade before the Cape Lookout National Seashore becomes a reality.

Sincerely,
J. W. DAVIS
Rear Admiral, USN (Ret.)

(NOTE: Ed Richardson, employed by the state to negotiate for purchase of land on the outer banks to be included in Cape Lookout Seashore, says that even the first persons who sold to the state could sell outright, or could retain lifetime interest in the property if they were individuals -- or if a corporation or association could retain interest for 25 years.

Mr. Richardson claims no discrimination has been shown in that respect. This same policy is being carried out under the Congressional act.

He points out also that land values have increased.

IF THEY seem to have increased more than usual on the outer banks, such inflation might be attributed to the landowner's greed and his eagerness to extort all he can in a "legal manner" from the state government.

The County Planning Commission, referred to in the above letter as the "zoning board," refused for more than a year to approve plans for the referred-to private development on Cape Lookout because the plans did not comply with regulations. The owner, represented by a barrage of lawyers, finally agreed to draw his subdivision according to minimal health standards and the planning commission could do nothing then but approve, which it did without enthusiasm.

Many agree that the 250-acre exclusion at the Cape is not desirable and that it should be a part of the Park. When the bill creating the Park was drafted, it was believed that this exclusion had to be set up to minimize opposition since it is a part of the Cape where habitation is more frequent than in other areas.

FEDERAL officials said that the exclusion would be on the same basis as those villages in Dare County which are excluded from Cape Hatteras National Seashore.

Congress may see fit to amend the Cape Lookout Seashore bill (PL 89-366) to include those 250 acres. If it does, then who will buy the 250 acres, the state or the federal government? If the state is to buy, then the state's agreement to do so would logically have to precede amendment of the bill.

If the federal government is to buy, then more money will have to be appropriated than is now set up for purchase of Shackleford -- and that amount is already too small.

If the amendment route is taken, then the Seashore is not 10 years off, as the writer predicts, but 20. Perhaps it would be worth that time to get the 250 acres into the Park. But if delay has already lessened likelihood of the Park's survival, then further delay is not likely to pump life into it.

-- The Editor)

People Speak Their Mind

The following was asked North Carolinian:

Please tell us the r
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