

State of North Carolina
Department of Archives and History
Raleigh 27602

26 June 1970

Mr. Joe Ray
Postmaster
Murphy, North Carolina 28906

Dear Mr. Ray:

It was a pleasure to visit with you and Mr. Johnson in Murphy on 18 June 70 and inspect the site of Fort Butler. This letter will serve to recap the results of our discussions with you, Mr. Johnson, and Mr. Frauson of the Department of Local Affairs.

As you have been informed through Representative Taylor, there is no foreseeable monetary assistance available under the National Historic Preservation Act for acquisition, reconstruction, or archaeological investigation of the fort site. As was concurred in by all, the practical preservation now of the fort site is of paramount importance; its development can be addressed at a later time period. Preservation of the site now requires acquisition of the land area.

Monetary assistance for land acquisition conceivably could be obtained through either the Department of Interior's Bureau of Outdoor Recreation (Land and Water Conservation Fund Act), or the Department of Housing and Urban Development (Open Space Land Program). Both of these federal programs operate on the basis of a matching-funds grant with a public agency. Thus, to qualify for eligibility under these programs two fundamental steps must be taken: (1) a public agency (the city or county, or both in joinder appear the most feasible) must make the application; and (2) certify that it has the ability and intention to finance its share of the costs of the project.

The above first-stated fundamental step is self-explanatory. As was discussed, there are several means by which the second step may be attained. One, purchase of a portion of the land. This purchase could be by either the public agency or a private agency which then conveys the land to the public agency either in fee simple or by long-term lease. Two, acceptance by the public agency of a portion of the land as a gift. Three, acceptance by the public agency of a portion of the land as an optional gift. In all three instances, the land value could constitute the matching dollar share of the project cost requirement. As discussed, perhaps the Tarheel Investment Company could be induced either to make an outright gift or tender an option of a gift on a portion of the land.

Mr. Joe Ray, 26 June 1970--page 2

With respect to the apparent residential construction currently underway on the site, clarification of ownership should be ascertained. To protect the site from further such development, it was suggested that steps be taken to rezone the site area.

Federal assistance under any circumstance requires a definite commitment and positive action by a public agency. As was mentioned, should federal assistance be obtained, additional federal dollars might be added to the project through the Appalachian Regional Commission (ARC). Thus, if you contemplate submitting a federal application, Mr. Ned Tucker, Regional Representative of the ARC with offices in Sylva should be contacted for guidance on ARC participation.

Upon acquisition of the fort site, this department will assist, as requested and within our capabilities, the development of the site with respect to historical considerations.

Sincerely,



Fred F. Harbin
Assistant Director

cc: Mrs. Mary Faye Brumby
Mr. Charles Johnson
Hon. Roy A. Taylor
Mr. James Stevens
Mr. Jack Frauson
Mr. Ned Tucker
Dr. H. G. Jones
Mrs. Joye E. Jordan
RF
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