

**Suit wants funds back
Town hasn't spent bequest earmarked for recreation
By Wesley Young
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WALKERTOWN

The executor of an estate has sued Walkertown because the town has not spent a \$100,000 bequest for recreation in the town.

The town received \$100,000 from the estate of Spencer Cobb Waggoner for recreation spending in August 2005. More than two years after the bequest, the money remains unspent.

Elizabeth L. Quick, the executor of the Waggoner estate, filed a lawsuit on Aug. 20 in Forsyth Superior Court. It asked for the return of the \$100,000.

Quick is asking the court to award the money to the Winston-Salem Foundation Inc., which has apparently agreed to take charge of the money and make sure that it is spent in Walkertown for recreation.

Waggoner died Jan. 17, 2005. He left \$200,000 to Walkertown. Half the money could be spent for any purpose, but half had to be designated for recreation spending.

Bo Houff, the town's attorney in the lawsuit, said that Walkertown doesn't think that the suit is valid because the Waggoner will does not give a time limit on spending the money.

But Houff said that the town wants to reach a settlement, possibly one involving an agreement in which the town would get recommendations on how to spend the money from its recreational committee. "The town of Walkertown is conservative, and the people in it are conservative and don't spend money without a lot of consideration about where it is going," Houff said.

Quick sent the town a check for \$100,000 on June 1, 2005, for the unrestricted part of the bequest. She sent the town the second check, for recreation spending only, on Aug. 22, 2005.

According to the lawsuit, Walkertown Mayor Doc Davis wrote Quick a letter on Oct. 28, 2005, in which he said that the town council would form a recreational advisory committee to create a plan for spending the money.

Quick said she has tried to persuade the town on many occasions to distribute the bequest or at least draw up a plan for spending it, but that nothing has worked. She said that promises to develop a spending plan haven't been kept and that none of the deadlines has been met.

The lawsuit also asked the court to order Walkertown to return the \$100,000, plus interest, and for the money to go instead to the Winston-Salem Foundation. The foundation is "ready, willing and able to take control of the \$100,000 bequest" and spend it on Walkertown recreation, the lawsuit said.

Quick also asked the court to pay legal fees in prosecuting the town from the bequest.

The lawsuit asked that if the court does not order Walkertown to return the money, that it at least order the town to come up with a spending plan and put it into place within six months of the date of any court order.

The lawsuit marks at least the second time that Quick has tried to get Walkertown to return the money.

In the fall of 2005, she asked Walkertown to return the money, but town officials decided to keep it and keep considering ways to spend it.

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