

## **Town set for talks on estate Man left \$100,000 to Walkertown for recreational uses**

**By Wesley Young  
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### **WALKERTOWN**

**Walkertown and the executor of an estate may work out their differences over a bequest without going to court.**

**At issue is \$100,000 that the late Spencer Cobb Waggoner left the town for recreation. The estate has sued for the return of the money, saying that Walkertown has shown no inclination to spend it for that purpose.**

**During its meeting last week, the Walkertown Town Council authorized attorney Bo Houff to negotiate a settlement that would involve regrouping a recreational advisory committee and creating a plan to spend the money.**

**Waggoner died Jan. 17, 2005, and left Walkertown \$200,000. Half the money could be used for any purpose, but half could be spent only for recreation.**

**More than two years later the money remains unspent. Elizabeth Quick, the executor of the Waggoner estate, filed a lawsuit against the town on Aug. 20. In the lawsuit, Quick said that the town has failed repeatedly to come up with a plan to spend the money despite requests to do so.**

**Quick wants a judge to award the money to the Winston-Salem Foundation Inc., which has agreed to spend the money in Walkertown for recreation.**

**But the estate would be happy if the town agreed to move toward spending the money, said Elizabeth Arias, Quick's attorney.**

**"We are very open to the possibility of trying to settle this," Arias said. "The estate wants to see that the money is spent for recreational purposes, and isn't held in perpetuity without ever being used for any particular purpose.**

**"There hasn't been any movement on this for a year, which is why we are pushing the issue," Arias said. "Part of what has concerned us is that we are not sure the public was aware that the town was seeking recommendations on how the money was being used."**

**Houff told the council last week that the town would win the lawsuit if it went to trial. He said that the Waggoner will left no terms specifying a time limit on when the town had to spend the money.**

**On the other hand, he said, everyone's interests would be served if the matter were settled out of court.**

**A settlement could include having the recreational committee recommend a way to spend the money to the council, which would either accept the recommendation or send it back for reconsideration, Houff said.**

**The council voted unanimously to approve having Houff work out a settlement.**

**Jeff Larrimore, a candidate for the town council, spoke to the council last week about the recreation money and asked to be included on the recreation committee. Larrimore said that at 51 he would be among the younger members of the group, and that Walkertown should put people with children on the advisory panel.**

**Larrimore said that new housing developments being constructed in town will bring large numbers of children, and that they will need somewhere to play.**

**Another candidate, Marilyn Martin, said the town shouldn't forget senior citizens either, when considering how to spend the money.**

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