Brookfield’s Position on Docks

in the Town of Lake Santeetlah.

1. Brookfield has begun enforcing their Shoreline Management Plan because of a 5 year audit that is pending.

2. If you do not own at least 50 feet along the water you will lose your dock when the current owner(s) on the deed no longer owns the property. You have until September 30, 2017 to put someone else’s name on the deed.

You can have an agreement with a neighbor to share a dock as long as you collectively have over 50 feet of waterfront.

You can possibly buy adjoining land from your neighbor or the Town so you can have 50’ along the water.

3. There are several parcels where TOLS still owns a strip of land between current property owners and the lake. If the current owner(s) of deed does not own the land to the 1817 high water mark of Brookfield property, renewal of dock permits will not be permitted.

If the owner’s parcel joins the water or Brookfield property it can have a legal dock perpetually when complying with Brookfield relicensing requirements.

4. This strip of land can be purchased from the town by obtaining a survey and having an attorney [recommended] prepare the paperwork to offer a bid to purchase the property. TOLS needs to be notified and 5% of the bid amount needs to be deposited at Town Hall. The attorney will advertise the bid to purchase as outlined in the following statute:

***§ 160A-269. Negotiated offer, advertisement, and upset bids.***

*A city may receive, solicit, or negotiate an offer to purchase property and advertise it for upset bids. When an offer is made and the council proposes to accept it, the council shall require the offeror to deposit five percent (5%) of his bid with the city clerk, and shall publish a notice of the offer. The notice shall contain a general description of the property, the amount and terms of the offer, and a notice that within 10 days any person may raise the bid by not less than ten percent (10%) of the first one thousand dollars ($1,000) and five percent (5%) of the remainder. When a bid is raised, the bidder shall deposit with the city clerk five percent (5%) of the increased bid, and the clerk shall readvertise the offer at the increased bid. This procedure shall be repeated until no further qualifying upset bids are received, at which time the council may accept the offer and sell the property to the highest bidder. The council may at any time reject any and all offers. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, s. 25.)*

This is the legal process the TOLS has used in all previous sales of surplus property.

If you have any question please contact the Town at 828-479-8190 or

Brett Williams, Brookfield at 865-803-3899. Mack Tallant a local attorney in Robbinsville has handled many of these land purchases if you wish to contact him his number is 828-479-2442.

The following is the synopsis (unofficial minutes) of the Brookfield presentation at the Town Council Meeting held May 16, 2017.