

MOREHEAD ASKS MAN TO PROVE HE OWNS CONTESTED TRAILERS



August 25, 1985 | Lexington Herald-Leader (KY)

Author: Lee Mueller Eastern Kentucky bureau | Page: A12 | Section: MAIN NEWS

651 Words

Morehead State University officials have asked a Rowan County man to prove a claim that he still owns 123 mobile homes that were sold to the university 15 years ago for \$440,538.

University officials were preparing to sell the trailers earlier this month when a lawyer for Ed Mabry of Route 3, Morehead appeared, claiming that Mabry now owns them.

Morehead President Herb F. Reinhard delineated the situation Friday night to the school's board of regents, which postponed action on the sale until the issue is settled.

Reinhard aide Richard Baxter said yesterday that Morehead has been paying Mabry \$59,040 annually in rent since 1971 for trailer pads at Criqueside Mobile Home Park, an area for married students. The college also spends between \$100,000 and \$125,000 a year to maintain the housing.

"We were losing about \$75,000 a year on the trailers due to rental and maintenance costs," Baxter said.

According to Reinhard, the mobile homes were bought from Mabry between 1970 and 1972 for married student housing at the trailer park near Morehead. The state Department of Finance paid for the trailers in four separate checks, he said, but the titles to them were never delivered to the college.

In Mabry's letter to university Treasurer Porter Dailey on Aug. 15, the Morehead businessman said that "a representative of the university indicated" to him that ownership of the trailer would revert to him in 10 years.

In a return letter to Mabry this week, Dailey asked Mabry to produce any written agreement "that might exist between you and any former" state or university official, "or your understanding of any verbal agreement that might have been made at the time of the purchase."

Mabry was out of town this weekend, according to his son, Dale Mabry, and could not be reached for comment.

Mabry's lawyer, Truman Dehner, declined to comment on the matter yesterday when contacted at his Morehead office.

Adron Doran of Louisville, who was Morehead president when the trailers were bought, also declined to

comment on the situation yesterday.

Baxter said yesterday that the school wanted to sell the trailers because enrollment at Morehead has declined 10 of the last 11 years and the school no longer has the housing problem that brought about construction of the trailer park on Ky. 32, about two miles from the campus.

Many of the trailers now need to be replaced, he said, which would cost about \$1.2 million.

"We felt like it was ridiculous to be losing so much money when we had empty spaces on campus that we were paying bonds on (that could be used instead)," Baxter said.

"We felt like it was a bad long-term investment for the university and was also an inconvenience for married students because it's so far from campus."

Dailey estimated that the used trailers would sell for between \$1,500 and \$2,000 - figures that could recoup between \$184,000 and \$246,000 for MSU.

"I will not at this point speculate as to why titles were never delivered to Morehead State University at the times the payments totaling \$440,538.50 were made," Dailey said in his letter to Mabry.

The letter cited contract bids, dates and voucher numbers. A check for \$132,588.50 was issued to Ed's Auto and Trailer Sales, which delivered 37 trailers to then-university Director of Purchasing Robert W. Stokes on Aug. 15, 1970.

Stokes also certified receipt of 20 mobile homes from Mabry's company for \$74,000 on May 3, 1971.

Another former Morehead official, Russell M. McClure, certified receipt of 15 mobile homes on Aug. 20, 1971, from Mabry's company for \$55,000, according to Dailey's letter. The last shipment of 50 trailers was accepted by Stokes' assistant, William C. Ewers, on Jan. 8, 1972, the letter said.

"We feel the university entered into an agreement to purchase the trailers and by virtue of payment in full of the cost of those trailers, we feel the property belongs to the university," Baxter said.