

## MOREHEAD STATE DECLARED OWNER OF MOBILE HOMES



July 23, 1986 | Lexington Herald-Leader (KY)

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564 Words

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An Eastern Kentucky circuit judge has issued an order declaring Morehead State University the sole owner of 122 mobile homes claimed by a Morehead businessman.

Special Judge James L. King of Stanton filed his ruling without comment a week ago in Rowan Circuit Court, sustaining a motion by Morehead State's lawyers for a summary judgment.

The question of the mobile homes' ownership surfaced in August 1985 as Morehead State attempted to sell them and phase out an off-campus mobile home park that had been occupied by married students.

Morehead businessman Ed Mabry, who about 15 years ago sold the mobile homes to the college for a total of \$440,538, stopped the pending sale. Although he offered no written proof, he said "a representative of the university indicated" to him that ownership of the mobile homes would revert to him.

Porter Dailey, Morehead State's vice president for administrative and fiscal affairs, said college officials learned of King's decision Saturday.

"We obviously are pleased the judge has seen fit to rule in favor of the university," Dailey said. "Assuming there will be no appeal, we're going to proceed to dispose of the trailers, as approved by our board of regents."

Mabry could not be reached for comment yesterday. His lawyer, Truman Dehner of Morehead, said Mabry had a stroke Thursday and was in a Morehead hospital.

"I haven't had an opportunity to talk to him about it (King's decision)," Dehner said.

Morehead officials have said they decided to sell the mobile homes last year because the school was losing about \$75,000 a year in maintenance and rental costs at Criqueside Mobile Home Park.

Enrollment at Morehead State also has declined by about 2,000 students in the last eight years, and the school no longer has the housing shortage that spurred the need for the mobile home park on Ky. 32, about two miles from campus.

Mabry, who owns the mobile home park land, had been receiving \$59,040 annually from Morehead State

since 1971 for rent on trailer pads in the park. Additionally, the college was spending between \$75,000 and \$100,000 a year for the park's upkeep, Dailey said.

In a sworn statement last November, Mabry acknowledged he had not paid taxes on the Criqueside mobile homes, although he does pay taxes on other mobile homes that he owns.

The mobile homes in the park were listed in the property records as tax- exempt university property.

Mabry also said that he did not maintain insurance coverage on the Criqueside homes.

But Mabry said he retained title to the mobile homes in order to secure the

financial investment required to develop the mobile home park. He said he agreed to "furnish" the mobile homes to the college for use as student housing for as long as Morehead State needed them.

Mabry said he spent about \$250,000 to develop Criqueside park after former Morehead President Adron Doran asked him to build a mobile home park for university use.

Mabry said he agreed to develop the mobile home sites, including water and gas lines and pavement, only after Morehead State officials agreed to permit him to hold titles to the mobile homes.

"I was given permission to hold titles for my own security," he has said.

Mabry said in the sworn statement that had been unable to find a written agreement regarding his claim and acknowledged he had not asked college or state officials to put the agreement in writing.