

### Estate Planning Farm Problem

Not all of North Carolina's farm problems are related to weather, weeds, insects and markets. Poor estate planning is an entirely different problem area which directly affects Tar Heel farms.

Economists at North Carolina State University cite the following example of how a good, productive farm can become a non-productive farm through poor estate planning:

A farmer in a Piedmont county died in 1927 without leaving a will. He had one minor child, five grown children and a widow. The widow received a dowry of 25 acres of land. The remaining land was sold and the proceeds distributed among the children.

The widow never received an adequate income from the time of her husband's death until her own death years later. At her death, friction developed among the heirs over estate settlement. Consequently, her estate has not yet been settled. The land has grown up in scrub timber and the buildings have fallen down. Property taxes owed on the 25 acres amount to over \$800.

This, and many similar examples of poor estate planning by farm families, illustrates the need for increased awareness of the problems associated with transferring property between generations," points out the NCSU economists.

The first step in estate planning, they suggest, is to consult a competent attorney.

The basic idea of a will is to see that a person's property is distributed according to his wishes. Without a will, the property will be distributed according to state law.

There are two general ways of transferring property — wills and lifetime property transfers.

A will allows a person to use the property while alive and specified how it will be distributed after the owner's death. One important aspect of a will is, it can be changed by the property owner as he desires.

A person may be able to transfer property while still alive. There are a number of lifetime property transfer methods and they can be incorporated into the will.

Among these are: 1. Sales, involving the transfer of title; 2. Gifts; 3. Life estate, in which the recipient has lifetime use of the property but the ownership passes to someone else upon the death of the recipient; 4. Trust, under which a trustee receives control and manages property for the benefit of the owner; 5. Partnership, in which two or more people share ownership, management and profits — possibly terminating upon the death of one of the partners; and 6. Corporation, which is a legal entity that holds and transfers property and carries on business in its own name. The stockholders (farmer and his family) own the corporation which will continue to operate even if a stockholder dies.

Another method of lifetime property transfer is co-ownership. "Tenancy by the entirety" provides co-ownership of real property between a husband and wife. The survivor acquires title to the property upon death of the spouse. "Tenancy in common" is not restricted to related individuals and provides no survivorship rights. Upon the death of one of the tenants, his interest goes to his heirs. And "tenancy with the right of survivorship" allows co-ownership of property with the survivor taking all.

Legal assistance is virtually required in the proper preparation of any type of estate plan.

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January is usually a slow month in the home gardens due to adverse weather. However there are some jobs that can and should be accomplished. Get your seed orders in. You have in mind many flowers and

vegetables that have done well for you or that you might have observed in the gardens of friends. Stick pretty closely to those varieties which have proven themselves but do not hesitate to try a few new ones, especially the hybrids. If you are landscaping a new home, or "sprucing-up" a bit around the established home, check with your nurseryman. He will have suggestions about plant materials suitable for all locations in your landscape plan. In you have a small greenhouse, you can expect improvement in growth from now on as the days are getting longer. Over-watering is a common error. There is no rule-of-thumb. One must use good judgement. Plants need more water on a bright day than on a cloudy one. Regulation of the night temperature

is important during cold nights. This is especially true if you have tomato plants. Now is a good time to plant apples, peaches, plums, cherries, pears and grapes in the Piedmont and Coastal Plain. When planting, dig a hole large enough to accommodate the root system without crowding. Separate top and subsoil and place the topsoil around the roots. After the roots are well covered, pack with your feet to within about 4 inches of the top of the hole. Finish filling with loose soil. Set plants as deep as they stood in the nursery row. You can easily identify

this soil line at the base of the plant. Mulch. Don't overlook the dwarf type fruit plants. They are well suited for areas where space is a problem and there are many fine varieties for selection. If you have apple and peach trees, prune them and spray with winter (dormant) strength lime sulphur. The same treatment will also be fine for your bunch grapevines. Clean and oil all working parts of your lawn mower. If you have a power mower, that has been operated for 20 hours change oil. Repair and paint lawn and pic-

### F. W. Lutz Rites Conducted

Funeral services for Furman William Lutz Sr., 69, of Rt. 1, who died Saturday in Kings Mountain Hospital, were held Monday at 3:30 p.m. from Cherokee Street Baptist Church by the Rev. Kelly Dixon, the Rev. George Leigh, the Rev. F. L. Jones and the Rev. Gene Leigh. Burial was in Bessemer City Memorial Cemetery.

He is survived by his widow, Carrie Lutz; two sons, Furman W. Lutz, Jr., of Gastonia and Gordon Lutz, Jr., of Kings Mountain; three daughters, Mrs. Earl Welch of Greenville, S. C., Mrs. Adrian Blair of Sanford and Mrs. James Jackson of Gastonia; and two brothers, Francis B. and Archie O. Lutz of Bessemer City.

The North Carolina Heart Association predicts that more than 12 times as many Tarheels will die from heart and blood vessel disease as will die from motor vehicle accidents.

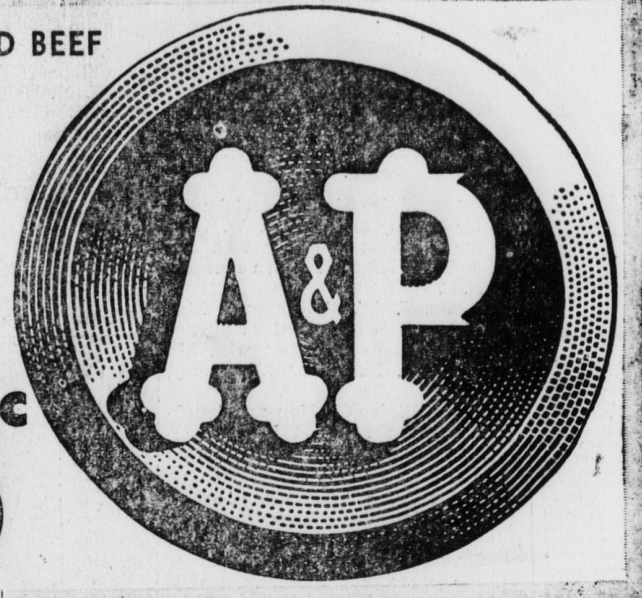
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