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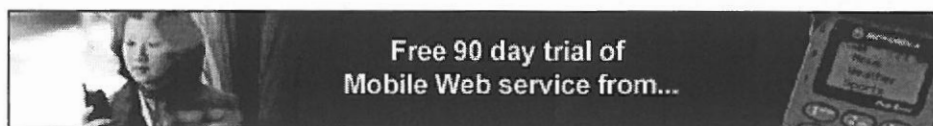
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**The Charlotte Observer**

Published Wednesday, August 30, 2000

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## Developer offers the public views of falls near DuPont State Forest

*Associated Press*

**BREVARD** -- A developer fighting to keep the government from condemning private land surrounded by a state forest says he would allow the public to view three scenic waterfalls on his property every day of the year.

Jim Anthony outlined his proposal to provide public access to High Falls, Triple Falls and Bridal Veil Falls at a meeting of the Transylvania County commissioners Monday night.

Anthony said his proposal is an unprecedented step to provide public access to part of a private development.

"We feel like we've struck the balance between the public's access to the waterfalls and our moral and legal commitments to the landowners in our communities," he said.

The state has been negotiating with Anthony over 2,200 acres he owns near the Henderson and Transylvania county lines. The state wanted the land to add to the DuPont State Forest but was outbid last year by Anthony, who wants to build vacation homes.

Gov. Jim Hunt has threatened to use power of eminent domain to force Anthony to sell the land to the state. But the developer found several allies Monday night, when county commissioners voted to endorse his plan.

Anthony said his company, Waterfalls Investment Group, will propose the following to the governor and state leaders:

Place more than 678 acres, including the three waterfalls, in a conservation easement, a permanent deed restriction to protect that land from development. The easement would include 238 acres around the three waterfalls where the public would be allowed to visit from 9 a.m. to 5 p.m. daily.

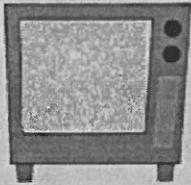
Set up a trust composed of representatives from state and local

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Set up a trust composed of representatives from state and local governments, local colleges, environmentalists and Anthony's company to manage the easement area.

Provide hiking trails, picnic areas and observation platforms at no cost. The company and state would jointly protect the conservation areas, access easements, trails and related areas.

Anthony also pledged \$100,000 over four years to manage stream and lakeside conservation areas to improve water quality in the Little River.

Anthony said the company would not build any structures, other than recreational facilities such as picnic tables, that could be seen from the two observation decks. He pledged to leave 1,778 acres - 80 percent of the 2,223 acres - in its current state.

Property rights advocates from several counties turned out Monday to offer support for Anthony, verbally jousting with supporters of the state's effort to force Anthony to sell the land.

Victor Vierra greeted people arriving at the county courthouse with a sign that read, "When your land is taken, who will stand with you?"

But Henderson County native Douglas Coggins said he didn't hear a property rights uproar when the state took land owned by his family and others to build U.S. 25 South between Hendersonville and Greenville, S.C.

"We need roads but we also need parks," he said. "I would recommend the state does not accept anything except condemnation."

Local resident Jerry Whitmire said the county needs the property tax revenue Anthony's development would generate.

But Lee Kitz of Henderson County said DuPont State Forest has the potential to be a major tourist attraction if the state adds the waterfalls, lakes and other features of Anthony's land to its own property.

Steve Henson, director of the Southern Appalachian Multiple-Use Council, a timber industry group, said Anthony's land is no more unique than thousands of other private properties in the region.

"Will the state condemn Chimney Rock Park?" he asked.

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