

L. C. BROWN
1181 15th STREET
MODesto, CALIFORNIA

Modesto California
May 19-1962

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MODesto, CALIFORNIA

Charles F. Henderson

Box 334 -

San Francisco 1 - Calif

Secretary, Grand Lodge I.O.O.F

State of California

Please refer this to

R. E. Wilder Lodge #149

the Standing Committee I.O.O.F Modesto cal

Dear Brother Secretary:

We received your letter regarding the transfer of property ~~to the~~ Cemetery Association but seem to have run into difficulty with the Hall Association.

The Odd Fellows Hall Association was formed and incorporated by the laws of the State of California in June 1875 and after its fifty years was up it was Reincorporated by the state in June 1925. to have charge of the real estate and other properties of Wilder Lodge #149 I.O.O.F

The directors are elected by the members of Wilder Lodge and ^{the members} are known as stock holders.

The Odd Fellows Cemetery Association was formed and incorporated in October³¹ 1931 as a non profit corporation by the laws of the State of California and has no connection with Wilder Lodge 149 other than that the directors are elected by Wilder Lodge 149

and need not be Odd Fellows or members of the Lodge. When it was incorporated a settlement was made with Willey Lodge 149 for their share of the unsold lots in the Odd Fellows cemetery as originally set up by Willey Lodge 149 I.O.O.F. It seems as though the Grand Lodge does not recognize either the Odd Fellows Hall Assoc. or the Cemetery Association but only wants to deal with Willey Lodge.

We have gone to a certain length in trying to make clear what the Hall Association has to do with Willey Lodge.

Willey Lodge 149 pays rent to the Hall Association in the sum of sixty dollars a month and meets once a week; other Orders that meet in the building also pay their rentals to the Hall Association.

Now when your committee met with the members of Willey Lodge to discuss the property settlement and during the course of these discussions Brother Al. Jomo who was acting as attorney was asked what becomes of the money now in the hands of the Hall Association and his answer was that the money be turned over to Willey Lodge - That seems to be the bone of contention as the Hall Association is

collecting more money all the time for rentals etc and not paying a dime to the Cemetery Association as interest on the trust deed and note held by them. The Attorney of the Cemetery Association stated that unless all the assets of the Hall Association are incorporated in the transfer of the property that each director is liable for neglect of duty and if this is not done that the Cemetery Association better foreclose and in that way get everything that they can to save their own necks - so to speak.

We realize that foreclosure proceedings would cause a lot of unfavorable publicity which Odd Fellowship cannot afford at this time.

We suggest at this time that the Grand Lodge notify Wilder Lodge that all tangible assets of the Odd Fellows Hall Association be incorporated in the transfer of the property to the Cemetery Association.

We also refer you to the letter sent you dated January 9th 1962 which was dictated in the presence of members of both Associations by the Attorney

father Odd Fellows Cemetery Association
and was signed by the members of both
associations and was acceptable to the
members of Willey Lodge 149 - 100F

You also have a financial statement
from the Cemetery Association as
follows - A promissory note and trust
deed in the amount of \$80,000 in
favor of the Odd Fellows Cemetery Association
and a total amount of principal and
interest of \$105,638.26 as of December 31 - 1961
Please let us hear from you as soon
as possible as the amount gets higher
all the time.

Thanking you for any other solution
to this problem

yours in F. S. + T.
Members of Willey Lodge 149
100F

Resolution

Whereas - The Odd Fellows Hall Association of Modesto was incorporated in ^{the year} 1875 under the laws of the State of California, ^{and the directors are elected annually by the members of Wilder Lodge and the money of the Lodge are known as stock holders and} the directors of the Hall Association shall have charge of the Real Estate and Building. Rent and collect rents, pay all taxes, utilities, repairs, etc. Borrow money, pay all interest and principle as directed by the stock holders of Wilder Lodge at a meeting of both parties

Whereas Wilder Lodge through its Hall Association are in debt to the Odd Fellows Cemetery Association, and

Whereas The Cemetery Association holds a deed of trust to the building and

Whereas the interest has accumulated to such an extent that makes foreclosure or other means necessary and

Whereas the Grand Lodge of the State of California ^{through its committee} has set down certain standards regarding the settlement of the deed of trust held by the Odd Fellows Cemetery Assoc and

Whereas there are certain assets held by the Odd Fellows Hall Assoc (incorporated) and

Whereas these assets rightfully belong to the
Cemetery Assoc

Now therefore be it resolved that unless the
Grand Lodge ^{of the State of Cal} will assume full
responsibility for this action and
and will bear the expense of any
action that may be brought against
the Board of Directors of the Cemetery Assoc
for neglect of duty or otherwise it is the
duty of these directors to preclude at once

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