

3. The Churches agree and bind themselves, their heirs, executors and administrators, upon the payment of them of the purchase price and accrued interest in cash, to execute and deliver to the City a good and sufficient deed in fee simple, conveying said land and premises to the City with general warranty and free from encumbrances. Simultaneously therewith the Churches agree, at their own expense, to procure and deliver to the City an owner's title insurance policy in which the City of Fayetteville is beneficiary, and a map of the property conveyed.

4. It is agreed that ad valorem taxes through the year 1960 will be paid by the Churches and that any taxes subsequent thereto will be the responsibility of the City whether title to the property shall have been transferred to the City or not.

5. The Churches agree that the strips of land, one eighty feet wide and the other fifty feet wide, shown in blue upon said map hereto attached and not a part of the property to be sold to the City, will be by them dedicated to the City as streets if and when streets have been laid out by the City in that property purchased by the City and paved up to the property line of the Churches in such a way as to link up with said strips of land owned by the Churches; provided, however, that this must be done within a period of ten years or the Churches will be free to dispose of said strips of land as they wish.

IN TESTIMONY WHEREOF, The Churches have hereunto set their hands and seals and the City of Fayetteville has caused this instrument to be signed in its name by its Mayor and attested by its Clerk and its corporate seal to be hereto affixed, all the day and year first above written.

(SEAL)

(SEAL)

The CITY OF FAYETTEVILLE

by George B. Herndon (SEAL)
Mayor

ATTEST:

Louis V. Zebat
City Clerk

Meeting adjourned.

Louis V. Zebat

Adjourned Meeting
City Council - Fayetteville, N.C.
April 28, 1960

The regular meeting of the City Council scheduled for April 25, 1960, was adjourned because certain members of the Council could not be present at that time. The meeting was held at City Hall at 2:30 p.m., on April 28, 1960.

Present: Mayor George B. Herndon

G. W. Ray, City Manager

Councilmen: Eugene Plummer
J. W. Pate, Jr.
Ernest L. Massei

Nelson Taylor, Acting City Attorney

Absent: Councilman: Sol C. Rose

Councilman Pate, Mayor pro-tem appeared at the City Hall at 8:00 p.m. at the regular scheduled time for the regular meeting on April 25, 1960, to announce that the meeting had been adjourned to April 28, 1960, however, there was no one present.

A public hearing that was advertised for the April 25th meeting on the paving of Eaton Street was called and there being no one opposing the petition present, on motion of Councilman Pate, seconded by Councilman Plummer, the following ordinance was unanimously approved:

FINAL RESOLUTION

REQUIRING THE PAVING,

Pursuant to Petition,

of

EATON STREET

After careful study and consideration of the matter and of all pertinent facts and circumstances, including engineering and planning studies and advice, and in the exercise of its best legislative judgment, the City Council of Fayetteville, North Carolina, finds as fact that:

1) A petition, pursuant to North Carolina General Statute 160-82, et seq, was filed with the City Council of Fayetteville, North Carolina, requesting the paving and other below described improvement of Eaton Street, and said petition is in due and sufficient form, containing a general description of the paving and other improvement proposed for said Street, and requesting that such paving and other improvement be made in conformity with the applicable provisions of law, and that the proportion of the cost of such paving and other improvement below specified be specially assessed against the property abutting on said Street, and said petition has been signed by at least a majority in number of the owners, who own at least a majority of all lineal feet of frontage, of the lands abutting on said Street.

and

2) THE RESOLUTION and ORDER adopted at its meeting on the 28th day of April, 1960, by the City Council of the City of Fayetteville, North Carolina, entitled "PRELIMINARY RESOLUTION REQUIRING THE PAVING, PURSUANT TO RESOLUTION OF EATON STREET", having been duly published on the 13th day of April, 1960, in THE FAYETTEVILLE OBSERVER, a newspaper published in the City of Fayetteville, North Carolina, giving notice of a meeting of the City Council to be held on the 25th day of April, 1960, at 8:00 o'clock P.M.; in the Court Room at the City Hall of Fayetteville, North Carolina, when all objections to the legality of making the proposed improvements were to be made in writing, signed in person or by Attorney, filed with the Clerk of the City of Fayetteville, at or before said time, and that any such objections not so made would be waived, and objections to the legality, as well as to the policy or expediency, of the making of said improvements not have been filed or made (or having been filed and made, which objections were duly considered by said City Council, and none of said objections were sustained);

and

3) The public interest, safety, convenience and general welfare requires the paving and other below described improvement of Eaton Street;

and

4) The property abutting on said street to be so paved and improved will be benefited by such pavement and improvement to the extent of the part of the cost thereof to be assessed, as stated below, against such abutting property;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, DOES ORDER THAT: