

made, the City Council of the City of Fayetteville, North Carolina, found and finds now again that such protests and objections are without merit), and all persons affected by said preliminary assessment had legal notice of said meeting and of such assessment:

Now, therefore, the City Council of the City of Fayetteville, North Carolina, does ordain that:

1) Two-thirds of the cost of street paving and curbs and gutters, after subtracting the cost of street intersections therefrom, be and the same is hereby assessed against the property owners and against the lots and parcels of land abutting directly on said Street, according to the extent of their respective frontages thereon, by an equal rate per foot of such frontage, and a copy of said assessment for said Street paving and other improvement is hereby adopted and made a part of this ORDINANCE.

2) Said assessment referred to in the preceding paragraph levied against the property located on said Street so paved and improved be and the same is, hereby in all respects, confirmed and hereby declared to be a lien upon said property, of the same nature and to the same extent as County, City or Town Taxes, and superior to all other encumbrances, and it is hereby declared that the levy is made only for the purpose of defraying the cost for the public improvement made upon said Street, namely street paving, laying of curbs and gutters, which is a direct benefit to the property on said street, and that said benefits to said property are greater in value to said property than the cost of assessments hereby made.

3) A copy of this assessment roll shall be filed immediately in the office of the Tax Collector of the City of Fayetteville, North Carolina, who shall cause the same to be published twenty-one (21) days after the adoption of this ORDINANCE by notice in the Fayetteville Observer, a newspaper published in the City of Fayetteville, to the effect that the said assessment roll has been completed, confirmed, and is now on file in his office, and that the owners of the property against whom said assessments are made may pay said assessments without interest, provided it is paid in full within thirty (30) days after the date of publication of said notice, and if not so paid, said assessment roll shall bear interest from the date of ratification of this ORDINANCE at the annual rate of six (6) per cent.

4) The persons against whom the assessments hereinbefore referred to have been made, shall, at their option, have the right to pay said assessments in five (5) equal annual installments, each installment bearing annual interest from the date of ratification of this ORDINANCE at the rate of six (6) per cent, the first installment to be due in the City of Fayetteville, North Carolina, thirty (30) days after the publication of the Tax Collector's said notice and in the same manner as City Taxes, and a like installment to be due and payable each year thereafter for a period of four (4) years at the same place as for the payment of City Taxes; further, any person against whom any such one of said assessments hereinbefore referred to have been made can have the right, at his option, to pay off and discharge the entire assessment at any time during the continuation of said assessments by paying the balance due, plus interest at the annual rate of six (6) per cent as aforesaid.

5) This ORDINANCE shall be in full force and effect from and after the date of its adoption.

Adopted this 9th day of May, 1960, by the City Council of the City of Fayetteville, North Carolina.

Public hearing having been duly advertised and there being no opposition present on motion of Councilman Rose, seconded by Councilman Pate, the zoning ordinance was amended unanimously as follows:

That the minimum set-back on side streets intersecting with Rowan Street be 15 feet from the side street property line or 30 feet from the center line of said streets whichever will result in the greater set back.

Mr. H. F. Bowen, Building Inspector, made a report of the practices of several cities with reference to the issuance of building permits for public buildings. It was his understanding from the survey that he had made that most cities charge regular building fees for all buildings other than those constructed by the Federal Government. The City of Fayetteville has not been charging building fees for public buildings of any kind in the past and according to the opinion of the City Attorney there is no provision in the state law that would exempt anyone other than buildings and as a result the fees are being donated to the contractor instead of to the Church or whatever organization the building is being constructed for. The City Attorney recommended that the City Council should advertise that the contractors will be charged building inspection fees except for buildings erected by the Federal Government. Councilman Plummer moved that the recommendation of the City Attorney be adopted and the Building Inspector be informed that fees will be charged on all buildings except those exempt by state law. Motion seconded by Councilman Pate, unanimously carried.

The City Manager reported that the term of Mrs. Elizabeth Ellis as a member of the Urban Redevelopment Commission expired in December of 1959, and no one has been appointed to fill this vacancy. Councilman Pate moved that Mrs. Elizabeth Ellis be reappointed as a member of the Urban Redevelopment Commission for a five year term to expire December 1964. Motion seconded by Councilman Massei, unanimously carried.

Petition was presented requesting the annexation of the following described property owned by E. White Investment Corporation on the south side of the Fort Bragg Road. Councilman Massei moved that public hearing be advertised for 8 p.m. June 13, 1960, on the requested annexation. Motion seconded by Councilman Rose and unanimously carried.

Beginning at a point in the southwestern right-of-way margin of the Fort Bragg Road, said point being where the present city limit line crosses the above mentioned margin of the Fort Bragg Road said beginning point being also the northeast corner of Lot 14 of the Matthews Subdivision as recorded in Plat book 10, Page 15, Cumberland County Registry; and runs thence with the margin of the Fort Bragg Road north 53 degrees 30 minutes west 307.7 feet to a point; the northwest corner of Lot 5; thence with the dividing line between Lots 4, 5, 25 and 26, south 36 degrees 30 minutes west 300 feet to a point in the northeastern right-of-way margin of Eden Cross, the southwest corner of Lot 25; thence with said margin of Eden Cross south 53 degrees 30 minutes east 310.7 feet to a point, said point being south 53 degrees 30 minutes east 3.0 feet from the Southeast corner of Lot 16; thence with a new line north 36 degrees 30 minutes east 69.2 feet to a point; thence north 54 degrees 00 minutes west 3.0 feet to a point in the eastern line of Lot 16; thence with said eastern line north 36 degrees 30 minutes east 230.8 feet to the beginning, and being all of Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and the northwestern 3 feet of Lot 15 and the portion of Matthews Drive that is south of the Fort Bragg Road between the above mentioned lots.

Petition was presented requesting the annexation of Section 6 of Holly Springs and on motion of Councilman Plummer, seconded by Councilman Massei, Public hearing was ordered advertised for 8 p.m. June 13, 1960, on the following described property:

Beginning at a point which is north 83 degrees west 1.1 feet from the northwest corner of Lot 13, Block A, as shown on a plat titled Holly Springs, Part V, dated August 1950, prepared by Guy Hudgins, registered engineer, recorded in Plat Book 22, Page 70, Cumberland County, North Carolina, registry;

And running thence for a first call north 7 degrees east 726 feet to a point; thence south 83 degrees east 498 feet to a point; thence south 38 degrees east 93.3 feet to a point; thence south 7 degrees west 660 feet to a point in the northern line of the above sited plat of Holly Springs, Part V; thence with the northern line of said plat Holly Springs, Part V, north 83 degrees west (the Old Magnetic call as shown on the above sited plat having been north 74 degrees 46 minutes west) 564 feet to the beginning.

The Public Works Commission recently opened bids for construction to correct sanitary sewer mains installed in southeast Fayetteville (Elementary School #10). The Commission recommended that the low bid of Ray D. Lowder, Inc., in the amount of \$24,390 be approved. Councilman Plummer moved that the Mayor and City Clerk be authorized to sign contracts with Ray D. Lowder, Inc., as recommended by the Public Works Commission. Motion seconded by Councilman Massei and unanimously carried.

On request of the Public Works Commission and on motion of Councilman Pate, seconded by Councilman Plummer, the Mayor and City Clerk were authorized to sign contract with Lindsay Associates for engineering services in connection with the Public Works project.

Mr. Muench of the Public Works Commission stated that the State Highway Commission has requested the Public Works Commission to grant an additional five feet of right of way adjacent to their sub-station site on Southern Avenue. Councilman Rose moved that the additional five feet of right-of-way be granted to the State Highway Commission. Motion seconded by Councilman Massei, unanimously carried.

On recommendation of the City Manager and Chief of Police, on motion of Councilman Massei, seconded by Councilman Plummer, the applications of the following men for Taxi Drivers permits were unanimously approved:

Floyd Clifton Hardee

Theodore Hamilton Smith

There being no recommendation on the application of Michael Francis Deane for a taxi drivers permit, there was no action taken by the City Council.

Mr. Coy Brewer, Attorney, recommended that Section 12 of the Ambulance Ordinance be amended. He feels that it is justified since so often ambulance fees are not paid and in this type of service it is impossible to refuse service. There was considerable discussion of a proposed amendment and on recommendation of the City Attorney and on motion of Councilman Rose, seconded by Councilman Massei, the ambulance ordinance was amended as follows: