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Regular Meeting
City Council - Fayetteville, N. C.
August 22, 1960

The regular meeting of the City Council was held in the City Hall on August 22, 1960, at 8 P.M.

Present: Mayor George B. Herndon

G. W. Ray, City Manager
Nelson Taylor, Acting City Attorney

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

On motion of Councilman Plummer, seconded by Councilman Pate, the following resolution was unanimously approved:

PRELIMINARY RESOLUTION REQUIRING THE PAVING, PURSUANT TO PETITION, OF CHANCE STREET, SPRING VALLEY ROAD AND EDgewater DRIVE

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, has been filed with the City Council of Fayetteville, North Carolina, requesting the paving and other below described improvement of Chance Street, Spring Valley Road and Edgewater Drive, 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 public interest, safety, convenience and general welfare requires the paving and other below described improvement of Chance Street, Spring Valley Road and Edgewater Drive;

and

3) 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:

1) All of that portion of Chance Street which lies between Ramsey Street and Orange Street, Spring Valley Road which lies between Mirror Lake Drive through the end of the cul-de-sac, Edgewater Drive which lies between Westchester Drive and the catch basin on Lot 48, shall be paved (or repaved) and curbs and gutters laid thereon, the cost of such improvements (exclusive of so much of said cost as is incurred at street intersections) to be specially assessed in the amount of two-thirds thereof upon the lots and parcels of land abutting upon said improvement street portions according to the extent of the respective frontage thereon by an equal rate per foot of such frontage, to be paid after completion of such work and within thirty (30) days after notice of assessment, in cash with no interest, or in five equal annual installments, bearing annual interest at six (6%) per cent, payable annually.

2) A meeting of the City Council of Fayetteville will be held at the City Hall of Fayetteville at 8:00 P.M., on the 26th day of September 1960, on the proposed improvement(s) when all objections to the legality of making said proposed improvements shall be made in writing, signed in person or by Attorney, and filed with the Clerk of the City of Fayetteville at or before such time, and any such objections not so made will be waived.

3) This RESOLUTION and ORDER shall be published once in THE FAYETTEVILLE OBSERVER, a newspaper published in the City of Fayetteville, ten (10) days before the time fixed for said meeting.

Adopted this 22nd day of August, 1960 by the City Council of the City of Fayetteville, North Carolina.

George B. Herndon
Mayor

Louise W. Talbot
City Clerk

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Public hearing having been duly advertised and there being no opposition present, on motion of Councilman Rose, seconded by Councilman Plummer, the following resolution was unanimously approved:

AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR THE EXTENSION OF WATERWORKS AND SEWERAGE SYSTEMS AND OTHER IMPROVEMENT ON AND IN CLIFFDALE ROAD, FAIRFIELD ROAD, GLENBURNIE DRIVE, MURRAY HILL ROAD, WESTWOOD DRIVE, AND BRECHIN ROAD

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

1) The preliminary assessment roll for the extension of waterworks and sewerage systems and other improvement on and in Cliffdale Road, Fairfield Road, Glenburnie Drive, Murray Hill Road, Westwood Drive, and Brechin Road, in the City of Fayetteville, North Carolina, and was filed in the office of the City Clerk of the City of Fayetteville, North Carolina, at a meeting of the City Council of the City of Fayetteville, North Carolina, on the 8th day of August, 1960, and said Clerk was directed to publish in the Fayetteville Observer, a newspaper in general circulation published in Fayetteville, North Carolina, a notice that such preliminary assessment roll had been so computed, filed as aforesaid, and was open for inspection by all persons interested, and said notice was accordingly published in said newspaper in its issue of the 10th day of August, 1960, reading as follows:

RESOLUTION AND ORDER TO FILE AND PUBLISH PRELIMINARY ASSESSMENT ROLL FOR EXTENSION OF WATERWORKS AND SEWERAGE SYSTEMS AND OTHER IMPROVEMENTS ON AND IN CLIFFDALE ROAD, WESTWOOD DRIVE, GLENBURNIE DRIVE, MURRAY HILL ROAD, FAIRFIELD ROAD, AND BRECHIN ROAD

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) Cliffdale Road, Westwood Drive, Glenburnie Drive, Murray Hill Road, Fairfield Road and Brechin Road, in the City of Fayetteville, North Carolina, have been improved by the extension thereon and therein of the city water works and sewerage systems, and the total cost of such improvements has been computed and ascertained and assessments of a portion of the cost of the same made by the City Council, which has made an assessment roll for such project with the name of each person assessed, the amount assessed against such person, with a brief description of the lots or parcels of land so assessed;

NOW, THEREFORE, the City Council of the City of Fayetteville, North Carolina, does order that:

1) Said preliminary assessment roll shall be immediately filed and deposited in the office of Mrs. Louise W. Talbot, City Clerk of the City of Fayetteville, in the City Hall of the City of Fayetteville, where the same may be inspected by all parties interested.

2) Notice is hereby given that a meeting of the City Council of Fayetteville, North Carolina, will be held in the Court Room of the City Hall of Fayetteville, North Carolina, at 8:00 p.m., on the 22nd day of August, 1960, to hear allegations and objections in respect of the aforesaid special assessments, when and where all persons interested may attend and be heard; and notice is further given that any person interested in said assessment roll who shall fail to appear at said time and place and make or file objections thereto, will be forever barred and precluded from contesting the amount or validity of such assessments, and such assessment roll thereupon will be confirmed.

3) This RESOLUTION and ORDER shall be published once in the Fayetteville Observer, a newspaper published in the City of Fayetteville, ten (10) days before the time fixed for said meeting.

Adopted this 8th day of August, 1960, by the City Council of the City of Fayetteville, North Carolina.

2) The City Council of Fayetteville, North Carolina, met at the time and place stated in said published notice to hear protests or objections to said preliminary assessment roll, and no such protest or objections were filed or otherwise made (or, protests and objections being filed and made, the City Council of the City of Fayetteville, North Carolina, found and finds as 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) A copy of the assessment roll, above referred to, is hereby adopted and made a part of this ordinance. Said assessment roll shows the property owners concerned and the lots and parcels of land abutting directly on said street(s) so improved, and said assessment roll shows the respective portions of the costs of said improvements proposed to be assessed against said lots and parcels, which respective portions of such costs, have been calculated according to the extent of the respective frontages of said lots and parcels of land on said street(s) so improved, by equal rates per foot of such frontage.