

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 Eastman Drive, Denny Street and Stansberry Street, 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 improved 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) These assessments and orders shall be published once in THE FAYETTEVILLE OBSERVER, a newspaper published in the City of Fayetteville, and shall be in effect immediately following such publication.

Adopted this 24th day of January, 1961, by the City Council of the City of Fayetteville, North Carolina.

DRIVE, ROOFS DRIVE AND NORTH AND SOUTH ELEVATOR

George A. Hendon
Mayor

After careful study and consideration of the matter, the City Council of the City of Fayetteville, North Carolina, does hereby order that the following assessment roll for the paving and other improvements of Denny Street, Eastman Drive, Stansberry Street, and other streets and improvements of the City of Fayetteville, North Carolina, be published in the City of Fayetteville, North Carolina, the

comprehension of the City of Fayetteville, North Carolina, the

of the 22nd day of January, 1961, by the City Council of the City of Fayetteville, North Carolina, the

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On request of the Public Works Commission, on motion of Councilman Plummer, seconded by Councilman Rose, contract was approved with Lynchburg Foundry, Lynchburg, Virginia, for furnishing a year's supply of pipe to the Public Works Commission at the estimated cost of \$50,000.

Mr. Carl McArthur stated that due to ill health he is compelled to stop operating a taxi cab in the City and in order that he might be able to sell his equipment he would like to request that his owners permit be issued to Mr. McMinn, whose name now appears second on the list for an operator's permit. This matter was discussed at length and tabled for the present time, to see if anything can be worked out for issuing a permit to Mr. McMinn.

On motion of Councilman Plummer, seconded by Councilman Massei, the following resolution was unanimously adopted:

Attached hereto, marked "Exhibit A", is a list of paving assessments of the City of Fayetteville, N. C., which have been long delinquent, but which have had to be taken into account at each auditing of the Tax Collector's Office of the City of Fayetteville, N. C., for many years.

As to such assessments as shown on "Exhibit A", the City Council of the City of Fayetteville, N. C., after full investigation, finds and declares as facts, that:

1) As to the assessments thereon numbered 1, 2, 3, 5, 6, 8, 9, 10, 13, 14, 15, and 32, the parcels of land so assessed belong to the City of Fayetteville, N. C., which is liable to itself for such assessments, but there is no system of accounting internal to and among the departments of the City to provide for payments for and receipts of the amounts of such assessments.

2) As to the Assessment thereon numbered 4, the parcel so assessed either belongs to the City of Fayetteville, N. C., or is of so little value and so much potential monetary burden (it being a small, abandoned cemetery tract), that it would be disadvantageous to the City to try to collect such assessment by foreclosure.

3) As to the assessments thereon numbered 7, 12, and 23 the parcels so assessed are owned directly by the U. S. Government or its agencies which, by law, are not liable for such assessments.

4) As to the assessment thereon numbered 11 the parcel so assessed is owned by the State of North Carolina or one of its agencies and is exempt by law from such assessment.

5) As to the assessments thereon numbered 16, 17, and 18 such assessments are errors in bookkeeping the same having been, each twice listed.

6) As to the assessments thereon numbered 24 and 25 most installments thereof are barred by the statute of limitations, and, as to the remainder, in any event, the entry of said assessments on the books was in error in that the owner of said parcels (Phoenix Lodge of the Masonic Order) entered into agreement with the City at the time of the improvement which was the basis of said assessments to dedicate a portion of said parcels for Mason Street extension in consideration for no paving assessment against said owner.

7) As to the assessments numbered 19, 20, 21, 22, 26, 27, 28, 29, 30, and 31 the statute of limitations on each and every installment of same has run, barring collection thereof.

Accordingly, pursuant to the above findings of fact and pursuant to North Carolina General Statutes 160-90, The City Council of the City of Fayetteville, N. C., does hereby cancel each and all of said assessments, and does hereby relieve the Tax Collector of the City of Fayetteville, N. C., of any further responsibility in connection therewith, and does declare that said assessments shall no longer be taken into account in any auditing of said Tax Collector's Office.

There being no further business, on motion of Councilman Plummer, seconded by Councilman Massei, the meeting was adjourned.

Louis P. Zelt
City Clerk

Adopted this 12th day of December, 1960, by the City Council of the City of Fayetteville, North Carolina, the

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