

Mr. Rumbough, Planning Director, called the attention of the Council to Planning Board's advisory action on the way the Planning Board had been ignored by the Mayor's Committee in its development of policy to govern water and sewer extension outside the City.

lots and parcels of land abutting upon said improved street portions according to Councilman Rose stated that there was no intention on the part of the Committee to ignore the Planning Board, but rather a desire on their part that the Planning Board give the matter the benefit of their thinking. Mr. Rose was very critical of the Planning Board's reaction, stating, bearing annual interest at six (6%) per cent, payable annually.

Upon motion by Councilman Rhodes, seconded by Councilman Maness, a Taxi Driver Permit was unanimously approved for Bligh McGee, of Fayetteville, and shall be in effect immediately following such publication.

Upon motion by Councilman Rose, seconded by Councilman Maness, the Council voted unanimously to accept the 1961-62 auditing contract to Haigh & vanKosenberg at the rate of \$50.00 per day for senior accountants and \$35.00 per day for junior accountants and that the Mayor and Clerk be authorized to execute the contract.

/s/ M. W. Downs

Upon motion by Councilman Rhodes, seconded by Councilman Maness, the Council unanimously approved a request from Mitchell Enterprises to hold a dance at Breece's Banquet Hall from 8:00 P. M. until 12:30 A. M. on October 31, 1961.

final approval to the following resolution: Mr. Ray advised the Council that Col. Larson, Civil Defense Director requests someone from the city to work with him in an advisory capacity. Councilman Rose stated that he would assist.

#### CITY OF FAYETTEVILLE AT ITS REGULAR MEETING ON MONDAY NIGHT, 9 October 1961

Mayor Butler read a quarterly report on sub-standard houses from Building Inspector, Bowen, regarding the activities from July 1 thru September 30, 1961.

1961, filed with the City Council of the City of Fayetteville, the attached Report for passage of a petition for street paving from all the property owners on Defense Street from its intersection with Twin Oak Drive southwardly to its end on Cal de sac. And whereas the City Council of the City of Fayetteville, after due examination, finds that, in the judgment of said City Council, said petition is

venturesome and of Councilman Rhodes, seconded by Councilman Maness to accept the petition, place the street in line for paving and note that the street be a 27 foot pavement instead of 20 foot pavement. of said City Council, said insolvent accounts are uncollectible, and the said City Council so finds.

Upon motion by Councilman Rose, seconded by Councilman Maness Council voted unanimously to place the petition of City Manager and Fire Chief and appointed George McKnight to be in charge of the fire department to fill two vacancies in the Fire Department.

Report are to be credited to the Tax Collector in his settlement. Upon motion by Councilman Rhodes, seconded by Councilman Maness, Council voted unanimously to publish a list of insolvent taxpayers by posting a copy of such list to the courthouse door of the Cumberland County, North Carolina, Courthouse and at the City Hall door of the City of Fayetteville, and the County Commissions on the matter of a City-County Planning Board at 8:00 P. M., Tuesday, October 10, County Courthouse. And it further being found by said City Council that the accounts shown in said Report of Insolvents have been audited by the Certified Public Accountant employed by the City of Fayetteville, requested release by the city of electrical bills as it is further ordered that other bills of A. P. Benton - since P&C no longer required it.

sealed in an envelope, and that said Tax Collector of the City of Fayetteville, Haigh and vanKosenberg, be and they are, seconded by Councilman Rhodes, Council unanimously sufficient information as to the contents appears below: accounting need be made further with respect to the contents of said envelope.

#### NORTH CAROLINA CUMBERLAND COUNTY

#### RELEASE OF EASEMENT

/s/ M. W. Downs Mayor, made and entered into this 9th day of October 1961, Clerk of the City of Fayetteville, a municipal corporation of the State of North Carolina, herein called GRANTOR, and A. G. Benton and wife, Pauline Benton, of Cumberland County, North Carolina, herein called GRANTEE:

Mr. Rumbough, Planning Director reminded the Council of the public hearing scheduled for October 25th at 4:00 P. M. to consider zoning an area adjacent to Sigman Street. This would extend the present C-1 Local Business district on Bay Street through to Sigman Street. A resolution was duly passed by the City Council of the City of Fayetteville at its regular meeting at 8:00 P. M., on the 9th day

Upon a motion by Councilman Rhodes, seconded by Councilman Maness, Council unanimously voted to advertise a public hearing at 8:00 P. M., Monday, November 13, for initial zoning of an area in the vicinity of Ramsey Street (Raleigh Road) extending from Rose Hill Road which was amended to the city on September 25, 1961, which easements are duly recorded in the Cumberland County, North Carolina Registry in Book 777, Page 302 and Book 777, Page 303.

And whereas the said easements are no longer needed by the City of Fayetteville and serve no public purpose:

And whereas the said A. G. Benton and wife, Pauline Benton, have agreed to execute a new easement running over the same land described in the aforesaid easements but along different portions thereof, which said new easements will more effectually serve the purposes of the City of Fayetteville and would be more advantageous to the property owners, and would serve the needs of the City of Fayetteville and the public to a greater purpose than the presently existing easements;

Now therefore, be it resolved that the Mayor and City Clerk are authorized to execute a release of the aforesaid easements in consideration of the making of the new easement by the said A. G. Benton and wife, Pauline Benton, GRANTEE herein."

Now, therefore, in consideration of the premises, and of one dollar in hand paid by GRANTEE to GRANTOR, and the execution of a new easement across the property of GRANTEE, GRANTOR does hereby remise and release to GRANTEE all rights, privileges, powers and easements of GRANTOR under the aforesaid easements, and remise and release the same to GRANTEE to have and to hold the same to GRANTORS, their heirs, administrators and assigns, free and discharged from any privileges, powers or easements granted or recorded in said deeds of easement.

IN WITNESS WHEREOF, GRANTOR has caused this instrument to be signed in its corporate name by its Mayor, attested by its Clerk, and has caused its corporate seal to be thereunto affixed, all by authority of its City Council, the day and year first above written.

CITY OF FAYETTEVILLE

BY: /s/ Robert H. Butler Mayor

ATTEST:

/s/ Maurice W. Downs Clerk

Mr. Muench presented the following bids on the construction of a sanitary sewer outfall from Old Wilmington Road up Scarborough Street to Holt-Williamson Street and a short distance on Holt-Williamson Street then cross country to Eastern Boulevard:

|                             |              |
|-----------------------------|--------------|
| Crowell Constructors, Inc.  | \$ 44,510.41 |
| T. A. Loving Company        | 45,180.00    |
| Corbin Construction Company | 45,889.80    |
| Ray D. Lowder, Inc.         | 47,535.00    |
| Howard Construction Company | 48,481.25    |

The Public Works Commission recommended acceptance of Crowell's low bid to the Council. Upon motion by Councilman Rhodes, seconded by Councilman Maness, Council unanimously accepted Crowell Constructors, Inc. low bid of \$44,501.41.

510

Upon a motion by Councilman Rhodes, seconded by Councilman Maness, Council unanimously granted a Taxi Cab Operator's Permit to Joseph F. Davis. This action brings number of Taxi Cab Operator's Permits up to 140, which is the maximum.

City Clerk Mayor Butler stated that a reply to Tally's letter had been received from Mr. Henry Anderson, Attorney, for Kyle property owners, but since all members of the Council were not present, no action would be taken at this time. City Manager Ray was requested to set up a meeting date when Councilman Plummer returned.

There being no further business the meeting was adjourned at 9:40 P.M. upon motion by Councilman Rose, seconded by Councilman Rhodes.

M. W. DOWNS  
City Clerk-Treasurer