

A public hearing having been advertised and there being no opposition present and upon motion by Councilman Rhodes, seconded by Councilman Plummer, the Council unanimously adopted the following Resolution:

PRELIMINARY RESOLUTION REQUIRING THE PAVING,
PURSUANT TO PETITION, OF SHERMAN 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 SHERMAN 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 SHERMAN 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 SHERMAN DRIVE from the end of existing pavement to the southwest corner of Lot 9, Block A, 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) A meeting of the City Council of Fayetteville will be held at the City Hall of Fayetteville at 8:00 P. M. on the 13th day of November 1961, on the proposed improvement(s) when all objections to the legality of making said proposed improvement(s) 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 17th day of October, 1961 by the City Council of the City of Fayetteville, North Carolina.

M. W. DOWNS
CLERK

ROBERT H. BUTLER
MAYOR

Upon motion by Councilman Plummer, seconded by Councilman Maness, the Council voted unanimously to present to the residents on the south side of Facility Drive a petition in the form of a contract between them and the city by which such residents would bear one-third of the cost of paving Facility Drive if the petition is signed by 100% of the residents. This particular action was taken by the Council since the Veterans Hospital property lies on the north side of Facility Drive.

Mr. Sneed High, local attorney, presented a proposed amendment to the city's Taxicab Ordinance regarding the transfer of certificates by a holder of such certificates.

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