

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 Chapter 224 of the Private Laws of North Carolina of 1927 (Section 128, et seq. of the Code of the City of Fayetteville) was filed with the City Council of Fayetteville, North Carolina, requesting the paving and other below described improvement of COURTNEY STREET and SENECA DRIVE, and said petition is in due and sufficient form, containing a general description of the paving and other improvements proposed for said Streets, and requesting that such paving and other improvements be made in conformity with the applicable provisions of law, and that the proportion of the cost of such paving and other improvements below specified be specially assessed against the property abutting on said Streets, 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 Streets.

and

2) THE RESOLUTION and ORDER adopted at its meeting on the 28th day of May, 1962, by the City Council of the City of Fayetteville, North Carolina, entitled "PRELIMINARY RESOLUTION REQUIRING THE PAVING AND OTHER IMPROVEMENT, PURSUANT TO PETITION, OF COURTNEY STREET AND SENECA DRIVE," having been duly published on the 13th day of June, 1962, in THE FAYETTEVILLE OBSERVER, a newspaper published in the City of Fayetteville, North Carolina, giving the notice of a meeting of the City Council to be held on the 25th day of June, 1962, at 8:00 P. M., in the Court Room at the City Hall of Fayetteville, North Carolina, when all objections to the legality of paving and making the other proposed improvements were to be made in writing, signed in person or by Attorney, filed with the Clerk of the City of Fayetteville, at or before said time, and that any such objections not so made would be waived, and objections to the legality, as well as to the policy or expediency, of the paving and making of other said improvements not having been filed or made (or having been filed and made, which objections were duly considered by said City Council, and none of said objections were sustained);

and

3) The public interest, safety, convenience and general welfare requires the below described improvement of COURTNEY STREET and SENECA DRIVE:

and

4) The property abutting on said streets to be so improved will be benefited by such paving and other 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 COURTNEY STREET which lies between ROSEHILL ROAD and RAMSEY STREET and all of that portion of SENECA DRIVE which lies between COURTNEY STREET and ROSEHILL ROAD shall be paved and curbs and gutters laid thereon, and sanitary sewer mains and service laterals shall be constructed and installed in said streets or parts thereof within the limits defined above; such sanitary sewer mains and service laterals to be in accordance with standards of the Public Works Commission of the City of Fayetteville; and such improvements also to include the necessary grading as determined by Public Works Commission engineers and to do all of other work incidental to the construction and installation of sanitary sewer mains and service laterals and the cost of all 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 (except that the entire cost of such sanitary sewer service laterals shall be specially assessed) 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%) percent, payable annually.

2) This RESOLUTION and ORDER 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 25th day of June, 1962, by the City Council of the City of Fayetteville, North Carolina.

ROBERT H. BUTLER  
Mayor

Maurice W. Downs  
City Clerk

The following Taxi Driver Permit Applications were granted by unanimous Council approval:

Ronnie Quinton Jones  
Robert Dwight Bailey

City Manager Ray advised the Council that City's application to the Federal Aviation Authority for a \$64,700.00 grant for right-of-way aquisition for the Municipal Airport approach lighting system had been approved and that Council should adopt a resolution of approval before June 30, 1962. He stated further that the recently acquired West-Hankins property is included in this grant approval.

Councilman Rhodes moved for adoption of resolution of approval. His motion was seconded by Councilman Plummer and unanimously carried.

Mr. Howard Cheshire, Assistant Director of Parks and Recreation Department requested Council approval for the Recreation and Parks Department-Civitan Club joint sponsorship of an "Old-fashioned 4th of July Celebration" to be held at Lamon Street Park.

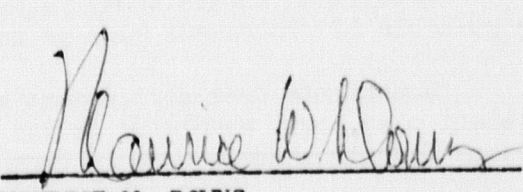
Councilman Rose moved that approval be given to the co-sponsorship provided the Civitan Club furnish the City Attorney with proof of adequate liability insurance to protect the City. His motion was seconded by Councilman Rhodes and carried by unanimous vote of the Council.

Assistant City Engineer Ashley advised the Council on the diversion of that section of North Street between Drake Street and ACL tracks which the City recently acquired from ACL Railroad Company for a pumping station site and recommended the withdrawal of street dedication for that section.

Councilman Rhodes moved for adoption of a resolution authorizing Mayor Butler and the City Clerk to execute the withdrawal of street dedication. Motion was seconded by Councilman Plummer and carried by unanimous vote.

Mayor Butler read a letter from Captain Junius H. Millard, Commanding the two N. C. National Guard Units in Cumberland County in which Captain Millard again requested Council's approval of a \$600.00 appropriation for the year 1962-1963, for the units. The Council again unanimously approved the allocation for the year 1962-1963 and authorized the disbursement.

There being no further business, the meeting was adjourned at 8:45 P. M.

  
MAURICE W. DOWNS  
City Clerk