

Regular Meeting
Monday
June 25, 1962
8:00 P.M.
Court Room

Present:

Mayor Robert H. Butler

Councilmen: Ted O. Rhodes
Sol C. Rose
Eugene Plummer
D. B. Maness

City Manager, G. W. Ray
Acting City Attorney,
Don Strickland
P.W.C. Chairman, P. O. Hoffer
P.W.C. Administrator, R. A. Muench

The first item of business was a public hearing on the annexation of a tract of land lying between Murchison Road and the ACL Railroad tracks.

Assistant City Engineer, Ashley stated that preliminary right-of-way easement work and water and sanitary sewer facilities petitions were still pending and suggested that the hearing be continued until a later date.

Councilman Plummer moved to continue the public hearing on this matter until Council's regular meeting of July 23rd. Motion was seconded by Councilman Rose and unanimously carried.

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

FINAL RESOLUTION
REQUIRING THE IMPROVEMENT,
PURSUANT TO PETITION,
OF
WEDGEWOOD DRIVE
MONROE STREET
HAMMERHEAD STREET

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 below described improvement of WEDGEWOOD DRIVE, MONROE STREET, and HAMMERHEAD STREET, and said petition is in due and sufficient form, containing a general description of the improvements proposed for said Streets, and requesting that such improvements be made in conformity with the applicable provisions of law, and that the proportion of the cost of such 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 land abutting on said Streets.

and

2) THE RESOLUTION and ORDER adopted at its meeting on the 11th day of June, 1962, by the City Council of the City of Fayetteville, North Carolina, entitled "PRELIMINARY RESOLUTION REQUIRING THE IMPROVEMENT, PURSUANT TO PETITION, OF WEDGEWOOD DRIVE, MONROE STREET, AND HAMMERHEAD STREET," 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 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 making the 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 making of 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 WEDGEWOOD DRIVE, MONROE STREET AND HAMMERHEAD STREET:

and

4) The property abutting on said streets to be so improved will be benefited by such 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 WEDGEWOOD DRIVE from COUNTRY CLUB DRIVE to MONROE STREET, all of that portion of MONROE STREET from WEDGEWOOD DRIVE to HAMMERHEAD STREET, and all of that portion of HAMMERHEAD STREET from MONROE STREET to END OF STREET shall be improved in that water mains and service laterals shall be constructed and installed in said streets or parts thereof as named above within the limits defined; such water 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 water 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 water 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

A public hearing having been advertised and there be no opposition present and upon motion by Councilman Plummer, seconded by Councilman Maness; the following resolution was unanimously adopted by the Council:

FINAL RESOLUTION
REQUIRING THE PAVING, AND
OTHER IMPROVEMENT,
PURSUANT TO PETITION,
OF
COURTNEY STREET AND
SENECA DRIVE