

I HAVE RECEIVED DUE AND PROPER NOTICE OF A SPECIAL MEETING OF THE CITY COUNCIL OF FAYETTEVILLE, N.C., TO BE HELD AT 9 O'CLOCK A.M., THE 19th DAY OF SEPTEMBER 1963, AT THE COUNCIL CHAMBER, FAYETTEVILLE, N.C., AND HEREBY WAIVE FURTHER NOTICE THEREOF.

THIS 23rd DAY OF September 19 63 .

Luther N. Packer
 CITY COUNCILMAN
 LUTHER N. PACKER

Regular Meeting
 Monday
 September 23, 1963
 8:00 P.M.
 Court Room

Present:

Mayor pro tem Plummer

Councilmen: Ted O. Rhodes
 Charles Holt
 Luther Packer

City Manager, G. W. Ray
 Acting City Attorney, Nelson Taylor

Absent:

Mayor Wilbur Clark

Mayor pro tem Plummer, presiding, called the meeting to order and asked the Reverend Louis S. Gaines, Retired Minister of the First Baptist Church to deliver the invocation.

Mayor pro tem Plummer welcomed Mrs. D. Lacy McBryde and several students of her 7th grade history class from Alexander Graham Junior High School who were present to observe the Council proceedings.

Upon motion made and duly seconded minutes of August 26th were approved as submitted.

A public hearing having been advertised on the paving and improving of a portion of BARTOW DRIVE and there being no opposition present and upon motion by Councilman Holt, seconded by Councilman Packer, paving and improving was ordered by the unanimous adoption of the following resolution:

FINAL RESOLUTION
 REQUIRING THE PAVING
 AND OTHER IMPROVING,
 PURSUANT TO PETITION,
 OF
 BARTOW 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. was filed with the City Council of Fayetteville, North Carolina, requesting the paving and other below described improvement of BARTOW 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 RESOLUTION and ORDER adopted at its meeting on the 27th day of August, 1963, by the City Council of the City of Fayetteville, North Carolina entitled "PRELIMINARY RESOLUTION REQUIRING THE PAVING, PURSUANT TO PETITION OF BARTOW DRIVE" having been duly published on the 11th day of September, 1963, 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 23rd day of September, 1963 at 8:00 o'clock 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;
and
- 3) The public interest, safety, convenience and general welfare requires the paving and other below described improvement of BARTOW DRIVE;
and
- 4) 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 BARTOW DRIVE from RAMSEY STREET to the EASTERN BOUNDARY OF THE BLUE-GODWIN PROPERTY (PLAT BOOK 11, PAGE 21), shall be paved and curbs and gutters laid thereon, and water and sanitary sewer mains and service laterals shall be constructed and installed in said street or parts thereof within the limits defined above; and such water and sanitary sewer mains and service laterals to be in