

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 GRAFTON AVENUE, BANCROFT DRIVE and SINCLAIR 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 by 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 23rd day of July, 1962, by the City Council of the City of Fayetteville, North Carolina, entitled "PRELIMINARY RESOLUTION REQUIRING THE IMPROVEMENT, PURSUANT TO PETITION OF GRAFTON AVENUE, BANCROFT DRIVE AND SINCLAIR STREET," having been duly published on the 1st day of August, 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 13th day of August, 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;

and

3) The public interest, safety, convenience and general welfare requires the below described improvement of GRAFTON AVENUE, BANCROFT DRIVE AND SINCLAIR 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 GRAFTON AVENUE which lies between WEDGEWOOD DRIVE and BANCROFT DRIVE and BANCROFT DRIVE IN ITS ENTIRETY AND SINCLAIR STREET IN ITS ENTIRETY, shall be improved by the construction and installation of water mains and service laterals in the 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 to also include the necessary grading as determined by Public Works Commission engineers and to do all other work incidental to the construction and installation of water mains and service laterals and 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 (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 13th day of August, 1962, by the City Council of the City of Fayetteville, North Carolina.

ROBERT H. BUTLER  
Mayor

Maurice W. Downs  
City Clerk

The Council then recognized Mr. William Hill, Attorney, representing the Junior Service League who is requesting to use the cottage behind the Kyle House as a handicraft shop. Mr. Hill stated that the League proposes to restore the building at its own expense and at no expense or liability to the City, in order to utilize the talents of persons skilled in handicraft, in making small items for non-profit use to further the League's efforts toward community betterment.

Following a brief discussion, Councilman Rhodes moved that the City Attorney be authorized to draw up a public notice advertising the building for lease for a 2 year period under the conditions set forth above as required by law. Motion was seconded by Councilman Maness and carried.

City Manager Ray reported to the Council on bids received for a Dempster-Dumpster truck and hoist unit. (Copies of the bid tabulation are on file in the Clerk's Office).

Following a brief discussion, during which the Council heard from representatives bidding on the hoist unit, Councilman Rose moved to accept the low bid on the hoist unit. The motion received no second.

Councilman Plummer made a substitute motion that the bid of BAKER EQUIPMENT ENGINEERING COMPANY for \$3,395.18 for the HOISTING UNIT be accepted. Motion was seconded by Councilman Maness and carried with Councilman Rose voting "NO" on the issue.

The Council then discussed the bid on the truck cab and chassis. Following this, Councilman Maness moved that BID NO. 2 of the YARBOROUGH MOTOR COMPANY for the TRUCK CAB AND CHASSIS in the amount of \$2,968.88 be accepted. Motion was seconded by Councilman Plummer and approved unanimously.

City Manager Ray reported that Riddle-Floyd-Godwin Realtors is requesting Council to order paving of an unpaved portion of Murray Hills Road between Westwood Drive and the intersection of Dwirewood Drive in Stratford Hills Subdivision. Council discussed the request, but took no action in view of the fact that a part of the property abutting that section of Murray Hills Road is outside the City Limits.

The Council heard a report from Administrator Muench of Public Works Commission that their 1962-1963 Budget had been on public display for the length of time required by law and the request of the Commission for final adoption.

Councilman Rhodes moved for final adoption of the Public Works Commission Budget of \$5,667,732.00 for the year 1962-1963. Motion was seconded by Councilman Maness and carried unanimously.

#### Planning Board Matters:

Upon motion by Councilman Plummer, seconded by Councilman Rhodes, the Council, by unanimous vote set a public hearing for September 10th on amending City's Zoning Ordinance to rezone the Corner of Bryan Street and Morgan Street from C-1 Commercial to R-5 Residential District.

The Council, then heard a preliminary report from Planning Director Rumbough concerning the initial zoning of areas which have been recently annexed to the City. (A copy of Planning Board's Minutes listing these areas is on file in the Clerk's Office). The Council heard the report and discussed it, but took no action.

#### On an annexation matter recommended by the Planning Board:

The Council, upon motion by Councilman Plummer, seconded by Councilman Maness, voted unanimously to authorize the Mayor and Clerk, to sign a petition, on behalf of the City, to annex to the City the Mintz Pond Property, which is the area colored purple on the sketch map attached to and part of the petition on file in the Clerk's Office and that this petition be joined with and filed with that petition of the Mintz heirs as two petitions performing a joint proposal to the Council for the annexation to the City of the purple area and the green area, shown on the sketch map attached to and part of the Mintz heirs petition which is also on file in the Clerk's office, and that a public hearing be set for September 10th on both petitions. Motion was seconded by Councilman Maness and unanimously approved.

On a final plat approval; Councilman Rose moved that the Council approve the final plat for Greenbriar Hills, subject to the plat be entitled Greenbriar Hills, Section I and also subject to Public Works Commission and City Engineer approval. Motion was seconded by Councilman Maness and carried unanimously.