

RESOLUTIONS OF THE CITY COUNCIL

WHEREAS, the City Council having August 14, 1961 notice to be published for four successive weeks in the Fayetteville Observer that, at its meeting at 7:00 P. M. on the 22nd day of May, 1961, it would consider the annexation of the territory known as the City of Fayetteville, hereinafter described, which notice was so published;

AND WHEREAS, at said meeting a petition was filed and J. O. Tally, Jr., City Attorney, one of the qualified voters resident in the area proposed to be annexed, G. W. Ray, City Manager, and the City Council having determined the election to be held solely in the area proposed to be annexed;

AND WHEREAS at said meeting on said date, said City Council resolved to request the Board of Elections of Cumberland County to call said election, and now wishes to formal and full resolution of such request to said Board of Elections;

WHEREFORE, THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE do hereby resolve that the Board of Elections of Cumberland County of street, by unanimous vote, was election, as by statute provided, to determine whether or not there shall be annexed to the City of Fayetteville the territory contiguous thereto and described as follows:

The Board of Southern Park committee, of which the co-chairwoman are Mrs. ... and the present city limits the boundaries stated that approximately ... northwardly with the course of Big ... Big Cross Creek ... to the west of the western margin of ... said parallel line 150 ... to the southern property line of ... described in Book 608, Page 107 of ... Rose Hill Road; thence with the ... northwardly crossing ... near of Rose Hill Road and ... their margin of ... mainly to the southern ... Acres as recorded in Plat Book ... Registry and running ... Lot Number 1 ... corner of Lot Number 11 and running thence south by ... minutes East 82 1/2 ... eastern corner of Lot ... 30 minutes East 150 ... Country Club Acres to the ... running thence south ... northeastern corner of Lot 24 Country Club Acres ... In the western margin of ... with the western margin of ... 52 minutes East ... and running thence with the northern boundary of ... sion South 63 degrees 35 minutes East ... northern boundary of ... the northern boundary of the ... utes East 263.36 feet to the ... Greene Park Subdivision; and running thence with the eastern boundary of Lots 22 and 21 of Greene Park Subdivision crossing Country Club ... South 3 degrees 50 minutes East 254.88 feet to the southeastern corner of Lot Number 21 Greene Park Subdivision; and running thence with the southern margin of the Greene Park Subdivision and the southern ... ries of Lots 19, 17, 15, 13, 11, 9, 7, 5, 3 and 1 to the beginning.

Adopted this 21th day of July, 1961.
Mayor
Clerk

There being no further business the meeting was adjourned at 9:15 P. M.

M. W. Allen

the Kyle family as to price of the property so that the committee might have a report by the next meeting. Councilman Rose, in seconding the motion, stated that while he was not opposed to requesting Federal aid, he was of the opinion that all possibilities of local financing be first explored. The motion was carried unanimously.

The request of the Cape Fear Community Antenna Company for a franchise to provide a community television antenna system in Fayetteville was next considered. Mr. James R. Nance, Attorney for the company, presented the ordinance which would grant the franchise. Mr. W. G. Enloe, District Manager for the N. C. Theaters, Inc., stated that his company operated the Carolina and Broadway Theaters in Fayetteville and that they are opposed to any franchise which would make possible cable movies originating in the local area. Mr. Nance and City Attorney, J. O. Tally, Jr., were requested to revise the proposed ordinance so as to eliminate the possibility of cable movies from the local area and this was done.

The ordinance was then, upon motion of Councilman Plummer, seconded by Councilman Rhodes, adopted unanimously, first reading: the ordinance as follows:

AN ORDINANCE OF THE COUNCIL OF THE CITY OF FAYETTEVILLE GRANTING TO CAPE FEAR COMMUNITY ANTENNA COMPANY, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO ERECT, MAINTAIN AND OPERATE TRANSMISSION AND DISTRIBUTION FACILITIES IN, UNDER, OVER, ALONG, ACROSS AND UPON THE STREETS, LANES, AVENUES, ALLEYS, BRIDGES, HIGHWAYS AND OTHER PUBLIC PLACES IN THE CITY OF FAYETTEVILLE, NORTH CAROLINA AND ANY SUBSEQUENT ADDITIONS THERETO, FOR THE PURPOSE OF TRANSMISSION BY CABLE AND DISTRIBUTION OF TELEVISION IMPULSES AND TELEVISION ENERGY FOR SALE TO THE INHABITANTS OF SAID CITY AND OTHER PURPOSE.

THE COUNCIL OF THE CITY OF FAYETTEVILLE DOETH ORDAIN:

Section 1. In consideration of the faithful performance and observance of the conditions, restrictions and reservations hereinafter specified a Franchise is hereby granted to Cape Fear Community Antenna Company, its successors or assigns, hereinafter called the "Grantee", to erect, maintain and operate for a period of five (5) years from the date of final passage of the Ordinance an audio and video, (television), transmission and distribution system and its necessary facilities and additions thereto in, under, over, along, across and upon the streets, lanes, avenues, alleys, sidewalks,

#1961-1