

1) All of that portion of MILES COURT which lies between CHURCHILL DRIVE and McNEILL CIRCLE, shall be paved and curbs and gutters laid thereon, 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 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 8th day of October, 1962, by the City Council of the City of Fayetteville, North Carolina.

ROBERT H. BUTLER
Mayor

Maurice W. Downs
Clerk

A public hearing having been advertised and there being no opposition present, Councilman Rhodes moved for adoption of the following resolution. Motion was seconded by Councilman Rose and carried unanimously:

FINAL RESOLUTION
REQUIRING THE PAVING,
PURSUANT TO PETITION,
OF
WESTWOOD 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 WESTWOOD 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 4th day of September, 1962, by the City Council of the City of Fayetteville, North Carolina, entitled "PRELIMINARY RESOLUTION REQUIRING THE PAVING, PURSUANT TO RESOLUTION OF WESTWOOD DRIVE", having been duly published on the 26th day of September, 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 8th day of October, 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 paving and other below described improvement of WESTWOOD 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 WESTWOOD DRIVE which lies between CLIFFDALE ROAD and SOUTHERN LOT LINE OF LOT NO. 5 BLOCK "A", shall be paved and curbs and gutters laid thereon, 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 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 8th day of October, 1962, by the City Council of the City of Fayetteville, North Carolina.

ROBERT H. BUTLER
Mayor

Maurice W. Downs
Clerk

A public hearing having been advertised for this date and there being no opposition voiced and upon motion by Councilman Rose, seconded by Councilman Rhodes, the Council voted unanimously to zone the following newly annexed areas as follows:

(1) R-10 Residential District:

BEGINNING at the southeastern corner of the tract of which this is a part as shown on plat entitled "Survey of McArthur Estate at McPherson Church," dated June 2, 1947, and recorded in Plat Book 12, Page 31, in the office of the Register of Deeds for Cumberland County, North Carolina, said beginning point being the southwestern corner of the property of Joseph A. McArthur et al., in the northern line of the property of S. H. McPherson, and running thence with the northern line of S. H. McPherson and with the southern line of the tract of which this is a part N. 79 degrees 52 minutes 40" W 825 feet to a point in said line; thence N 10 degrees 07' 20" 931 feet to a point; thence N 79 degrees 52' 40" W 20 feet; thence N 10 degrees 07' 20" E 175 feet; thence N 79 degrees 52' 40" W 50 feet; thence N 10 degrees 07' 20" E about 250 feet to the center of Branson Creek, the dividing line between the tract of which this is a part and the property of Joseph A. McArthur et al., the present City Limit Line of the City of Fayetteville, North Carolina; thence along the center of Branson Creek, the said present City Limit Line, in a southeasterly direction about 550 feet to a point; thence leaving the center of said Branson Creek, the present City Limit Line and running with the western line of the property of Joseph A. McArthur et al., and with the eastern line of the tract of which this is a part the following courses and distances; S 0 degrees 41' 50" W 119.06 feet to a point; S 18 degrees 54' 10" E 212.90 feet to a point; S 23 degrees 28' 10" E 186.45 feet to a point; S 09 degrees 26' 10" E 202.07 feet to a point; S 27 degrees 36' 30" W 143.44 feet to a point; S 16 degrees 31' 50" E 60.02 feet to a point; S 0 degrees 15' W 511.38 feet to the point of beginning.

(2) R-10 Residential District:

BEGINNING at a point that is located N. 79 degrees 52 minutes 40 seconds W. 20.0 feet from the tenth corner of the first tract of land conveyed by D. B. Currie, Jr., et ux, to J. P. Riddle, et ux, as recorded in Book of Deed 884, Page 102, Cumberland County Court House; and runs thence N. 10 degrees 07 minutes E. 175.0 feet; thence N. 79 degrees 53 minutes W. 50.0 feet; thence N. 10 degrees 07 minutes E. about 250 feet to the center of Branson Creek; thence up the creek in a northwesterly direction about 250.0 feet; thence leaving the center of Branson Creek S 17 degrees 38 minutes W. about 520 feet; thence S. 79 degrees 52 minutes 40 seconds E. 350.00 feet to the beginning.