

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 sidewalks laying and other below described improvement of OLD WILMINGTON ROAD; on west side thereof between CAMPBELL AVENUE and WILMINGTON ROAD

and

4) The property abutting on said street to be so improved will be benefited by such improvement to the extent 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) Sidewalks to city plans and specifications, shall be laid on all of that portion of OLD WILMINGTON ROAD on WEST SIDE thereof which lies between CAMPBELL AVENUE and WILMINGTON ROAD the total cost of such improvements to 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 of six (6%) per cent, 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 12th day of February, 1962, by the City Council of the City of Fayetteville, North Carolina.

ROBERT H. BUTLER
Mayor

MAURICE W. DOWNS
Clerk

Upon motion by Councilman Plummer, seconded by Councilman Maness, the Council adopted the following ordinances confirming assessment rolls for street paving:

AN ORDINANCE CONFIRMING THE ASSESSMENT ROLL FOR PAVING AND OTHER IMPROVEMENT OF LAMON STREET BETWEEN BEVIL STREET AND MALONEY AVE. BEVIL STREET BETWEEN LAMON STREET AND GROVE STREET AND "B" STREET BETWEEN LAMON STREET AND GROVE STREET.

After careful study and consideration of the matter and of all pertinent facts and circumstances, and in the exercise of its best legislative judgment, the City Council of Fayetteville, North Carolina, finds as fact that:

1) The preliminary assessment roll for the paving and other improvement of LAMON, BEVIL AND "B" Streets in the City of Fayetteville, North Carolina, was filed in the office of the City Clerk of the City of Fayetteville, North Carolina, at a meeting of the City Council of the City of Fayetteville, North Carolina, on the 22nd day of January, 1962, and said Clerk was directed to publish in the Fayetteville Observer, a newspaper in general circulation published in Fayetteville, North Carolina, a notice that such preliminary assessment roll had been so computed, filed as aforesaid, and was open for inspection by all persons interested, and said notice was accordingly published in said newspaper in its issue of the 1st day of February, 1962, reading as follows:

Notice is hereby given of a meeting of the City Council at the time and place and for the purpose stated in the following resolution and order:

RESOLUTION AND ORDER TO FILE AND PUBLISH PRELIMINARY ASSESSMENT ROLL AND PAVING AND OTHER IMPROVEMENT ON LAMON STREET BETWEEN BEVIL STREET AND MALONEY AVENUE, BEVIL STREET BETWEEN LAMON STREET AND GROVE STREET AND "B" STREET BETWEEN LAMON AND GROVE STREETS

After careful study and consideration of the matter and of all pertinent facts and circumstances, including engineering and planning studies and in the exercise of its best legislative judgment, the City Council of Fayetteville, North Carolina, finds as fact that:

1) Lamon Street between Bevil Street and Maloney Avenue, Bevil Street between Lamon Street and Grove Street and Grove Street and "B" St. between Lamon Street and Grove Street in the City of Fayetteville, North Carolina, have been paved and curbs and gutters laid thereon, and the total cost of such paving and improvement has been computed and ascertained and assessments of the cost of the same made by the City Council, which has made an assessment roll for such project with the name of each person assessed, the amount assessed against each such person, with a brief description of the lots of parcels of land so assessed;

NOW, THEREFORE, the City Council of the City of Fayetteville, North Carolina, does order that:

- 1) Said preliminary assessment roll shall be immediately filed and deposited in the office of Maurice W. Downs, City Clerk of the City of Fayetteville in the City Hall of the City of Fayetteville, where the same may be inspected by all parties interested.
- 2) Notice is hereby given that a meeting of the City Council of Fayetteville, North Carolina, will be held in the Court Room of the City Hall of Fayetteville, North Carolina, at 8:00 P.M., on the 12th day of February, 1962, to hear allegations and objections in respect of the aforesaid special assessments, when and where all persons interested may attend and be heard; and notice is further given that any person interested in said assessment roll who shall fail to appear at said time and place and make or file objections thereto, will be forever barred and precluded from contesting the amount or validity of such assessments, and such assessment roll thereupon will be confirmed.
- 3) This RESOLUTION and ORDER shall be published once in the Fayetteville Observer, a newspaper published in the City of Fayetteville, ten (10) days before the time fixed for said meeting.

Adopted this 22nd day of January, 1962, by the City Council of the City of Fayetteville, North Carolina.

ROBERT H. BUTLER
Mayor

MAURICE W. DOWNS
Clerk

2) The City Council of Fayetteville, North Carolina, met at the time and place stated in said published notice to hear protests or objections to said preliminary assessment roll, and no such protest or objections were filed or otherwise made (or, protests and objections being filed and made, the City Council of the City of Fayetteville, North Carolina, found and finds now again that such protests and objections are without merit), and all persons affected by said preliminary assessment had legal notice of said meeting and of such assessment:

NOW, THEREFORE, the City Council of the City of Fayetteville, North Carolina, does ordain that:

1) Two-thirds of the cost of street paving and curbs and gutters, after subtracting the cost of street intersections therefrom, be and the same is hereby assessed against the property owner and against the lots and parcels of land abutting directly on said Street, according to the extent of their respective frontages there on, by an equal rate per foot of such frontage, and a copy of said assessment for said Street paving and other improvement is hereby adopted and made a part of this ORDINANCE.

2) Said assessment referred to in the preceding paragraph levied against the property located on said Street so paved and improved be and the same is, hereby in all respects, confirmed and hereby declared to be a lien upon said property, of the same nature and to the same extent as County, City or Town Taxes, and superior to all other encumbrances, and it is hereby declared that the levy is made only for the purpose of defraying the cost for the public improvement made upon said Street, namely street paving, laying of curbs and gutters, which is a direct benefit to the property on said Street, and that said benefits to said property are greater in value to said property than the cost of assessments hereby made.

3) A copy of this assessment roll shall be filed immediately in the office of the Tax Collector of the City of Fayetteville, North Carolina, who shall cause the same to be published (21) days after the adoption of this ORDINANCE by notice in The Fayetteville Observer, a newspaper published in the City of Fayetteville, to the effect that the said assessment roll has been completed, confirmed and is now on file in his office, and that the owners of the property against whom said assessments are made may pay said assessments without interest, provided it is paid in full within thirty (30) days after the date of publication of said notice and if so paid, said assessment roll shall bear interest from the date of ratification of this ORDINANCE at the annual rate of six (6) per cent.