

**AN ORDINANCE OF THE CITY COUNCIL  
OF  
FAYETTEVILLE, NORTH CAROLINA**

**Requiring the City Building Inspector  
to correct conditions with respect to,  
or to demolish and remove a structure  
pursuant to the  
Dwellings and Buildings Minimum Standards  
Code of the City of Fayetteville, NC**

The City Council of Fayetteville, North Carolina, does ordain:

The City Council finds the following facts:

- (1) With respect to Chapter 14 of the Dwellings and Buildings Minimum Standards Code of the City of Fayetteville, NC, concerning certain real property described as follows:

429 Chatham Street  
PIN 0437-56-3989-

LEGAL: In the Town of Fayetteville, on Chatham Street, and Fayetteville and Wilson Railroad (now the Atlantic Coast Line) being a part of Union Square, beginning at a stone on the west edge of Chatham Street, corner of railroad lot, bought of Dallas Perry, thence South 96 degrees East 70 feet to a corner on the said Street, thence North 87½ West to a point on the railroad right of way with feet of center of tract, thence along the line of the said right of way 72 feet to said Railroad lot, thence along this line of said lot, South 87½ East one hundred twenty-six feet to the beginning, being the northern portion of Lot Number two on McDuffie Plot, bought by said Jerimiah Moore, from D.N. McLean.

Excepting from the above described tract a tract of thirty feet on the rear of the above described lot heretofore conveyed to the Atlantic Coast Line and used as a right of way for said Railroad.

The owner(s) of and parties in interest in said property are:

Unknown Heirs of Albert McClain; Allene McLean-Smith; Natalie Smith;  
Alvina Smith Wilson; William H. Smith, Jr.; Yvonne Bruimiester; Valerie Bolling  
c/o Earline Patterson-McClain  
1536 Palmer Drive  
Fayetteville, NC 28303

Unknown Heirs of William Gene McLean; Mattie Lee McLean Wade; George Ann Smith Goodridge;  
Charles E. Smith; Dashonda R. McLean  
c/o Louray McLean  
987 Hillsboro Street  
Pittsboro, NC 27312

Wayne Banks  
900 Hastings Lane NE, Apt A  
Brookhaven, MS 39601

Yvonne McClain-Smith  
100 Lee Road, Apt. 620  
Auburn, AL 36832

Toney McClain  
25 Forrest Hills Court  
Sanford, NC 27332

David Thomas  
1549 Coldwater Reserve Xing  
Severn, MD 21144

Yvonne McClain Ward  
350 Laurel Road  
Spring Lake, NC 28390

Gregory Thomas  
4609 Magnolia Drive  
Suffolk, VA 23435

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City of Fayetteville, NC having been followed, the Hearing Official duly issued and served an order requiring the owners of said property to complete certain repairs or demolish the structure on or before April 28, 2026.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Code Enforcement Official is authorized by said Code, and the North Carolina General Statutes § 160D-1203(5), when ordered by Ordinance of the City Council, to do with respect to said property what said owners were so ordered to do, but did not.
- (4) The City Council has been provided with information regarding the entire record of said Hearing Official, and finds, that all findings of fact and all orders of said Hearing Official are true and authorized.
- (5) That pursuant to the North Carolina General Statutes § 160D-1203(7), the cost of the demolition shall be a lien against the real property upon which the cost was incurred.

Whereupon it is ordained that:

#### SECTION 1

The Code Enforcement Official is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Hearing Official as set forth fully above, except as modified in the following particulars:

This property is to be demolished, and all debris removed from the premises, and the cost of said removal shall be a lien against the real property as described herein.

#### SECTION 2

The lien as ordered herein and permitted by the North Carolina General Statutes § 160D-1203(7), shall be effective from and after the date the work is completed and shall have priority as provided by law, and a record of the same shall be available in the office of the City of Fayetteville Finance Department, Collections Division, 2nd Floor - City, 433 Hay Street, Fayetteville, NC 28301.

SECTION 3

This ordinance shall be in full force and effect from and after its adoption.

Adopted this 26<sup>th</sup> day of May 2026.

CITY OF FAYETTEVILLE

BY: \_\_\_\_\_  
Mitch Colvin, Mayor

ATTEST:

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Jennifer L. Ayre, City Clerk