

**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**

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, concerning certain real property described as follows:

4925 Schmidt Street
PIN 0418-28-7418-

LEGAL: FIRST TRACT: BEING all of Lot No. 1 according to a map entitled Annex No. 3 Bonnie Doone, North Carolina, subdivision for W.W. Bryant and wife, Dorothy G. Bryant as recorded in Book of Maps 14, Page 8, Cumberland County Registry and described by metes and bounds as follows:

BEGINNING at the intersection of the Southern margin of Avenue A with the western margin of First Street and running thence with the latter South 16 degrees East 75 feet to the northeast corner of Lot No. 18; thence South 76 degrees West 143 feet to the eastern margin of Lot No. 2; thence North 16 degrees West 75 feet to the Southern margin of Avenue A; thence with it North 76 degrees East 143 feet to the point of beginning.

SECOND TRACT: BEGINNING at a point in the Southern margin of Avenue A South 76 degrees West 143 feet from its intersection with the western margin of First Street, the Northeast corner of Lot Number Two; and running thence with the Eastern line of Lot Number Two South 16 degrees East 75 feet to the corner of Lot Number 17; thence with the Northern line of Lot Number 17 North 76 degrees no minutes East 25 feet to a stake; thence a new line North 16 degrees West 75 feet to a stake in the Southern margin of Avenue A; thence with it South 76 degrees East 25 feet to the beginning point, and being the Western 25 feet of Lot Number One, in Annex Number Three, of the Subdivision of W.W. Bryant and wife, Dorothy G. Bryant by G.S. Harrell, Registered Surveyor of record in Book of Plats Number 12, Page 12 CUMBERLAND COUNTY REGISTRY, NORTH CAROLINA and being part of the land described in the deed from the Federal Land Bank of Columbia to Joseph Dryer et al.

THIRD TRACT: BEGINNING at the Southeast corner of the first tract hereinabove described and running thence with the Southern margin of it South 76 degrees West 93 feet to the Northeast corner of Lot No. 17; thence with the eastern line of Lot No. 17 South 16 degrees East 3 feet; thence North 76 degrees East 93 feet to the western margin of First Street; thence with it North 16 degrees West 3 feet to the point of beginning, being a strip at all points 3 feet in width along the North margin of Lot No. 18 of the subdivision entitled "Annex No. 3, Bonnie Doone, North Carolina, subdivided for W.W Bryant and wife, Dorothy G. Bryant: as recorded in Book of Maps 14, Page 8. Se Deed of W.W. Bryant and wife, to Charles E. Camp and wife, Book 580, Page 148.

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

James L. Beard and wife, Beverly S. Beard
4925 Schmidt Street
Fayetteville, NC 28303

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before March 18, 2019.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(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 fully reviewed the entire record of said Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except:
None.
- (5) That pursuant to NC General Statute 160A-443(6), 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 Building Inspector is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Inspections Director 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 NC General Statute 160A-443(6) 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 _____28th_____ day of _____May_____, 2019.

CITY OF FAYETTEVILLE

BY: _____
Mitch Colvin, Mayor

ATTEST:

Pamela Megill, City Clerk