

**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:

6545 Raeford Road
PIN 0406-19-0460-

Beginning at the intersection of the County road that leads to Strickland's bridge and the Fayetteville-Raeford Highway, and running thence with said County road South 2 degrees 48 minutes West 442.5 feet; thence South 88 degrees 25 minutes East 643 feet to a corner; thence North 25 degrees 54 minutes East 344.9 feet to a corner; thence North 42 degrees 40 minutes West 135.5 feet to a corner; thence North 47 degrees 47 minutes West 144.5 feet to a corner; thence North 38 degrees 11 minutes West 239.4 feet to the Fayetteville-Raeford Highway; thence along said Highway South 66 degrees 14 minutes West 200 feet; thence along said Highway South 57 degrees 54 minutes West 288.5 to the beginning, containing 7.86 acres, more or less, as per survey made by F.M. Averitt, Surveyor, on January 16, 1948.

LESS AND EXCEPT any and all conveyances previously made by the owners as recorded in the Cumberland County Registry. The above description is now known as tax Parcel ID Number 0406-19-0460 in the Cumberland County Tax Records.

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

Frances H. Elliot
1470 Elliot Bridge Road
Fayetteville, NC 28311

Frances H. Elliot, Trustee of Elliot
Family Trust
1470 Elliot Bridge Road
Fayetteville, NC 28311

David B. Craig
1903 Bragg Blvd., Suite 4
Fayetteville, NC 28303
RE: 21CVD5025/Frances H. Elliot,
Trustee of Elliot Family Trust

Clerk of Court
Cumberland County Courthouse
PO Box 1829
Fayetteville, NC 28302
RE: 21CVD5025/Frances H. Elliot,
Trustee of Elliot Family Trust

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Hearing Official duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before May 12, 2022.
- (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 NC General Statute 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 fully reviewed the entire record of said Hearing Official thereon, and finds, that all findings of fact and all orders therein of said Hearing Official are true and authorized except:
None.
- (5) That pursuant to NC General Statute 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 NC General Statute 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 _____ 28th _____ day of _____ November _____, 2022.

CITY OF FAYETTEVILLE

BY: _____

Mitch Colvin, Mayor

ATTEST:

Pamela Megill, City Clerk