

**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:

6417 Starbrook Drive
PIN 0406-18-2690-

LEGAL: BEGINNING at a point North 03 degrees 02 minutes East, 32.86 feet from the southeast corner of a lot deeded from Arran Development, Inc, to Karin I. Collins as recorded in Deed Book 2283, Page 545, Cumberland County, North Carolina Registry, and running thence with the eastern line of said lot North 03 degrees 02 minutes East, 117.14 feet to a point in the Southern right-of-way margin of Starbrook Drive, South 86 degrees 58 minutes East, 10.00 feet to a point of curvature; thence with a curve to the right on a radius of 1245.62 feet, an arc distance of 66.36 feet to the point of compound curvature; thence continuing with a curve to the right in a Southerly direction, on a radius of 25.00 feet, an arc distance of 37.94 feet to a point of tangency; thence South 03 degrees 02 minutes West, 90.41 feet to a point; thence North 86 degrees 58 minutes West, 100.00 feet to the beginning, containing 0.26 acres more or less, and being known as Lot No. 9.

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

Jonathan Hall Elliot
2275 Elliot Farm Road
Fayetteville, NC 28311

- (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 July 6, 2021.
- (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 _____ 27th _____ day of _____ September _____, 2021.

CITY OF FAYETTEVILLE

BY: _____
Mitch Colvin, Mayor

ATTEST:

Pamela Megill, City Clerk