

**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:

6335 Applecross Avenue  
PIN 0406-19-0390-

LEGAL: BEGINNING at a point North 10 degrees 44 minutes West, 60.97 feet from the common northern corner of Lots 2 and 3 of Arran Hills, Section 10 as recorded in Plat Book 28, Page 30, Cumberland County, North Carolina Registry, said beginning point being in the northern right of way margin of Applecross Avenue (formerly Hartle Pool Drive) and running with said northern right of way margin of Applecross Avenue, North 69 degrees 03 minutes East 150.00 feet to a point; thence North 19 degrees 12 minutes West 160.00 feet to a point; thence South 69 degrees 03 minutes West 150.00 feet to a point; thence South 19 degrees 12 minutes East 160.0 feet to the beginning. Containing 23,989 square feet.

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

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

David B. Craig  
1903 Bragg Blvd., Suite 4  
Fayetteville, NC 28303  
RE: 21CVD5041/Frances H. Elli

Clerk of Court  
Cumberland County Courthouse  
P.O. Box 1829  
Fayetteville, NC 28302  
RE: 21CVD5041/Frances H. Elliot

- (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 \_\_\_\_\_ 28<sup>th</sup> \_\_\_\_\_ day of \_\_\_\_\_ November \_\_\_\_\_, 2022.

CITY OF FAYETTEVILLE

BY:

\_\_\_\_\_  
Mitch Colvin, Mayor

ATTEST:

\_\_\_\_\_  
Pamela Megill, City Clerk