

**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:

6438 Applecross Avenue  
PIN 0406-18-5037-

LEGAL: BEGINNING at a point in the northern right-of-way margin of Applecross Avenue, said point being the southeast corner of a lot conveyed by Arran Development, Inc., to R. Carroll Thomas, single, by deed recorded in Deed Book 2497, Page 292, Cumberland County, North Carolina, Registry, and running thence with the eastern line of the above referenced Thomas lot North 09 degrees 10 minutes East, 120.00 feet to a point; thence, a new line, North 63 degrees 00 minutes East, 118.44 feet to a point; thence South 12 degrees 19 minutes East, 114.87 feet to a point; thence South 25 degrees 36 minutes East, 55.00 feet to a point in the northern right-of-way margin of Applecross Avenue; thence with the northern right-of-way margin of Applecross Avenue as it curves to the right in a westerly direction on a radius of 211.98 feet an arc distance of 128.61 feet to a point of tangency; thence continuing with the northern right-of-way margin of Applecross Avenue North 80 degrees 50 minutes West, 48.18 feet to the beginning. Containing 0.48 acres, more or less.

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

Unknown Heirs of Frances H. Elliot  
1470 Elliot Bridge Road  
Fayetteville, NC 28311

Unknown Heirs of Frances H. Elliot  
c/o Jonathan Hall Elliot, Sr.  
P.O. Box 43606  
Fayetteville, NC 28309

Unknown Heirs of Frances H. Elliot  
c/o Warren Sturdivant Elliot  
1480 Elliot Bridge Road  
Fayetteville, NC 28311

Unknown Heirs of Frances H. Elliot  
c/o George Tillinghast Elliot  
2105 Danbrook Road  
McLeansville, NC 27301-9646

Unknown Heirs of Frances H. Elliot  
c/o Edna Garrison Elliot  
4216 Tolchester Place  
Raleigh, NC 27613-1541

- (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 May 6, 2025.
- (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 27<sup>th</sup> day of May 2025.

CITY OF FAYETTEVILLE

BY:

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Mitch Colvin, Mayor

ATTEST:

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Jennifer L. Ayre, City Clerk