

**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:

1210 Durden Lane
PIN 0408-29-3785-

LEGAL: Beginning at a point in the Eastern line of the tract of which this is a part, at a point South 32 degrees 15 minutes East 10.38 chains from the Northeast corner of said tract, said point being the Southeast corner of a tract of land conveyed to Callie Dell McKeller and running thence with the Eastern line of said tract South 32 degrees 15 minutes East 2.09 chains to a point; thence a new line South 49 degrees 20 minutes West 4.80 chains to a point in the Western line of the tract of which this is a part; thence with the Western line of said tract North 29 degrees 30 minutes East 2.09 chains Callie Dell McKeller's Southwest corner; thence with her Southwest corner North 49 degrees East 4.72 chains to the Beginning containing one acre, more or less, and being a part of a tract of land as described in a Deed to John Ray, Registered in Book 301, page 53 of the Cumberland County Registry. And being the same tract of land as described in a certain Deed dated October 7, 1950, from Lizzie Ray, widow, et al. to Alex McGill and wife, Lottie Bell McGill, recorded in the office of the register of Deeds for Cumberland County, North Carolina in Book 565, Page 8.

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

William Henry Cummings, II
1258 Park Street
Livermore Falls, ME 04254

- (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 January 19, 2024.

- (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 25th day of November 2024.

CITY OF FAYETTEVILLE

BY: _____
Mitch Colvin, Mayor

ATTEST:

Pamela Megill, City Clerk