

**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:

316 Horseshoe Road
PIN 0408-29-1094-

LEGAL: BEGINNING at an iron stake, the southwest corner of lot 1A as shown on a map of Hannah Monroe's property made by A.W. Bizzell, Surveyor, in Lewis E. McKay's line and runs thence with the line of Lot No. 1 A North 10 degs. West 559.5 feet to an iron stake in William Ray's line, the northwest corner of Lot Number 1A; thence with William Ray's line South 79 degs. 48 mins. West 98.5 feet to an iron stake, the corner of Lot Number 16; thence with the line of Lot Number 1C South 10 degs. East 563 feet to an iron stake in Lewis E. McKay's line North 77 degs. 55 mins. East 99 feet to the beginning, containing 1.30 acres, more or less, and being lot No. 1B in the division of Hannah Monroe's land, Hannah Monroe having acquired said land by deed recorded in Book 643, Page 216, of Cumberland County records, and being a part of the William Monroe lands.

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

Deloris Smalls, formerly Deloris Walker
1305 Clark Street
Pittsburgh, PA 15221

Richard Moore AKA Richard Monroe
c/o Deloris Smalls, formerly Deloris Walker
1305 Clark Street
Pittsburgh, PA 15221

- (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 December 18, 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 _____ 24th _____ day of _____ January _____, 2022.

CITY OF FAYETTEVILLE

BY: _____
Mitch Colvin, Mayor

ATTEST:

Pamela Megill, City Clerk