

**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:

6502 Portsmouth Drive  
PIN 0407-03-5315

LEGAL: BEING known and designated as all of Lot 35 of that subdivision known as Glenbrook, Section 4, Part 2, as shown on a Map thereof recorded in the Cumberland County Registry in Book of Plats 38, at Page 56, reference to which is hereby made for a more particular description. Also being that property conveyed to Gary Carrara in Deed Book 5369, Page 410, aforesaid registry.

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

Gary Carrara  
10130 Mallard Creek Rd. Suite 210  
Charlotte, NC 28262-6001

Envesco Holdings, LLC  
2036 Stoneglen  
Raleigh, NC 27613

JPMorgan Chase Bank, N.A.  
780 Kansas Lane, Suite A  
Monroe, LA 71203

JPMorgan Chase Bank, N.A. - C/o Grady I. Ingle, Substitute Trustee  
Shapiro & Ingle LLP  
10130 Perimeter Parkway, Ste 400  
Charlotte, NC 28216

- (2) All due process and all provisions of the Dwellings and Buildings Minimum Standards Code of the City having been followed, the Inspections Director duly issued and served an order requiring the owners of said property to: repair or demolish the structure on or before August 8, 2018.
- (3) And said owners without lawful cause, failed or refused to comply with said order; and the Building Inspector is authorized by said Code, and NC General Statute 160A-443(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 Inspections Director thereon, and finds, that all findings of fact and all orders therein of said Inspections Director are true and authorized except: None.
- (5) That pursuant to NC General Statute 160A-443(6), 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 Building Inspector is ordered forthwith to accomplish, with respect to said property, precisely and fully what was ordered by said Inspections Director 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 160A-443(6) 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 \_\_\_\_\_September\_\_\_\_\_, 2018.

CITY OF FAYETTEVILLE

BY: \_\_\_\_\_  
Mitch Colvin, Mayor

ATTEST:

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