

RESOLUTION DIRECTING CONSTRUCTION OF AREAS 22 AND 23 OF THE PHASE 5 ANNEXATION UTILITY IMPROVEMENT PROJECT BE UNDERTAKEN

WHEREAS, on the 28th day of January, 2019 the City Council of the City of Fayetteville, North Carolina, adopted a Preliminary Assessment Resolution Providing for the Extension of its Sanitary Sewer Collection System, and where necessary, a Water Distribution System in All or Portions of the Streets Within Areas 22 and 23 of the Phase 5 Annexation Listed on Exhibit “A”.

WHEREAS, the required public hearing has been held after due notice to the public and to the owners of the affected real property.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Fayetteville, North Carolina that after careful study and consideration of the matter and of all pertinent facts and circumstances, including engineering and planning studies and advice, and in the exercise of its best legislative judgment, the City Council of Fayetteville, North Carolina finds as fact that:

1. The public interest, safety, convenience, and general welfare requires the extension of the sanitary sewer collection system and/or water distribution system into all or a portion of the streets as described on Exhibit “A”;
2. The resolution and order adopted at its meeting on the 28th day of January, 2019 by the City Council of the City of Fayetteville, North Carolina having been duly published on the 1st day of March, 2019 in the Fayetteville Observer, a newspaper published in the City of Fayetteville, North Carolina, giving notice of a meeting of the City Council to be held in Council Chambers of City Hall at 7 p.m., on the 18th day of March, 2019 when all objections to the legality of making the proposed improvements were to be made in writing, signed in person or by attorney, filed with the Clerk of the City of Fayetteville at or before said time, and that any objections not so made would be waived and objections to the legality as well as to the policy or expediency of the making of said improvements have not been filed or made (or having been filed or made which objections were duly considered by said City Council and none of said objections were sustained);

3. The property abutting said streets will be benefitted by the extension of such sanitary sewer collection system and/or water distribution system to the extent of the part of the cost thereof to be assessed as stated below against such abutting property.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA, DOES ORDER THAT:

The sanitary sewer collection system and/or water distribution system shall be installed in all of the street portions to be specifically assessed upon the property receiving benefit of the water and sanitary sewer extension in the amount of \$5,000 for what is described as single family residential parcels requiring one sewer and/or water service lateral with remaining property being assessed at an equal rate of \$55.56 per foot of road frontage but not less than ninety (90) feet plus the average cost for service laterals as may be installed for the benefit of the non-single family residential parcels. Said assessments to be paid after completion of such work and within thirty (30) days after notice of the assessments in cash with no interest or in equal annual installments over a term of ten (10) years bearing annual interest at a rate not to exceed eight percent (8%) payable annually.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA on this, the ____ day of _____, 2019; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

CITY OF FAYETTEVILLE

Mitch Colvin, Mayor

Pamela J. Megill, City Clerk

EXHIBIT “A”**Page 1 of 1****Construction Area 22 – Arran Lakes West & Emerald Gardens Subdivision - Sewer Only**

| Street Names | From Intersection | To Intersection |
|---------------------|---|------------------------|
| Fisher Road | Strickland Bridge Road southwardly to Lakeway Drive | To Lakeway Drive |
| Honeysuckle Drive | Area 17 Boundary southwardly to Kenmore Drive | Kenmore Drive |
| Kenmore Drive | Vineyard Drive westwardly to Fisher Road | Fisher Road |
| Nordic Drive | Cul-de-sac to Fisher Road | Fisher Road |
| Vineyard Drive | Area 17 Boundary southwardly to dead end | To street end |

Construction Area 23 – Section I – Rayconda Subdivision – Water & Sewer

| Street Names | From Intersection | To Intersection |
|---------------------|--|------------------------|
| Alameda Drive | Galax Drive eastwardly to Rayconda Road | Rayconda Road |
| Ancon Drive | Bedloe Street eastwardly to Pinewood Terrace | Pinewood Terrace |
| Bedloe Street | Ancon Drive southwardly to end | To street end |
| Fairforrest Drive | Greendale Drive westwardly to Rayconda Road | Rayconda Road |
| Galax Drive | Siple Avenue northwardly to end | To street end |
| Greendale Drive | Oakview Drive north westwardly to cul-de-sac | To street end |
| Pinewood Terrace | Ancon Drive southwardly to end | To street end |
| Rayconda Road | Brookgreen Drive southwardly to end | To street end |
| Siple Avenue | Bedloe Street north eastwardly to Pinewood Terrace | Pinewood Terrace |
| Siple Avenue | Rayconda Road westwardly to Galax Drive | Galax Drive |

Construction Area 23 – Section II – Wells Place – Sewer Only

| Street Names | From Intersection | To Intersection |
|---------------------|--|------------------------|
| Beta Street | Graham Road westwardly to Penrose Drive | Penrose Drive |
| Coleridge Drive | Greendale Drive eastwardly to Merrimac Drive | Merrimac Drive |
| Columbia Drive | Manassas Street southwardly to end | To street end |
| Crossway Drive | Coleridge Drive southwardly to end | To street end |
| Graham Road | Vara Drive northwardly to Manassas Street | Manassas Street |
| Greendale Drive | Coleridge Drive southwardly to end | To street end |
| Manassas Street | Graham Road westwardly to Merrimac Drive | Merrimac Drive |
| Merrimac Drive | Manassas Street southwardly to end | To street end |
| Partridge Court | Beta Street southwardly to end | To street end |
| Partridge Drive | Manassas Street southwardly to end | To street end |
| Penrose Drive | Beta Street southwardly to end | To street end |
| Raeford Road | Skateway Drive eastwardly to Graham Road | Graham Road |
| Silverstone Court | Graham Road eastwardly to cul-de-sac | To street end |