

**RESOLUTION DIRECTING CONSTRUCTION OF AREA 25 OF THE PHASE 5 ANNEXATION UTILITY IMPROVEMENT PROJECT BE UNDERTAKEN**

**WHEREAS**, on the 12<sup>th</sup> day of November, 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 in All or Portions of the Streets Within Area 25 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 into all or a portion of the streets as described on Exhibit "A";
2. The resolution and order adopted at its meeting on the 12<sup>th</sup> day of November, 2019 by the City Council of the City of Fayetteville, North Carolina having been duly published on the 15<sup>th</sup> day of January, 2020 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 10<sup>th</sup> day of February, 2020 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 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:**

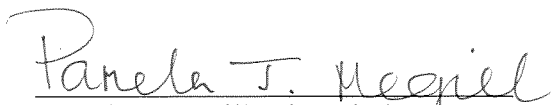
The sanitary sewer collection system shall be installed in all of the street portions to be specifically assessed upon the property receiving benefit of the sanitary sewer extension in the amount of \$5,000 for what is described as single family residential parcels requiring one sewer service lateral 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 16<sup>th</sup> day of March, 2020; 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 25**

**Water and Sewer**

<b>Street Names</b>	<b>From Intersection</b>	<b>To Intersection</b>
Castle Falls Circle	Northwardly to Rim Road	To Street End
Gooden Drive	Eastwardly from Rim Road	To Kennesaw Drive
Holbrook Lane	Westwardly from Hollydale	To Winterberry Drive
Holbrook Lane	Eastwardly from Hollydale Lane	To Kennesaw Drive
Hollydale Lane	Southwardly from Gooden Drive	To Mountain Home Drive
Inglewood Lane	Southwardly from Holbrook	To Mountain Home Drive
Kennesaw Drive	Southwardly from Gooden	To Street End
Mountain Home Drive	Westwardly from Hollydale	To Rim Road
Mountain Home Drive	Eastwardly from Hollydale	To Kennesaw Drive
Oak Meadow Court	Southwardly from Rim Road	To Street End
Rim Road (water and sewer)	Northwardly from Maggie	To English Saddle Drive
Tine Road	Westwardly from Rim Road	To Street End
Winterberry Drive	Southwardly from Gooden	To Mountain Home Drive

**RESOLUTION DIRECTING CONSTRUCTION OF AREA 25 OF THE PHASE 5 ANNEXATION UTILITY IMPROVEMENT PROJECT BE UNDERTAKEN**

**WHEREAS**, on the 12<sup>th</sup> day of November, 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 in All or Portions of the Streets Within Area 25 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 into all or a portion of the streets as described on Exhibit "A";
2. The resolution and order adopted at its meeting on the 12<sup>th</sup> day of November, 2019 by the City Council of the City of Fayetteville, North Carolina having been duly published on the 15<sup>th</sup> day of January, 2020 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 10<sup>th</sup> day of February, 2020 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);

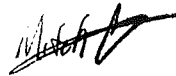
3. The property abutting said streets will be benefitted by the extension of such sanitary sewer collection system to the extent of the part of the cost thereof to be assessed as stated below against such abutting property.

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

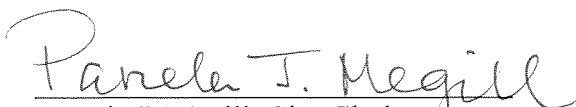
The sanitary sewer collection system shall be installed in all of the street portions to be specifically assessed upon the property receiving benefit of the sanitary sewer extension in the amount of \$5,000 for what is described as single family residential parcels requiring one sewer service lateral 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 16<sup>th</sup> day of March, 2020; 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 25**

**Water and Sewer**

<b>Street Names</b>	<b>From Intersection</b>	<b>To Intersection</b>
Castle Falls Circle	Northwardly to Rim Road	To Street End
Gooden Drive	Eastwardly from Rim Road	To Kennesaw Drive
Holbrook Lane	Westwardly from Hollydale	To Winterberry Drive
Holbrook Lane	Eastwardly from Hollydale Lane	To Kennesaw Drive
Hollydale Lane	Southwardly from Gooden Drive	To Mountain Home Drive
Inglewood Lane	Southwardly from Holbrook	To Mountain Home Drive
Kennesaw Drive	Southwardly from Gooden	To Street End
Mountain Home Drive	Westwardly from Hollydale	To Rim Road
Mountain Home Drive	Eastwardly from Hollydale	To Kennesaw Drive
Oak Meadow Court	Southwardly from Rim Road	To Street End
Rim Road (water and sewer)	Northwardly from Maggie	To English Saddle Drive
Tine Road	Westwardly from Rim Road	To Street End
Winterberry Drive	Southwardly from Gooden	To Mountain Home Drive