

## RESOLUTION NO. (2015) 139

### A PRELIMINARY RESOLUTION INDICATING THE INTENT OF THE CITY COUNCIL TO MAKE STREET IMPROVEMENTS AS DESCRIBED HEREIN AND ASSESS THE COST AGAINST LAND ASSESSABLE THEREFORE, AND SETTING A PUBLIC HEARING TO CONSIDER THE QUESTION

**WHEREAS**, there has been filed with the City Clerk and Treasurer of the City of Raleigh written petition hereinafter referred to, directed to the City Council, requesting the Council to make the respective improvements hereinafter described upon the street or streets, or parts thereof, hereinafter identified; and

**WHEREAS**, the City Clerk and Treasurer of the City of Raleigh has submitted said petitions to the City Council and has duly certified that the petition has been signed by a majority in number of the owners, or owners of a majority of all the lineal feet of frontage of the lands abutting upon the street or streets or parts thereof proposed in the petition to be improved, and that the petition is sufficient in all respects as required by Article 10 of Chapter 160A of the General Statutes of North Carolina, as amended, and pursuant to which the improvements have been petitioned;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RALEIGH:**

**Section 1.** That it is intended that the following improvements be made and that the cost thereof be assessed against property abutting thereon pursuant to and by virtue of the provisions of Articles 10 of Chapter 160A of the General Statutes of North Carolina, as amended:

**Churchill Road: Construction of ½ of a 38' back-to-back street section including curbs, gutters, drains and paving on the north side only for an approximate distance of 164 LF (from the end of the existing curb & gutter, eastward to Canterbury Road). Assessments to apply at the current rate of \$32/LF.**

**Section 2.** The proportion of the cost in making the aforesaid street improvements to be assessed upon an abutting property owner, to the extent that the same shall be assessable under the provisions of Resolution No. (1956) 280, as amended, shall be as follows: 100 percent of the total cost of said respective improvements which are assessable under Resolution No. (1956) 280 (i.e. the cost of one half of each street to be improved shall be assessed and charged against the lots and parcels of land abutting directly on the respective improvements, according to the extent of their respective frontage thereof by an equal rate per foot of such frontage exclusive of so much of the cost as is incurred at street intersections in improving street intersections the remainder of the total cost including street intersections to be borne by the City of Raleigh.)

**Section 3.** That property abutting on the street to be improved shall be connected with water mains, sewer mains and gas mains (if gas mains are available) located in the street adjacent to their several premises in a manner as prescribed in the Plumbing Code of the City of Raleigh and the cost thereof shall be specially assessed if the particular lot of parcel land for and in connection with which said connections are made, as provided by Article 10, of Chapter 160A of the General Statutes of North Carolina.

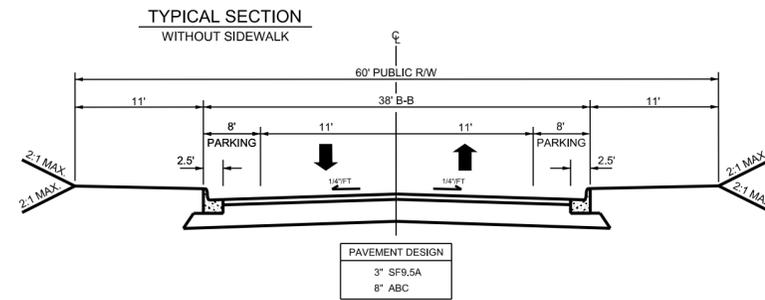
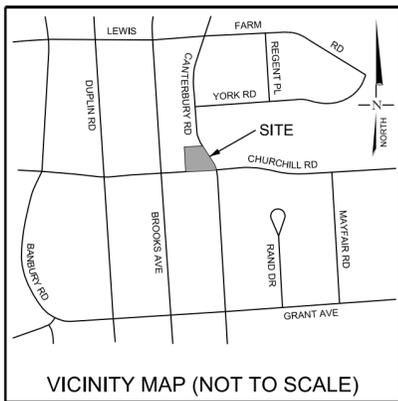
**Section 4.** That the terms and manner of payment of street improvement assessments herein provided for shall be as follows: that said assessments shall be payable in cash or, if any property owner shall so elect and give notice of the fact to the City of Raleigh in accordance with the provisions of Section 160A-232 of the General Statutes of North Carolina, as amended, such property owner shall have the option and privilege of paying the assessments in ten equal annual installments, such installments to bear interest at the rate of six percent annum from the date of confirmation of the assessment roll, payable annually on the unpaid balance of the assessment.

**Section 5.** That the said improvements shall be done by contract after due notice and advertisement for competitive bids in accordance with provisions of Section 6.11 of the Charter of the City of Raleigh and other pertinent provisions of the Charter and of the General Statutes of North Carolina.

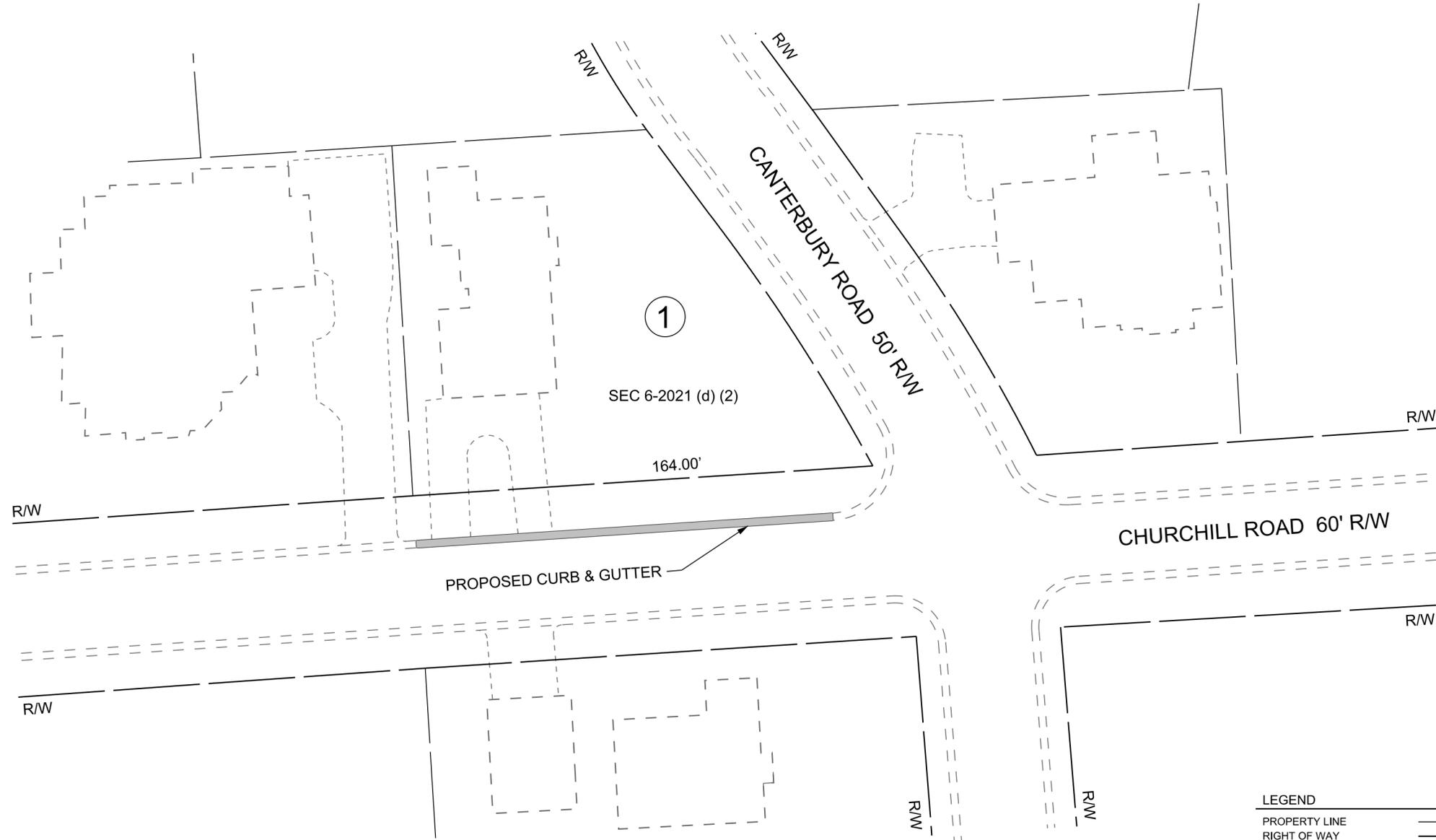
**Section 6.** That a public hearing on all matters covered by this resolution shall be held on the 1<sup>st</sup> day of **September, 2015**, at **7:00** p.m., or as soon thereafter as the matter can be reached, in the Council Chamber, Room 201, Municipal Building.

**Adopted:** July 21, 2015

**Distribution:** Finance – Rose, Wright, Masters  
Public Works – Kelly, Davis, Upchurch  
Inspections  
Transcription Services  
Property Owners



1. MAURICE C CAPPS JR FAMILY TRUST  
 ELOISE BAREFOOT CAPPS  
 C/O CYNTHIA C LANDVATER  
 3328 WHITEOAK ROAD  
 RALEIGH NC 27609-7619  
 TAX ID: 0011540  
 SITE: 1405 CANTERBURY ROAD



NOTES:

1. THIS MAP IS AN APPROXIMATION OF PROPOSED IMPROVEMENTS. IT IS NOT INTENDED TO BE USED FOR DESIGN.
2. LOT 1 IS ELIGIBLE FOR A 150' EXEMPTION OFF THE ASSESSABLE FOOTAGE FOR THE STREET IMPROVEMENTS PER CITY CODE SECTION 6-2021(d)(2)
3. ADDITIONAL EASEMENTS MAY BE NEEDED IN ORDER TO INSTALL THE IMPROVEMENTS AS PROPOSED
4. PLANIMETRICS ARE PER WAKE COUNTY GIS INFORMATION, NOT FIELD VERIFIED

LEGEND

PROPERTY LINE	—————
RIGHT OF WAY	-----
HOUSE / GARAGE	- - - - -
DRIVE WAY	.....
EXISTING CURB & GUTTER	-----
PROPOSED CURB & GUTTER	—————

<b>CITY OF RALEIGH PUBLIC WORKS DEPARTMENT</b>		
<b>REVISIONS</b>	<b>CHURCHILL ROAD</b> FROM: EXISTING CURB & GUTTER TO: CANTERBURY ROAD	
<b>FIELD BOOK</b>	STREET IMPROVEMENT PETITION NO. 1350	<b>FILE NUMBER</b>
SCALE: 1" = 30'	DRAWN BY: WDP	DATE: 7-22-2014

