



*City Of Raleigh*  
NORTH CAROLINA

June 12, 2014

**TO PROPERTY OWNERS IN THE VICINITY OF THE JOHN'S POINTE RESURFACING PROJECT:**

The City Charter, Section 6.44(a), provides that the City Council shall have the authority to order street and sidewalk improvements and assess the cost against abutting properties. The Council, at a meeting held on May 20, 2014, by resolution indicated its intent to undertake completion of the deficient punch list items/required developer required improvements to the public streets in the John's Point Subdivision as outlined in the resolution. As a prerequisite before making the improvements and assessing the cost, the General Statutes require that a public hearing be called and that all owners of property as shown on the County Tax records, subject to assessment, be notified and furnished with a copy of the preliminary resolution.

This is to notify you that a **public hearing** will be held before the City Council in the Council Chamber, Municipal Building, 222 West Hargett Street on **Tuesday, July 1, 2014 at 7:00 p.m.**, or as soon thereafter as the matter can be reached on the agenda. A copy of the resolution referred to above is attached. All interested persons either for or against the proposal are invited to attend the hearing.

If following the hearing the improvements are to be undertaken, when completed, the cost thereof will be assessed and charged as a lien against the property on a per lot basis at 100% of the cost of construction pursuant to City Code Section 10-3009(b)(5).

**For additional information on this project, please visit the following Web site:**

[www.raleighnc.gov](http://www.raleighnc.gov) [search: John's Point Resurfacing]

If you should have any questions regarding the proposed project, you may call the office of the Assessment Supervisor, 919-996-3030, or visit the Public Works Department, Fourth Floor, Raleigh Municipal Building.

Yours very truly,

Leslie H. Eldredge, CMC  
Deputy City Clerk and Treasurer

Attachment

**Distribution:** Public Works – Dawson, Upchurch, Powell  
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**One Exchange Plaza**  
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**Municipal Building**  
222 West Hargett Street  
Raleigh, North Carolina 27601

**RESOLUTION NO. 2014 – 908**

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

**WHEREAS**, the City Council under the provisions of Section 6.44 of the Charter of Raleigh, Chapter 1184 of the Session Laws of North Carolina, 1949, as amended, is authorized to require street improvements without petition under the conditions therein set out; and

**WHEREAS**, the City Council finds that improvements as described herein are necessary and in the public interest, and are a result of a request from the homeowners association.

**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 Section 6.44 of the Charter of the City of Raleigh; Chapter 1184, Session Laws of North Carolina, 1949, as amended:

**John's Pointe Resurfacing Project** – complete the deficient punch list items/developer required improvements to the public streets in John's Pointe Subdivision Phases 1-3 to allow the City to accept full maintenance responsibility **with the assessment to be at 100% of cost construction to the recorded lot owners according to City Code Section 10-3009(b)(5)**, which includes installing the final one inch (1") layer of asphalt, approximately 7,200 linear feet, to the following streets: Cane Garden Drive, Musket Court, Perrystone Court, Patriot Ridge Court, Bunker Hill Drive, Amistad Lane, Madeline, Paint Rock Lane, and Brosnan Lane.

**Section 2.** 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 or parcel of 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 3.** 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 6% per annum from the date of

confirmation of the assessment roll, payable annually on the unpaid balance of the assessment. Assessments to properties outside the City limits will be due upon annexation and/or subdivision review and shall bear interest at the rate of 6% per annum from the date of annexation.

**Section 4.** That the said improvements shall be done by contract under the City's annual resurfacing program.

**Section 5.** That a **public hearing** on all matters covered by this resolution shall be held on the **1st** day of **July 2014**, at **7:00 p.m.**, in Room 201, City Council Chamber, Raleigh Municipal Building, 222 West Hargett Street, Avery C. Upchurch Government Complex, in the City of Raleigh, North Carolina, or as soon thereafter as the matter can be reached on the agenda.

**Adopted:** May 20, 2014

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