

RESOLUTION ENLARGING THE MUNICIPAL SERVICE DISTRICT WHICH WAS ESTABLISHED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN BY RESOLUTION ADOPTED JUNE 27, 1978

THAT WHEREAS, the Board of Aldermen of the City of New Bern adopted a resolution on June 27, 1978 by which a municipal service district was established, as therein set forth, for the purposes therein stated; and

WHEREAS, the Municipal Service District Advisory Committee, consisting of T. James Chagaris, Chairman, Paul Johnson, Virginia McSorley, Susan Moffatt, Lonnie E. Pridgen, Jr., Lou Steinberg, F. Blackwell Stith, and J. Harold Talton, was appointed by the Board of Aldermen on June 11, 1985 for the purpose of making recommendations to the City of New Bern with respect to further revitalization of the central business district; and

WHEREAS, the Advisory Committee has recommended to the Board of Aldermen that the municipal service district be enlarged and that additional improvements be made in the enlarged district, as addressed in the report entitled "Municipal Service District, A Guideline for Future Development, New Bern, North Carolina"; and

WHEREAS, the Board of Aldermen has called a public hearing on the question of enlarging the Municipal Service District after notice to all property owners, as required by statute; and

WHEREAS, the required public hearing was conducted by the Board of Aldermen of the City of New Bern on June 26, 1978, after publication of notice of same in the Sun-Journal, as required by law, and after mailing a copy of said notice to each of the owners of all property located within the area proposed to be added to the district, also as required by law, certification of said mailing having been provided to the Board of Aldermen by the City Manager, who was the person designated by the Board to accomplish said mailing; and

WHEREAS, the Board of Aldermen deems it advisable and in the public interest to enlarge said District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the Board of Aldermen does hereby find as a fact:

(a) That the area proposed to be annexed to the Municipal Service District, which was established by resolution adopted by the Board of Aldermen on June 27, 1978, is in fact contiguous to the said district with far more than one-eighth (1/8) of the area's aggregate external boundary coincident with the existing boundary of the District; and

(b) That the area to be annexed requires the services of the District.

Section 2. That the existing Municipal Service District is bounded by Broad Street on the north, Craven Street on the east, Tryon Palace Drive on the south, and Hancock Street on the west, and excludes certain buildings located therein which are used exclusively as residences; that the description of the proposed Municipal Service District which encompasses the existing service district, is as follows:

BEGINNING at a point which is the point of intersection of the northerly right-of-way line of Tryon Palace Drive with the easterly right-of-way line of Hancock Street; thence from said point of beginning, southwardly along and with the easterly right-of-way line of Hancock Street to the Trent River; thence eastwardly with the Trent River to the southeastern corner of Cedric M. Boyd Park at Union Point, the intersection of Trent River with Neuse River; thence northwardly and along the edge of Neuse River to the southeastern right-of-way line of Broad Street extended toward Neuse River Bridge; thence southwestwardly with the said right-of-way line to the easterly right-of-way line of East Front Street; thence westwardly to the point of intersection of the westerly right-of-way line of East Front Street with the southerly right-of-way line of Broad Street; thence northwardly along and with the westerly right-of-way line of East Front Street to the northeastern corner of the property located at the northwestern intersection of Broad and East Front Streets; thence westwardly and otherwise along the back property lines of the property fronting on the northerly right-of-way line of Broad Street to the easterly right-of-way line of Hancock Street; thence southwardly along the easterly right-of-way line of Hancock Street to its point of intersection with the southerly right-of-way line of Broad Street; thence westwardly along the southerly right-of-way line of Broad Street to the northwestern corner of the telephone company property; thence generally southwardly along and with the westerly property lines of properties fronting on the westerly right-of-way line of Hancock Street to the northerly right-of-way line of Tryon Palace Drive; thence along and with the northerly line of Tryon Palace Drive to the POINT OF BEGINNING. There shall be excluded

from said service district buildings which are used exclusively as residences.

The following described residential properties are specifically excluded from the enlarged Municipal Services District:

1. Property of Patrick C. Dorsey and wife, Patric C. Dorsey, located at 210 Hancock Street, in the City of New Bern, as described in deed bearing date August 22, 1975, which appears of record in Book 853, at Page 588, Craven County Registry.

2. Property of Edwin H. Bradbury and wife, Sara B. Bradbury, located at 212 Hancock Street in the City of New Bern, as described in deed bearing date March 28, 1978, which appears of record in Book 908, at Page 770, Craven County Registry.

3. Property of M. B. Smith and wife, Mary W. Smith, located at 232 Hancock Street in the City of New Bern, as described in deed bearing date September 4, 1940, which appears of record in Book 347, at Page 286, Craven County Registry.

4. Property of Elizabeth C. Lasitter, located at 308 Hancock Street in the City of New Bern, as described in deed bearing date August 24, 1946, which appears of record in Book 402, at Page 4, Craven County Registry.

5. Property of Lelia Anne Styron, et al, located at 310 Hancock Street in the City of New Bern, to which reference is made in the Will of Laura Frances Styron, which appears in Will Book J in the office of the Clerk of Superior Court of Craven County.

6. Property of Katherine K. Wetherington, located at 207 Hancock Street in the City of New Bern, as described in deed bearing date October 27, 1983, which appears of record in Book 1040, Page 560, Craven County Registry.

7. Property of Robert Martin Weeks and wife, Sylvia Metz Weeks, located at 209 Hancock Street in the City of New Bern, as described in deed bearing date December 2, 1985, which appears of record in Book 1101, Page 395, Craven County Registry.

8. Property of Richard Parsons, located at 213 Hancock Street in the City of New Bern, as described in deed bearing date June 18, 1984, which appears of record in Book 1060, Page 870, Craven County Registry.

9. Property of Mamie R. Miller, located at 215 Hancock Street in the City of New Bern, as described in deed bearing date October 23, 1946, which appears of record in Book 400, Page 283, Craven County Registry.

10. Property of Roy C. Setzer and wife, Daisy Ipock Setzer, located at 217 Hancock Street in the City of New Bern, as described in deed bearing date October 29, 1943, which appears of record in Book 373, Page 262, Craven County Registry.

11. Property of Herbert Hadley Davis, located at 221 Hancock Street in the City of New Bern, as described in deed bearing date November 10, 1980, which appears of record in Book 969, Page 340, Craven County Registry.

12. Property of James E. Ray, located at 223 Hancock Street in the City of New Bern, as described in deed bearing date November 6, 1984, which appears of record in Book 1069, Page 631, Craven County Registry.

13. Property of Benjamin B. Hurst and his sister, Martha H. Gibbs, located at 205 Broad Street in the City of New Bern, as described in deed bearing date June 3, 1968, to Martha Hurst Gibbs, which appears of record in Book 737, Page 570, Craven County Registry.

14. Property of Gertrude S. Carraway and Rose B. Carraway, located at 207 Broad Street in the City of New Bern, as described in deed bearing date May 4, 1942, which appears of record in Book 359, Page 277, Craven County Registry.

15. Property of Bette Ann Parsons Hartsell, located at 214 Pollock Street in the City of New Bern, as described in deed bearing date June 5, 1982, which appears of record in Book 1003, Page 818, of the Craven County Registry.

16. Property of Patricia S. Cavanaugh, being Units 101-201, Building One, in that certain condominium known as "River Walk Condominium," as described in deed bearing date April 9, 1981, which appears of record in Condominium I, Page 589, Craven County Registry.

17. Property of James Frank Efird, Jr., being Units 103-203, Building One, in that certain condominium known as "River Walk Condominium," as described in deed bearing date December 30, 1983, which appears of record in Condominium IV, Page 264, Craven County Registry.

18. Property of Frank Cavanaugh and wife, Doris J. Cavanaugh, being Units 108-208, Building Three, in that certain condominium known as "River Walk Condominium," as described in deed bearing date May 19, 1981, which appears of record in Condominium I, Page 657, Craven County Registry.

19. Property of J. Frank Efird, being Unit 220, Building Six, in that certain condominium known as "River Walk Condominium," as described in deed bearing date September 24, 1982, which appears of record in Condominium III, Page 41, and Book 1013, Page 383, Craven County Registry.

20. Property of J. Frank Efird and wife, Margaret M. Efird, being Unit 219, Building Six, in that certain condominium known as "River Walk Condominium," as described in deed bearing date July 26, 1984, which appears of record in Condominium 4, Page 712, Craven County Registry.

21. Property of J. Frank Efird and wife, Margaret M. Efird, being Unit 126, Building Eight, in that certain condominium known as "River Walk Condominium," as described in deed bearing date August 21, 1984, which appears of record in Condominium IV, Page 769, Craven County Registry.

22. Property of J. Frank Efird, Jr., being Unit 105-205, Building Two, in that certain condominium known as "River Walk Condominium," as described in deed bearing date October 1, 1985, which appears of record in Condominium 7, Page 164, Craven County Registry.

23. Property of Hugh H. Efird and wife, Hallie S. Efird, being Unit 111-211, Building 4, in that certain condominium known as "River Walk Condominium," as described in deed bearing date July 13, 1984, which appears of record in Condominium 4, Page 635, Craven County Registry.

24. Property of Hugh H. Efird and wife, Hallie S. Efird, being Unit 112-212, Building 4, in that certain condominium known as "River Walk Condominium," as described in deed bearing date July 13, 1984, which appears of record in Condominium 4, Page 647, Craven County Registry.

25. Property of Janet M. Davis and husband, Richard W. Davis, being Unit 118, Building 6, in that certain condominium known as "River Walk Condominium," as described in deed bearing date July 3, 1981, which appears of record in Condominium I, Page 818, Craven County Registry.

26. Property of River Bend Plantation, Inc., being Unit 117, Building 6, in that certain condominium known as "River Walk Condominium," as described in deed bearing date September 27, 1982, which appears of record in Condominium II, Page 996, Craven County Registry.

27. Property of Herbert E. Cox, being Units 121, 122, 223, and 224, Building 7, in that certain condominium known as "River Walk Condominium," as described in deed bearing date April 22, 1981, which appears of record in Condominium I, Page 607, Craven County Registry.

28. Property of James Frank Efird, Jr., being Unit 228, Building 8, in that certain condominium known as "River Walk Condominium," as described in deed bearing date May 17, 1983, which appears of record in Condominium III, Page 701, Craven County Registry.

29. Property of Eugenia P. Ridgely, located at 227 East Front Street in the City of New Bern, as described in deed bearing date October 23, 1970, which appears of record in Book 775, Page 197, Craven County Registry.

30. Property of B. Roger Wilson and wife, Amy J. Wilson, located at 205 Pollock Street in the City of New Bern, as described in deed bearing date March 28, 1978, which appears of record in Book 908, Page 800, Craven County Registry.

31. Property of Charles Ives Bryan, located at 209 Pollock Street in the City of New Bern, as described in deed to his father, William M. Bryan, bearing date June 8, 1950, which appears of record in Book 413, Page 131, Craven County Registry.

32. Property of Albert R. Howard and wife, Joyce Howard, located at 222 East Front Street in the City of New Bern, as described in deed bearing date August 17, 1982, which appears of record in Book 1008, Page 818, Craven County Registry.

33. Property of Elizabeth Tillman Civils, located at 111-113 Pollock Street in the City of New Bern, as described in deed bearing date February 15, 1935, which appears of record in Book 309, Page 448, Craven County Registry.

34. Property of Carrie Duffy Ward, located at 228 Craven Street in the City of New Bern, as described in deed bearing date November 5, 1940, which appears of record in Book 348, Page 418, Craven County Registry.

35. Property of William L. Hand, III, located at 220 Tryon Palace Drive in the City of New Bern, to which reference is made in the Will of Elizabeth Ellis Hand, which appears in Will Book M, Page 72, in the office of the Clerk of Superior Court of Craven County.

36. Property of Vance Harper Jones, located at 214-218 Tryon Palace Drive in the City of New Bern, as described in deed bearing date October 12, 1978, which appears of record in Book 923, Page 382, Craven County Registry.

37. Property of Ruth M. Carter, located at 210 Tryon Palace Drive in the City of New Bern, as described in deed bearing date October 14, 1939, which appears of record in Book 347, Page 45, Craven County Registry.

38. Property of Phyllis J. Needleman, located at 208 Tryon Palace Drive in the City of New Bern, as described in deed bearing date October 7, 1985, which appears of record in Book 1096, Page 783, Craven County Registry.

39. Property of Harriett V. Wade, located at 219 East Front Street in the City of New Bern, as described in deed bearing date December 14, 1984, which appears of record in Book 1075, Page 780, Craven County Registry.

40. Property of Eliza Ellis Turner, located at 221 East Front Street in the City of New Bern, as described in deed bearing date March 29, 1937, which appears of record in Book 364, Page 86, Craven County Registry.

41. Property of Connie Baxter Evans, located at 223-225 East Front Street in the City of New Bern, as described in deed bearing date October 29, 1982, which appears of record in Book 1014, Page 102, Craven County Registry.

Section 3. That this resolution shall be in full force and effect from and after the 1st day of July, 1986.

ADOPTED, THIS 26TH DAY OF JUNE, 1986.

  
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Mayor

  
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City Clerk