

Prepared by and return to:

**Michael Scott Davis
DAVIS HARTMAN WRIGHT PLLC
209 Pollock Street
New Bern, NC 28560**

AN ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNFIT FOR HUMAN HABITATION LOCATED AT 725 CEDAR STREET IN THE CITY OF NEW BERN, NORTH CAROLINA

THAT WHEREAS, the City of New Bern properly served Levi Moore and spouse, Maybelle Moore (“Owners”), on May 12, 2016, pursuant to Section 38-30 of the Code of Ordinances for the City of New Bern, complaining and alleging that the dwelling owned by Owners located at 725 Cedar Street in the City of New Bern, North Carolina (Craven County parcel identification number 8-007-335) is unfit for human habitation; and

WHEREAS, the Owners of the certain dwelling located at 725 Cedar Street in the City of New Bern, North Carolina (“Subject Property”) were ordered to remove or demolish the dwelling located on the Subject Property and clear the debris therefrom, or to repair, alter, or improve said dwelling to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern by August 14, 2016; and

WHEREAS, the Owners have been given a reasonable opportunity to comply with the aforementioned Order of the Building Inspector; and

WHEREAS, the Owners have failed to remove or demolish the dwelling and clear the debris therefrom, or to repair, alter or improve said dwelling to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern, as directed in said Order.

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

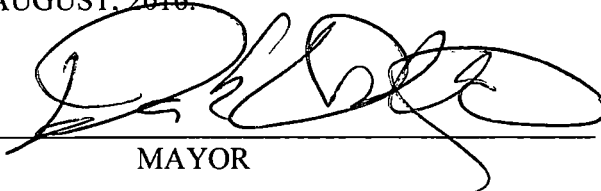
Section 1. That the Building Inspector of the City of New Bern is ordered to remove or demolish the dwelling located on the Subject Property at 725 Cedar Street in the City of New Bern, North Carolina, more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO.

Section 2. That the Building Inspector of the City of New Bern is ordered to sell the materials of the accessory structure that are salvageable and shall credit the proceeds of the sale against the cost of the removal or demolition, and any balance remaining shall be deposited with the Clerk of Superior Court of Craven County.

Section 3. That this ordinance shall be in full force and effect from and after its adoption.

ADOPTED THIS 23rd DAY OF AUGUST, 2016.


MAYOR

Brenda E. Blanco
CITY CLERK

EXHIBIT A

All that certain tract or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, being more particularly described as follows:

Beginning at a point in the southern line of Cedar Street which is South 86° East 96 feet from the southeastern corner of the intersection of Bern Street with Cedar Street, and which point of beginning is the northeastern corner of the Presbyterian Church lot on Cedar Street, running thence along the southern line of Cedar Street South 86° 00' East 27 feet; thence South 4° 00' West 107 feet 3 inches; thence North 86° 00' West 27 feet; thence North 4° 00' East 107 feet 3 inches to the point of beginning. The said property being described according to a survey thereof by Darrel D. Daniels, Civil Engineer, made December 5, 1950, to which date the magnetic courses above given refer. The said property is also known as Number 725 Cedar Street, according to the present postal enumeration of property in the City of New Bern, and is a portion of Lot 37, as shown upon the map of the City of New Bern.