

RESOLUTION DEFINING A MUNICIPAL SERVICE DISTRICT AS PERMITTED BY  
"THE MUNICIPAL SERVICE DISTRICT ACT OF 1973", AS AMENDED

THAT WHEREAS, owners of property located within the four-block area bounded by Craven Street on the east, Tryon Palace Drive on the south, Hancock Street on the west, and Broad Street on the north, and tenants who occupy property located within said boundaries, have become increasingly concerned about the vitality of the downtown business district, and have sought the cooperation of the City of New Bern in revitalizing said area; and

WHEREAS, in response to requests for downtown revitalization, the Board of Aldermen of the City of New Bern adopted a resolution on May 9, 1978, by which it approved a proposed plan for providing additional services within the proposed service district, and called for a public hearing on the question of establishing a 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 13, 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 proposed district, also as required by law, certification of said mailing having been provided to the Board of Aldermen by the City Tax Collector who was the person designated by the Board to accomplish said mailing; and

WHEREAS, it was suggested to the Board of Aldermen at the public hearing that five residential properties located on Hancock Street -- on the fringe of the proposed Municipal Service District -- be excluded therefrom; and

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 that the area hereinbelow defined is in need of a Downtown Revitalization Project which is one of the services, facilities, or functions listed in G.S. 160A-536, to a demonstrably greater extent than the remainder of the City; that said Downtown Revitalization Project shall consist of those items described in the statement approved by resolution adopted on May 9, 1978.

Section 2. That there is hereby defined and established a Municipal Service District, pursuant to authority contained in Article 23 of Chapter 160A of the General Statutes of North Carolina, which consists of the following described property:

"The four-block area, bounded on the east by the easterly right-of-way line of Craven Street, on the south by the southerly right-of-way line of Tryon Palace Drive, on the west by the westerly right-of-way line of Hancock Street, and on the north by the northerly right-of-way line of Broad Street; the following described residential properties which are located on Hancock Street are specifically excluded from the subject Municipal Service 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.

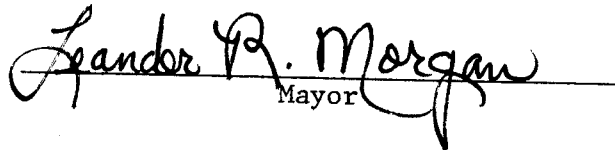
"5. Property of Lelia Anne Styron, et al, located at 310 Hancock Street, in the City of New Bern, as described in deed bearing date August 24, 1946, which appears of record in Book 402, at Page 4, Craven County Registry.

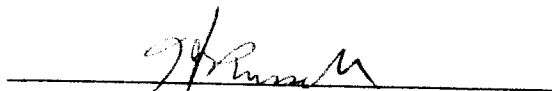
which appears in Will Book J, in the office of the Clerk of Superior Court of Craven County."

Section 3. That the subject Municipal Service District is formed for the specific purpose of accomplishing the objectives set out in the document entitled: "Statement Relative to Municipal Service District Bounded by the Easterly Right-of-Way Line of Craven Street, the Southerly Right-of-Way Line of Tryon Palace Drive, the Westerly Right-of-Way Line of Hancock Street, and the Northerly Right-of-Way Line of Broad Street, Proposed to be Established Pursuant to Authority Contained in Article 23 of Chapter 160A of the General Statutes of North Carolina", as opposed to providing services which are continuing in nature and would be required over an indefinite period of time; that it is the opinion of this Board, and this Board does hereby go on record, that upon the accomplishment of the objectives to which reference is made above, the subject Municipal Service District should be abolished, as permitted by law.

Section 4. That this resolution shall be in full force and effect on the 1st day of July, 1978.

ADOPTED, THIS 27TH DAY OF JUNE, 1978.

  
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Mayor

  
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City Clerk