

AN ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNFIT FOR HUMAN HABITATION LOCATED AT 510 CARROLL STREET IN THE CITY OF NEW BERN, NORTH CAROLINA

THAT WHEREAS, the City of New Bern properly served Clara B. Campbell and spouse, Michael D. Campbell ("Owners"), on January 6, 2009, 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 510 Carroll Street in the City of New Bern, North Carolina is unfit for human habitation; and

WHEREAS, the Owners of the certain dwelling located at 510 Carroll 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 May 5, 2009; 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 510 Carroll Street in the City of New Bern, North Carolina, more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO.

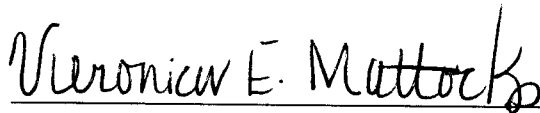
Section 2. That the Building Inspector of the City of New Bern is ordered to sell the materials of the accessory structure that are salvageable and shall credit the proceeds of the sale against the cost of the removal or demolition, and any balance remaining shall be deposited with the Clerk of Superior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

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

ADOPTED THIS 15th DAY OF OCTOBER, 2013.



MAYOR



CITY CLERK

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:

All that certain lot of land situate in the City of New Bern, N.C. on the east side of Carroll Street between Broad and Elm Streets, and being Lot No. One Hundred and Seventeen and one-half (No. 117½) as shown on the map of Reizensteinville registered in the Office of the Register of Deeds of Craven County in Book 105 at Page 56, and being the same lot conveyed by Chas. Reizenstein and wife to Mandy Holly and others 11 June, 1898 by deed registered in said office in Book 128 at Page 5, and by August St. Clair Midgett to Hettie Ann Fenner and husband 7 April, 1926 by deed registered in said office in Book 272, Page 29, and which said Beatrice Bell Hamm inherited from her mother, Ruperta Bell the daughter of said Hettie Ann Fenner. Said lot fronting 50 feet in Carroll Street and having a depth of 100 feet.

City of New Bern



Development Services Department

248 Craven Street, P.O. Box 1129

New Bern, NC 28563

Ph: 252.639.7281 / Fax: 252.636.2146

MEMORANDUM

TO: Mayor Lee Bettis, City of New Bern Board of Aldermen

FROM: Jeff Ruggieri – Director of Development Services 

DATE: October 8, 2013

SUBJECT: Demolition of the Dwelling Located at 510 Carroll Street

Staff is seeking approval of an ordinance to demolish the structure located at 510 Carroll Street. The original order for compliance was filed in January of 2009. In February of 2009 the property owner was given 90 days to come into compliance with minimum housing standards. The order of the Chief Building Inspector expired in May of 2009. To date no permits have been applied for and no work has been initiated.

A complete list of chronological events related to the property is attached.

City of New Bern



Development Services Department

248 Craven Street, P.O. Box 1129
New Bern, NC 28563
Ph: 252.639.2942 / Fax: 252.636.4973

MEMORANDUM

TO: Michael Scott Davis, City Attorney
FROM: Nancy Riegelsperger, Building Inspector
DATE: 8/19/2013

RE: 510 Carroll Street

I am requesting an **ordinance** on the above referenced property.
Here is the owner's information and enclosed are the service verifications, chronological order, Complaint, and the Order.

Owner: Clara Campbell & Spouse, and Michael Campbell and Spouse
Address: 1175wildwood trace
Lithonia, GA30058

This property has been thru the minimum housing process, and the Order of the Building Inspector expired on **8-3-10**. The Complaint / Notice of Hearing and the Order of the Building Inspector were served via regular and certified mail on

Owner: Clara Campbell & Spouse
Address: 1175wildwood trace
Lithonia, GA30058

Owner: Michael Campbell and Spouse
Address: 1175wildwood trace
Lithonia, GA30058

All regular mail was served for the Complaint / Notice of Hearing. The certified mailings were unclaimed. Service was good.

The hearing was held on 1-22-09 in the office of the Building Inspector with Nancy Riegelsperger and Johnny Clark representing the City. **Properly notified but not present were:** Clara Campbell & Spouse, and Michael Campbell and Spouse

The Order was issued and served on the above party defendants. **All regular mail was served** for the Order and certified mailings were also signed. Service was good.

If you have any questions, feel free to call me at 252-639-2947. Thanks Nancy

Cc: Jeff Ruggieri

CHRONOLOGICAL ORDER OF EVENTS

510 Carroll Street

Up Date 8-13-13

DATE	EVENTS
5-24-06	Copy of a letter from City Attny. to Owner, Clara Hyman Campbell concerning ownership transfer.
7-10-06	Email from JA To City Attny. Follow up on previous letter sent to the owner and a response from City Attny. Stating :contact has been made w/owner she is having property problems suggestions made she is working on ownership.
8-24-06	Email from City Attny to JA. Update her Attny is Ernie Richardson . she can make repirs to the house . I owner is deceased and probate has not been settled yet. We asked for a response w/in 60 days.
10-24-06	Email from JA to City Attny asking for a follow up. Response was received stating: They will contact her today.
11-6-06	Eamil from City Attny to JA. Made contact w/owner. Deed not signed yet may be a couple of months we will follow up then if we have not heard from her
1-8-07	Email from JA to City Attny inquiring if we have received any communications with the owner. Response was no but City Attny will call her today.
2-8-07	Email from JA to City Attny. Requesting an update. The response was they will call her.
2-9-07	A request from JC to City Attny requesting a follow up on several properties including this One.
5-9-07	Email from JA to City Attny. Requesting an update.
5-17-07	Email from City Attny to JA. Update she has got the paperwork and is ready to have all heir sign ownership over to her. She plans to demo it
8-31-07	Email from JA to NJR updating me that there are many heirs, a follow up with City Attny is needed. Response: is we have a meeting w/ City Attny the end of the month we will talk w/ him then.
5-8-08	Email from City Attny to NJR the deed has been recorded.. owner states the church is interested in purchasing it.
5-8-08	Copy of the deed giving ownership to Clara & Michael Campbell filed 1-8-08 received.
9-25-08	Met with City Attny, JC and Peggy . no contact from new owners. Proceed with MH process
11-4-08	GIS information has the New Owners as Clara & Michael Campbell
11-7-08	Narrative : lets do a hearing & info is attached
11-13-08	Email to peggy from NJR request to remove this case from there worksheet we are proceeding with the MH process.
1-06-09	Complaint/LIS Pendings file at the courthouse, posted & mailed cert. & reg. Mail to owners. All reg. mail was served and the cert. mail was returned unclaimed. GOOD SERVICE
1-22-09	Hearing held with Johnny Clark & me representing the city. Not present but Properly Notified were: Clara Campbell & spouse of Clara Campbell, Michael Campbell & spouse of Michael Campbell. The Hearing was not held pending service verification continued to 2-3-09

CHRONOLOGICAL ORDER OF EVENTS

510 Carroll Street

Up Date 8-13-13

[illegible]



510 Carroll St

to

Quote For
Demolition by

PW is \$3,600

to to Include Asbestos
Cost.

510 Carroll St.