

# AGENDA



**CITY OF LENOIR**  
**CITY COUNCIL MEETING**  
**CITY/COUNTY CHAMBERS**  
**905 WEST AVENUE**  
**TUESDAY, AUGUST 16, 2016**  
**6:00 P.M.**



## I. CALL TO ORDER

- A. Moment of Silence & Pledge of Allegiance
- B. Special Recognition: Sergeant Chris Bumgarner, Lenoir Police Department, will recognize Benjamin McRary, 2016 graduate of Hibriten High School, for placing tenth in the nation at the SkillsUSA Criminal Justice Competition recently held in Louisville, Kentucky.
- C. Special Recognition; Water Treatment Plant: Mr. Randy Hintz, Asheville Regional Engineer, NCDEQ Public Water Supply Section, will present an award to Staff of the City's Water Treatment Plant for their participation in the N.C. Area-Wide Optimization Program.
- D. Update; Mass Communication System and Retire NC: Communications Director Kaye Reynolds will present an update on the City's Mass Communication System and Retire NC to City Council.

## II. MATTERS SCHEDULED FOR PUBLIC HEARINGS

- A. Conditional Use Permit; 2421 Morganton Boulevard: A public hearing will be held to consider a Conditional Use Permit for property located at 2421 Morganton Boulevard. The applicant proposes a four bed 24-hour adolescent youth group care facility in the R-12 Single Family Zoning District. Staff recommends approval of the requested Conditional Use Permit for the proposed Group Home facility, known as "Focus Behavioral Health Services" and the recommended conditions (1-7) as outlined on page 5 of the application.

## III. CONSENT AGENDA ITEMS

- A. Minutes: Approval of minutes from the City Council Meeting of Tuesday, August 2, 2016 as submitted.
- B. Municipal Speed Zone Ordinance for SR1523 (Nuway Circle): Staff recommends Council reaffirm a Municipal Speed Zone Ordinance as submitted by NCDOT for SR1523 (Nuway Circle) to correct an error in the 25 mph ordinance on the north end of Nuway Circle between 0.28 miles south of SR1529 and 0.13 miles north of SR1529. Note: SR1529 (Nuway Circle) is already listed in the City's Code of Ordinances as a 25 mph street.
- C. Amended FY2016 Unifour Consortium HOME Program Capital Project Budget Ordinance: Staff recommends approval of the amended FY2016 Unifour Consortium HOME Program Capital Project Budget Ordinance in the amount of \$1,023,802 as submitted. 1

#### **IV. REQUESTS AND PETITIONS OF CITIZENS**

#### **V. REPORTS OF BOARDS AND COMMISSIONS**

#### **VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER**

##### **A. Items of Information**

1. The Business Growth Committee and Brownfield Advisory Committee will meet on Thursday, August 18 at 2:00 p.m. at City Hall, Third Floor, former Council Chambers.
2. Friday after Five is scheduled for Friday, August 19 from 7:00 p.m. – 10:00 p.m. with the band “Nautical Wheelers” performing on the square.
3. The Lenoir Planning Board has cancelled their meeting of Monday, August 22. The next meeting will be held on Monday, September 25 at 5:30 p.m.
4. The Committee of the Whole will meet on Tuesday, August 23 at 8:30 a.m. at City Hall, Third Floor, former Council Chambers.
5. The Foothills Regional Airport Authority will meet on Wednesday, August 24 at noon.
6. An End of Summer Blues Bash is scheduled for Friday, August 26 from 6:00 p.m. – 10:00 p.m. Matt Stratford and other bands will be performing on the square.
7. Fabulous Film Night is scheduled on Saturday, August 27 with the movie “Zootopia” being shown on the square at 8:30 p.m.
8. A Cruise-In Event will be held on Saturday, September 3 from 4:00 p.m. – 9:00 p.m. in downtown Lenoir.
9. City offices will be closed on Monday, September 5 in observance of the Labor Day holiday.

##### **B. Items for Council Action**

1. Order of Abatement; 330 Connelly Springs Road: City Staff recommends that Council adopt an Order of Abatement directing Staff to proceed with the demolition and removal of the structure located at 330 Connelly Springs Road. Note: This property is listed as number one (1) on the City’s Minimum Housing Priority List.

#### **VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY**

#### **VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR**

#### **IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS**

- A. Closed Session: Pursuant to N.C.G.S. §143-318.11(a), (4), City Council will enter into closed session to discuss economic development.

#### **X. ADJOURNMENT**

## State Honors 56 Drinking Water Treatment Plants

North Carolina officials honor 56 water treatment plants for surpassing federal and state drinking water standards.

The 56 facilities received the N.C. Area Wide Optimization Award from the N.C. Division of Water Resources' Public Water Supply section. The awards are part of the N.C. Area Wide Optimization Program, which is a state effort to enhance the performance of existing surface water treatment facilities.

In 2015 a "Gold Star" honor was introduced for facilities that have received the award for 10 or more consecutive years. Those facilities are City of Newton, Two Rivers Utilities in Gastonia, City of Lincolnton, and City of Marion.

Awards are given each year to water systems that demonstrate outstanding turbidity removal, a key test of drinking water quality. Turbidity is a measure of the cloudiness or haziness of water caused by individual particles that can interfere with disinfection and provide a medium for microbial growth. Microbes are microscopic particles that occur naturally, but can potentially include harmful bacteria and viruses. While all drinking water systems have to meet strict state and federal drinking water standards, these systems met performance goals that are significantly more stringent. During 2015, a record number of more than 3,000,000 North Carolina citizens were served by optimized plants. The award winners for 2015 are:

- Town of Burnsville
- Town of Weaverville - Ivy River
- City of Morganton - Catawba
- City of Concord – Hill Grove
- City of Lenoir
- City of Hickory
- City of Newton
- Town of Andrews
- Two Rivers Utilities
- City of Belmont
- City of Mount Holly
- City of Cherryville
- Town of Robbinsville - Tallulah
- City of Waynesville - Allens Creek
- Maggie Valley Sanitary District
- City of Hendersonville
- City of Statesville
- Town of Mooresville - Plant 2
- City of Lincolnton
- Lincoln County
- City of Marion
- Charlotte Water - Franklin
- Charlotte Water - Lee S. Duke
- Charlotte Water - Vest
- Salisbury-Rowan
- Broad River Water Authority
- Town of Norwood
- Town of Boone
- Town of Wilkesboro
- City of Thomasville
- Davidson Water Inc. – Gregg W. Stabler
- City of Winston Salem – R.A. Thomas
- Town of Louisburg
- City of Asheboro - W.L. Brown
- City of Eden - Robert A. Harris
- City of Mayodan
- Town of Madison
- City of Mount Airy – F.G. Doggett
- City of Mount Airy – S.L. Spencer
- Henderson-Kerr Lake Regional Water Authority
- Town of Pittsboro
- Fayetteville PWC – Glenville
- Harnett County Dept of Public Utilities
- Johnston County – West
- City of Sanford
- Orange Water & Sewer Authority
- Orange – Alamance
- City of Hamlet
- City of Raleigh - E.M. Johnson
- City of Raleigh - D.E. Benton
- Town of Cary
- Brunswick Co - Northwest
- Cape Fear Public Utility Authority-Wilmington
- Greenville Utilities Comm – Charles Horne
- Piedmont Triad Regional – John F. Kime
- Johnston County - East

**CITY OF LENOIR  
COUNCIL ACTION FORM**

**I. Agenda Item:**

Conditional Use Permit for a Child /Adolescent Residential Four Bed Group Home in the Single Family (R-12) zoning district.

**II. Background Information:**

Staff report is attached.

**III. Planning Board Recommendation:**

Planning Board recommended approval of the request, subject to the conditions recommended by staff, with 9 members voting for the motion.

**IV. Staff Recommendation:**

Staff recommends approval of the requested Conditional Use Permit for the proposed Group Home Facility, known as Focus Behavioral Health Services, with the following conditions:

1. Approval of this conditional use permit request is only valid for the development of Child / Adolescent Residential Group Home.
2. This Permit is valid for only a four bed group home.
3. Residents are not permitted to have cars; only staff.
4. The use of the accessory cottage is only allowed by staff.
5. All parking must be on private property outside the Right of Way.
6. Valid permits must be obtained for this project and all construction must meet the requirements of the City of Lenoir Code of Ordinances, the North Carolina State Building Code, the North Carolina State Fire Code, and any other federal, state, or local regulation that applies.
7. If a building permit has not been issued within 24 months of the adoption of the Conditional Use Permit, the approval shall be considered null and void.

**V. Reviewed by:**

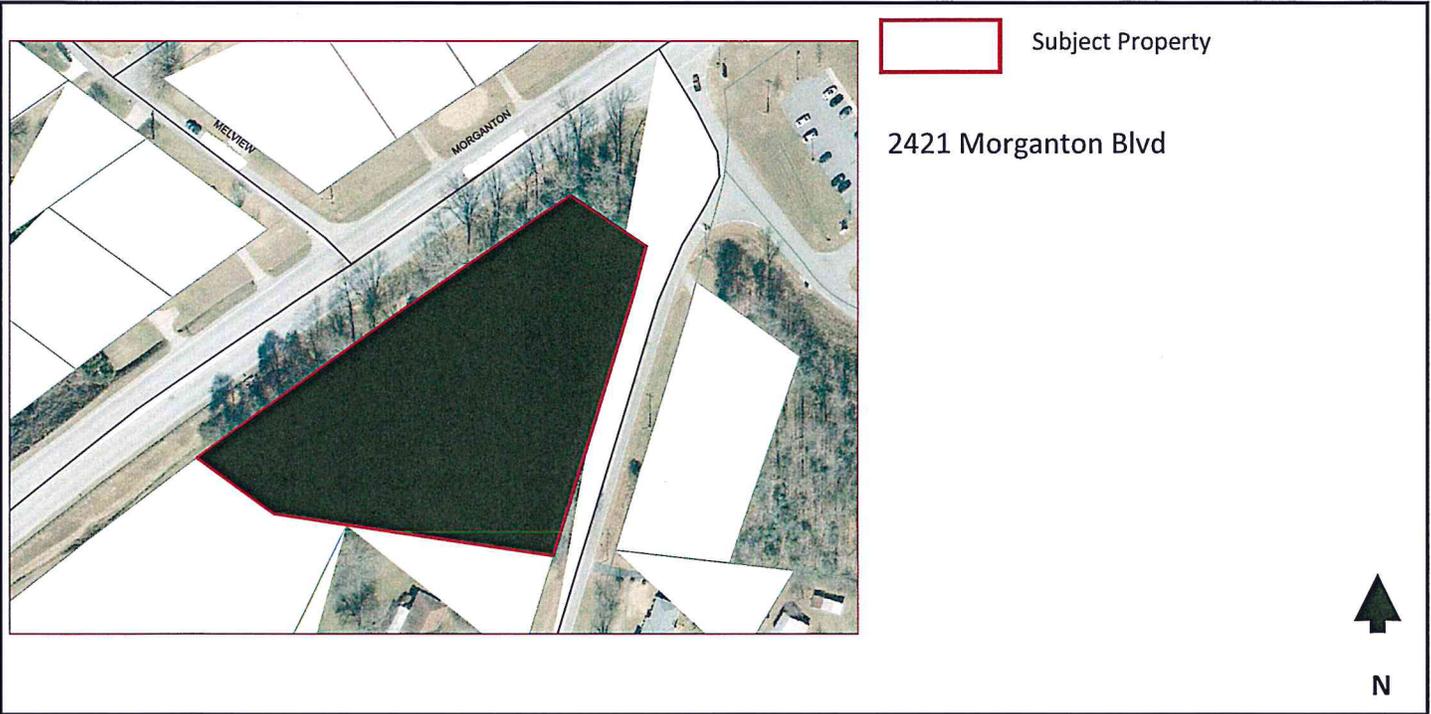
**City Attorney:** \_\_\_\_\_  
**Finance Director:** \_\_\_\_\_

  
**Planning Director:** \_\_\_\_\_



Staff Report  
 Conditional Use Permit  
 CASE NUMBER CUP #2/16

## LOCATION MAP/AERIAL PHOTOGRAPH



## SUMMARY

### Owner

Estate of Willa Dean Brown Triplett

### Applicant

Focus Behavioral Group Health Services LLC

### Location

Located at 2421 Morganton Blvd. at the corner of intersection with Old Morganton Rd

### NC PIN

2738688755

### Project Planner

Stacey Whalen-Hall

Updated July 5, 2016

### Applicant's Request:

The applicant is requesting a Conditional Use Permit for a 4 bed 24-hour group care facility for adolescent youth in the Single Family Residential (R-12) zoning district.

### Staff Recommendation:

Approval of the request, subject to the conditions in this report.

### Planning Board Recommendation:

Approval of the request, subject to the conditions in this report.

**Planning Board Meetings:** July 25th, 2016. Notices were mailed to property owners within 100 ft. of the subject property on July 15th, 2016.

**City Council (Public Hearing):** Anticipated to be scheduled for August 16th, 2016.

**\*\*\*This request is considered quasi-judicial. You should not discuss this case with decision makers outside of the scheduled public meeting\*\*\***

## BACKGROUND

### Intent of Conditional Use Permits

Conditional uses are recognized in the zoning ordinance as uses which may be compatible with an area depending on the specific details of the project, its surroundings, and the level of services available to the site, but are not permitted "by right" in the zoning district. The conditional use permit process gives the City sufficient flexibility to determine whether a specific land use on a given site will be compatible with the environment and the Comprehensive Plan. Through the approval of a Conditional Use Permit, the Planning Board and City Council may set conditions or use limitations, thereby establishing a realm of acceptability for the particular use that will be neither arbitrary nor capricious, and will promote the spirit and character of the surrounding neighborhood. The process requires the Planning Board to review and make a recommendation to the City Council on the request. The City Council must then decide whether or not to issue a Conditional Use Permit following a quasi-judicial hearing.

### Subject and Surrounding Properties

The subject property is located in the R-12 zoning district at the corner of Morganton Blvd and Old Morganton Rd, just west of RHA Behavioral Health. Adjacent properties to the immediate north, south and west are residential properties. The subject property is currently a single family residence with a small detached one bedroom and one bath accessory cottage. The applicant proposes using the existing dwellings for a four bed residential facility with twenty-four hour awake supervision by staff members.

### Intent of the Zoning District

The intent of R-12 Residential Single-Family District is to establish and preserve areas of land within the city for medium density single and two family residences and compatible land uses.

### Consistency with the Comprehensive Plan

All decisions of the Planning Board and City Council should be based on consistency of the proposal with the comprehensive plan and any other officially adopted plan that is applicable. The Comprehensive Plan shows the future land use of this property as being residential. Moving the group home to this property would keep the residential character to the neighborhood, and should not negatively impact the neighborhood. The property is also located along the proposed alignment for the Over Mountain Victory National Historic Trail (OVNHT) contemplated in the recently completed OVNHT Master Plan for the Lenoir to Morganton section of the trail. Approval of the request does not hinder the future development of the greenway trail, in fact this would be an asset to the residents and staff of the facility.

## STAFF ANALYSIS

### Compatibility with Surrounding Uses

Generally, single-family districts are for residential-type housing, in this case the transition from a residential house to a group home should not impact the surrounding residential areas. The property is located on the corner lot of Morganton Blvd and Old Morganton Rd, across the street from RHA Behavioral Health Services and the Caldwell County Sheriff's Offices. The property has tree buffers between itself and the neighboring properties; it is also located on over a two acre lot which would provide privacy. The group home is small, only providing four beds and two twenty-four hour daily staff with little anticipated impact to the neighbors. The property is located on Morganton Blvd, on the edge of a neighborhood. This residential setting is ideal for the residents staying at the home, while the location on the edge of the district makes this property and the proposed use a good transition to the higher intensity non-residential uses to the east.

## STAFF ANALYSIS

### Parking and Vehicular Traffic

Focus Behavioral Health Services, LLC plans on utilizing the existing driveway. The driveway is located off of Morganton Blvd and is paved asphalt. The driveway is 225 ft long, is adequate for the parking requested and will not need any renovations. The home will have two vans used for transportation of clients, that will be stored in the detached two car garage. The clients will not have vehicles on site, only staff members will utilize the driveway for their vehicles. A maximum of three staff members will be on site at a time. The driveway has adequate space for staff and visitors to park, and a large turn around at the top of the driveway, which prevents the need to back into traffic on Hwy 18/64. According to the application a maximum amount of 11 vehicles may be on location during special meetings, however this will not be a daily occurrence. There is ample amount of space for the vehicles to park on the side of the driveway and still keep traffic flowing. There is also a turn-around at the top of the driveway for vehicles to turn around and exit onto Morganton Blvd.

### Accessory Dwelling

The accessory cottage apartment has one bedroom and one bath. The R-12 district allows for accessory use or accessory building (residential). Only staff would use this building during time that extra staff would need to stay on the property. (ie: times of inclement weather) The building will not be used for any other circumstances. The building would be permitted to be rebuilt if needed.

## FINDINGS

No Conditional Use Permit shall be approved unless the Planning Board and City Council find that:

1. The proposed conditional use will comply with all height, yard, lot and area requirements and other regulations of the district in which it is located unless otherwise specified. *The project site is a single parcel which meets all lot and yard requirements for the district and single-family developments.*
2. All driveways will be designed with respect to such matters as proper ingress and egress for automobiles in order to minimize traffic congestion and increase pedestrian safety and conveniences. *The driveway has adequate means for ingress and egress for vehicles.*
3. Off-street parking and loading areas will be provided in compliance with the Zoning Ordinance. The establishment of the conditional use will not hinder the normal and orderly development and improvement of surrounding property for uses already permitted in the district. *The closest for which parking ratio is prescribed must provide 1 space / 3beds. For 4 beds that means only one space is required. Due to the level of staffing at this facility additional spaces are provided.*
4. Any required screening and landscaping will be designed or planted with full consideration of the effectiveness of individual plant types, dimensions, and characteristics in minimizing the noise, glare, visual impacts and other economic effects on adjoining properties. *While a buffer yard is not required by the ordinance the existing mature landscaping will provide privacy and separation for the residents of the facility and adjacent homes.*
5. Any permitted signs and proposed exterior lighting will be designed to reduce glare and to mitigate any adverse effects of sign size and height; so as to make the signs aesthetically pleasing and compatible with adjoining properties. *Any proposed signage must be permitted in compliance with the dimensional standards of the R-12 district.*
6. The exterior architectural appearance and functional plan of any proposed building or structure will not vary greatly from any buildings or structures already in construction or in the course of construction in the immediate vicinity or from the character of the applicable district, so as to cause a substantial depreciation in the property values of the immediate vicinity. *The applicant is not proposing to change the outside structure of the building. The existing structure meets the needs of the proposed use, and is compatible with the appearance of other surrounding resources.*
7. The type, size, hours of operations, location of the use upon the site, and intensity of the proposed conditional use will not be harmful or annoying to surrounding properties. *The proposed use of the property is residential in nature. The facility will be a four bed residential facility for children/adolescent youth. The residents will be living in the home and continuously supervised by two trained staff members twenty-four hours a day. Residents will not be permitted to go off of group home premises without staff supervision. The small number of beds, 24-hour staff supervision, and existing large lot of mature landscaping ensures that the use will not be harmful or annoying to surrounding properties.*

---

## STAFF RECOMMENDATIONS

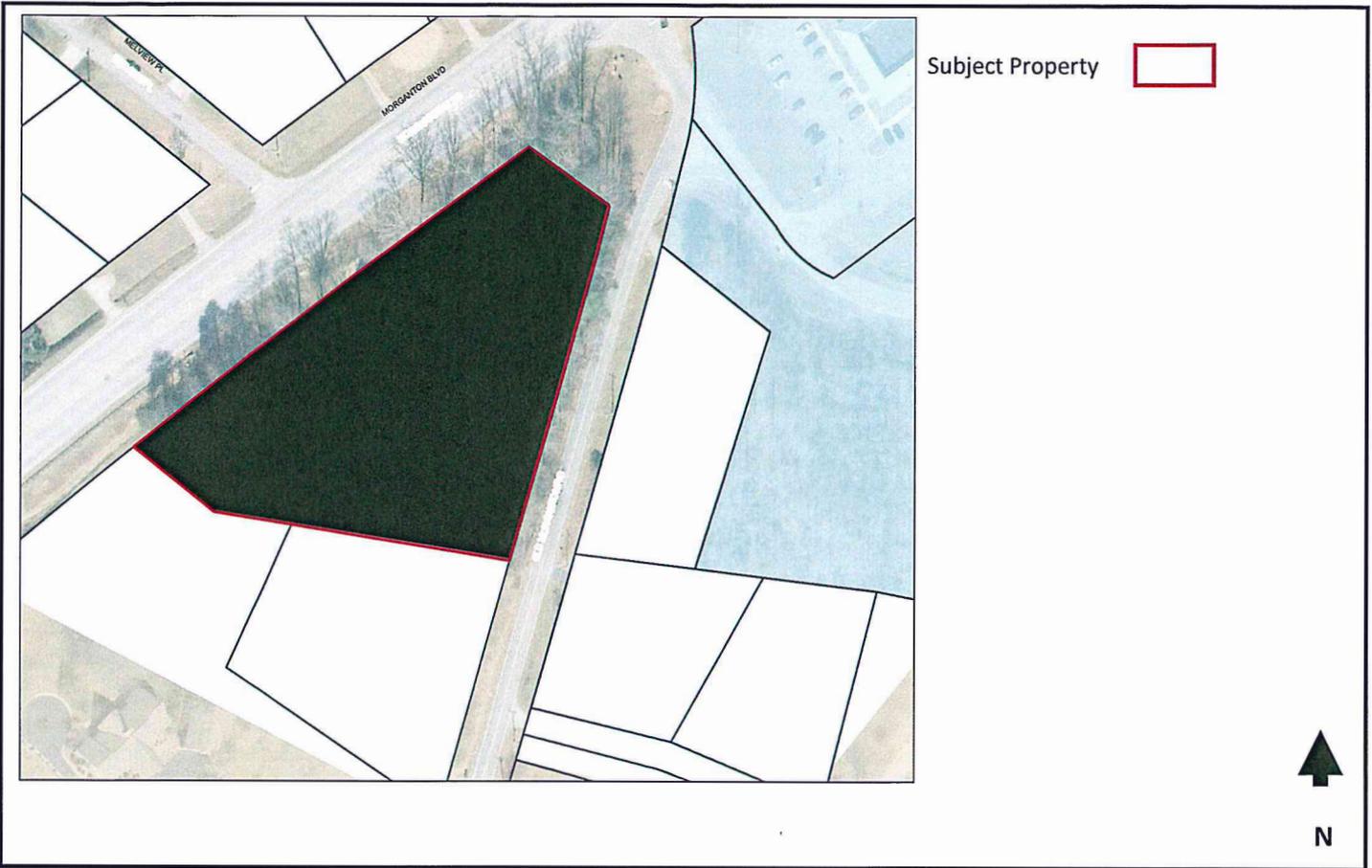
Staff recommends approval of the requested Conditional Use Permit for the proposed Group Home Facility, known as Focus Behavioral Health Services, with the following conditions:

1. Approval of this conditional use permit request is only valid for the development of Child / Adolescent Residential Group Home.
2. This Permit is valid for only a four bed group home.
3. Residents are not permitted to have cars; only staff.
4. The use of the accessory cottage is only allowed by staff.
5. All parking must be on private property outside the Right of Way.
6. Valid permits must be obtained for this project and all construction must meet the requirements of the City of Lenoir Code of Ordinances, the North Carolina State Building Code, the North Carolina State Fire Code, and any other federal, state, or local regulation that applies.
7. If a building permit has not been issued within 24 months of the adoption of the Conditional Use Permit, the approval shall be considered null and void.

## PLANNING BOARD RECOMMENDATIONS

Planning Board recommended approval of the request, subject to the conditions recommended by staff, with 9 members voting for the motion.

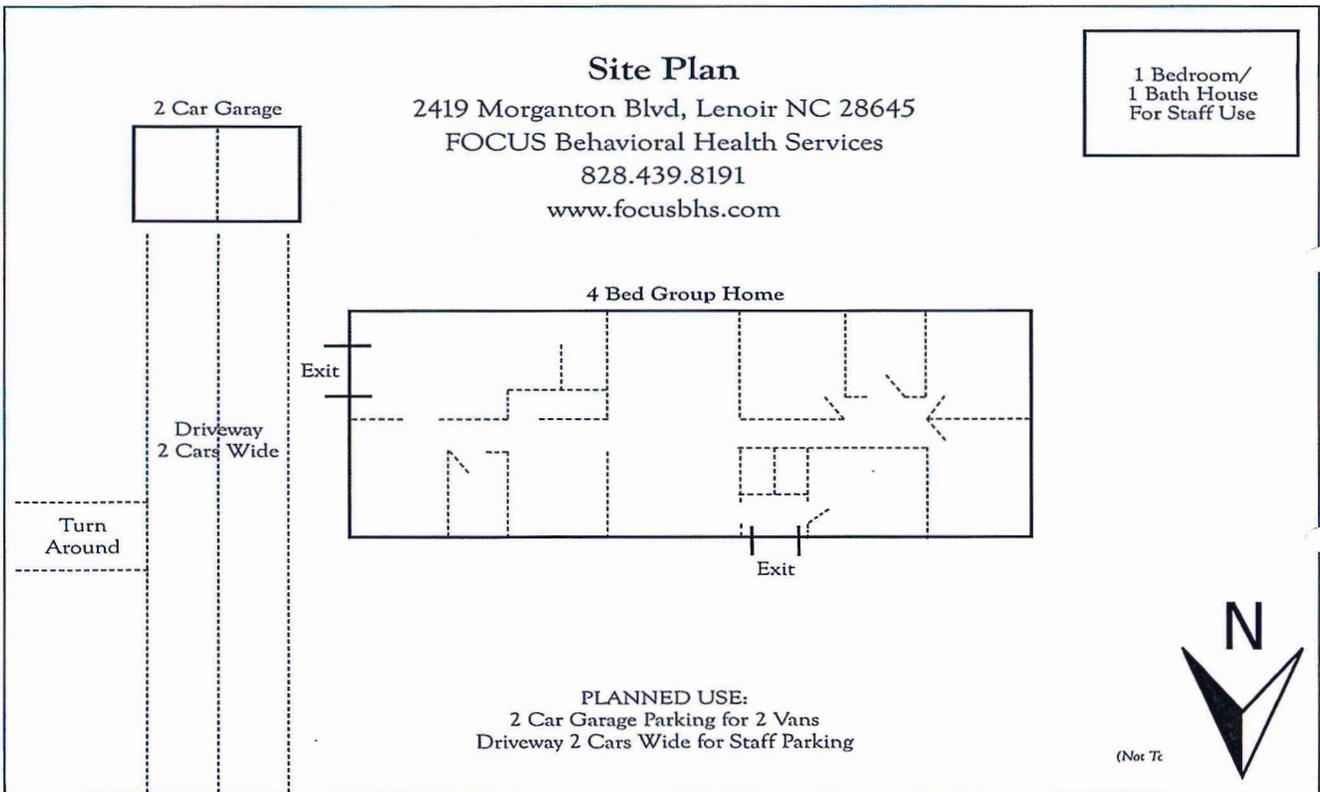
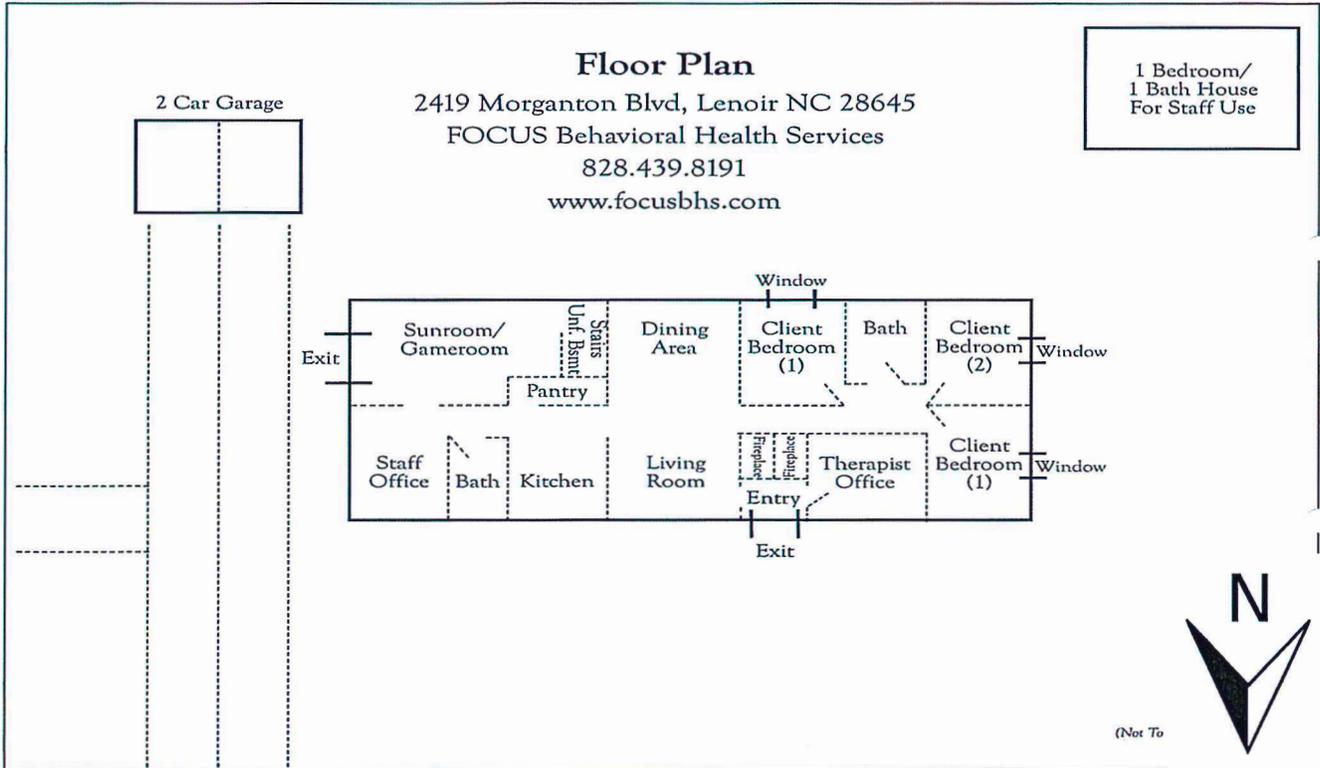
# ZONING MAP



Development Standards in R-12 Zoning District					
	Minimum Lot Size	Minimum Lot Width	Setbacks	Maximum Building Height	Uses
R-12 Zoning	12,000 sq. ft	100'	Front: 40' from ROW Side: 12' Rear: 30'	35 ft.	Wide range of residential uses, for further uses see City Ordinance 803



# FLOOR PLAN, SITE PLAN



SITE PHOTOS (PROVIDED BY APPLICANT)



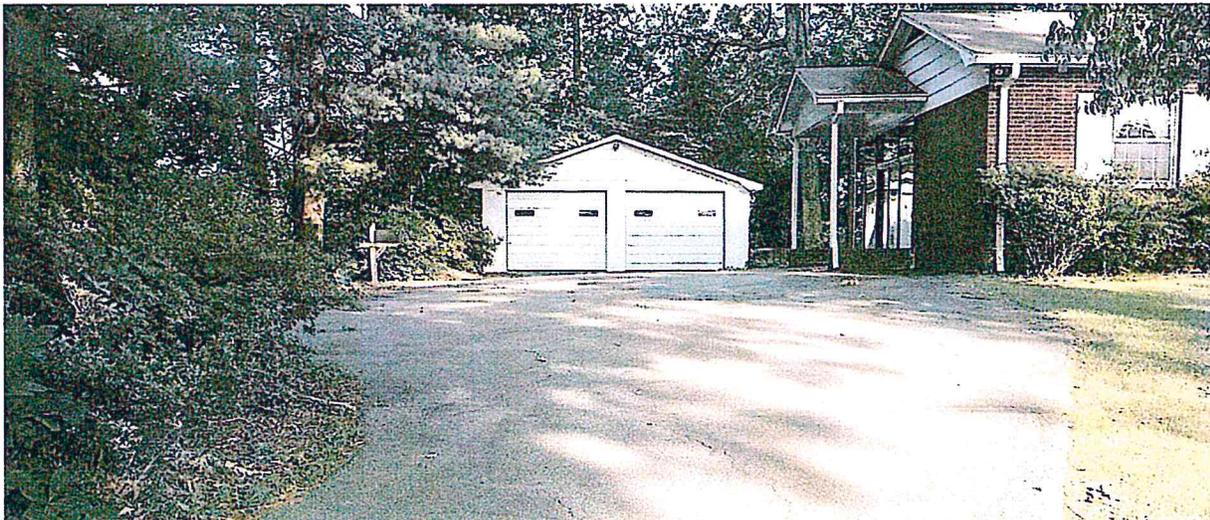
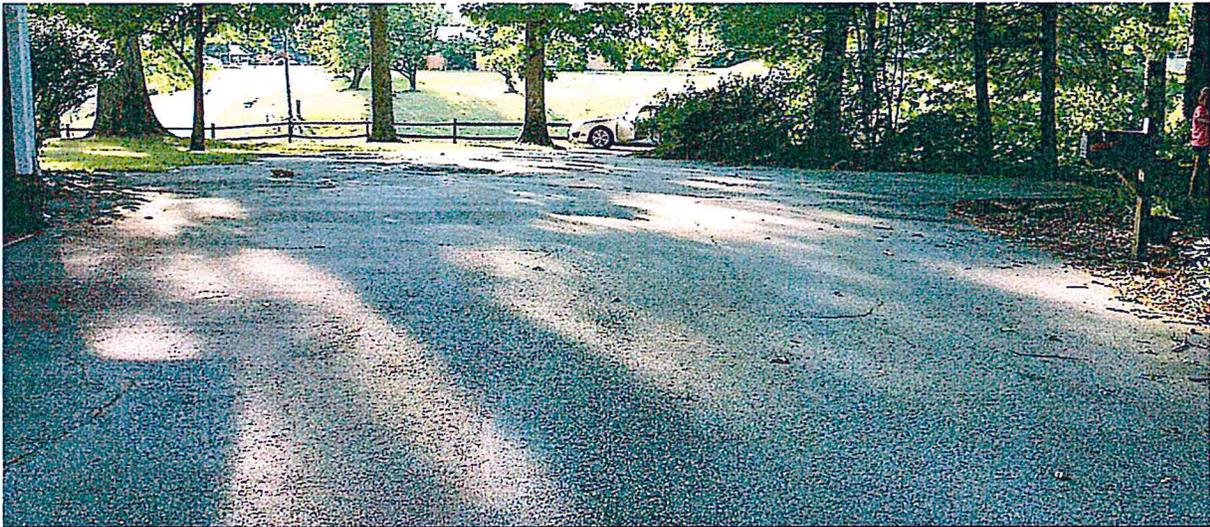
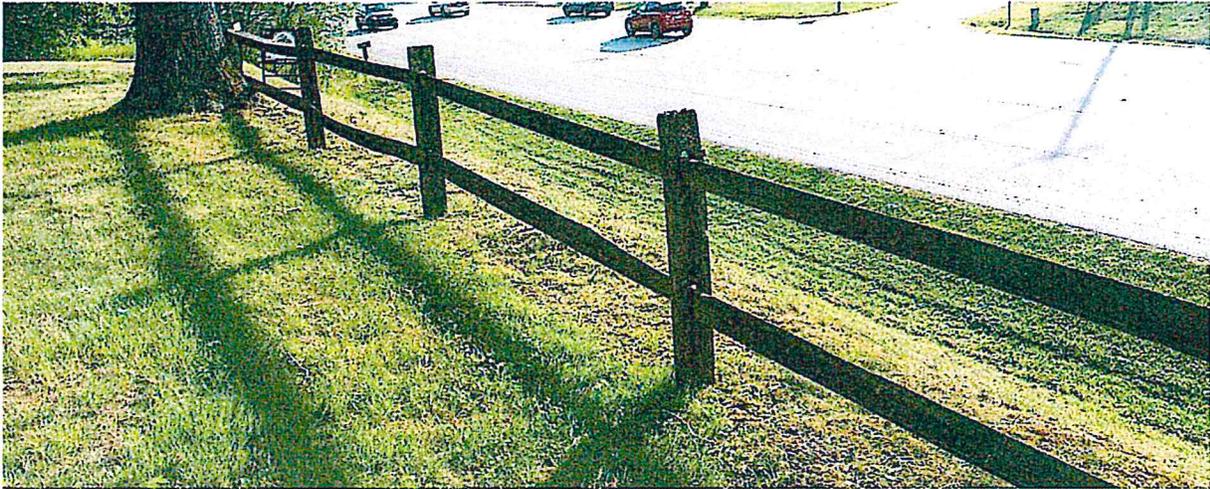
**Game Room**



# DRIVEWAY, GARAGE



# DRIVEWAY, MORGANTON BLVD.



# REAR OF THE HOUSE, GARAGE



**LENOIR CITY COUNCIL  
TUESDAY, AUGUST 2, 2016  
6:00 P.M.**

**PRESENT:** Mayor Gibbons presiding. Councilmembers present were Edmisten, Perdue, Perkins, Rohr, Stevens, and Willis. Also in attendance were City Manager Hildebran, City Attorney Blair and City Clerk Cannon.

**ABSENT:** Councilmember Thomas.

**I. CALL TO ORDER**

A. The meeting was opened by a moment of silence followed by the Pledge of Allegiance led by Mayor Gibbons.

**II. MATTERS SCHEDULED FOR PUBLIC HEARINGS**

**III. CONSENT AGENDA ITEMS**

A. Upon a recommendation by City Manager Hildebran, the following Consent Agenda item was submitted for approval:

1. Minutes: Approval of minutes from the City Council Meeting of Tuesday, July 19, 2016 as submitted.

Upon a motion by Councilmember Stevens, Council voted 6 to 0 to approve the above listed item on the Consent Agenda as submitted and as recommended by City Manager Hildebran.

**IV. REQUESTS AND PETITIONS OF CITIZENS**

**BOARD APPOINTMENT POLICY;  
CHARES SENF:**

A. Mr. Charles Senf, Collettsville Road, addressed City Council regarding its Board Appointment Policy. Mr. Senf commented the City should give a thirty-day notice of upcoming appointments and/or re-appointments.

**V. REPORTS OF BOARDS AND COMMISSIONS**

**VI. REPORT AND RECOMMENDATIONS OF THE CITY MANAGER**

A. Items of Information

**AUGUST  
CALENDAR:**

1. By consensus of the Council, the calendar for the month of August was approved by Council listing various meetings and events.

**FRIDAY AFTER**

**FIVE:** 2. Friday after Five is scheduled for Friday, August 5 from 7:00 p.m. – 10:00 p.m. with the Chad Triplett Band performing on the square. The J.B. Swann Band will perform on Friday, August 12.

**CRUISE-IN:** 3. A Cruise-In Event is scheduled for Saturday, August 6 from 4:00 p.m. – 9:00 p.m. in downtown Lenoir.

**ANNUAL HARAMBEE**

**FESTIVAL:** 4. The annual Harambee Festival began on Saturday, July 30 and will end on Friday, August 5. Events are scheduled throughout the week at the Martin Luther King, Jr. Center.

**CITY/COUNTY**

**SERVICES COMMITTEE:**

5. The City/County Services Committee will meet on Monday, August 8 at 11:45 a.m.

**PARKS & RECREATION**

**ADV. BOARD:** 6. The Parks & Recreation Advisory Board will meet on Monday, August 8 at 6:00 p.m. at the Mulberry Recreation Center.

**CALDWELL COUNTY**

**ECONOMIC DEVELOPMENT**

**COMM.:** 7. The Caldwell County Economic Development Commission will meet on Tuesday, August 9 at 8:00 a.m.

**ABC BOARD:** 8. The Lenoir ABC Board will meet on Thursday, August 18 at 5:30 p.m. at Lenoir Store #1 located at 123 ABC Court.

**TOURISM STUDY**

**PRESENTATION:** 9. The Lenoir Tourism Development Authority will host a Tourism Study Presentation by Dr. Carol Kline, Appalachian State University, on Wednesday, August 10 at 2:00 p.m. at the City/County Chambers located at 905 West Avenue.

**CANCELLED; SISTER**

**CITIES:** 10. The Sister Cities Meeting for Tuesday, August 14 has been cancelled. The next meeting will be held on Thursday, September 8 at 1:00 p.m. at 1:00 p.m. at City Hall, Third Floor, former Council Chambers.

**LENOIR BUSINESS**

**ADV. BOARD:** 11. The Lenoir Business Advisory Board will meet on Thursday, August 11 at 6:00 p.m. at City Hall, Third Floor, former Council Chambers.

**EMPLOYEE CELEBRATION**

**EVENT:** 12. The City of Lenoir will host an Employee Celebration Event on Thursday, August 11 at 7:00 p.m. at the Hickory Crawdads Stadium.

**FABULOUS FILM**

**NIGHT:** 13. Fabulous Film Night is scheduled for Saturday, August 13 with the movie "The Good Dinosaur" being shown at 8:30 p.m. on the square.

**CITY/COUNTY**

**COORD. COM.:** 14. The City/County Coordinating Committee will meet on Monday, August 15 at 11:30 a.m.

**BUSINESS GROWTH COMMITTEE &  
BROWNFIELD ADVISORY COMMITTEE:**

15. The Business Growth Committee and Brownfield Advisory Committee will meet on Thursday, August 18 at 2:00 p.m. at City Hall, Third Floor, former Council Chambers.

**CALDWELL IS HIRING**

**EVENT:** 16. The "Caldwell is Hiring" event is scheduled for Thursday, September 15 at the J. E. Broyhill Civic Center. Additional information will be presented at a later date.

VI. Items for Council Action

**ENDORSEMENT; NORTHWEST NC MOUNTAIN BIKE  
ALLIANCE GROUP:**

A. City Staff recommends that Council endorse the submitted proposal by the Northwest NC Mountain Bike Alliance Group for the use of the Watershed Property and authorize City Staff to work with the Clean Water Management Trust Fund (CWMTF) to incorporate mountain biking in the Conservation Easement on the Lenoir Watershed.

A copy of the proposal is hereby incorporated into these minutes by reference. (Refer to pages 188-193.)

City Manager Hildebran informed Council he and Mayor Pro-Tem Willis met with representatives of the Northwest NC Mountain Bike Alliance Group to discuss details of their request to use one hundred ninety (190) acres of the Watershed property to construct twelve (12) miles of bike trails with different levels of difficulty on the Watershed property. Mr. Hildebran stated he forwarded a copy of their proposal to the CWMTF for their review, but reminded Council what the Mountain Bike Alliance Group has proposed may not be the final version following review by the CWMTF.

Mr. Hildebran further noted the Mountain Bike Alliance Group has agreed to work with Foothills Conservatory and the Clean Water Management Trust Fund and pointed out their design goal is to have minimal impact on the property by constructing a bridge and/or bridges to avoid any water areas. Mr. Hildebran reported that officials from the CWMTF will make a site visit to the Watershed property and that the submitted proposal will be approved by the CWMTF's Board of Directors or possibly by Mr. Bryan Gossage,

Executive Director, CWMTF.

In addition, Mr. Hildebran clarified the Conservation Easement is the binding contract for the Watershed property. Following a brief discussion, it was noted the City's first step is to endorse their proposal to begin discussion based on some of the guidelines of the CWMTF.

Upon a motion by Mayor Pro-Tem Willis, Council voted 6 to 0 to endorse the proposal by the Northwest NC Mountain Bike Alliance Group for the use of the Watershed Property and authorize City Staff to work with the Clean Water Management Trust Fund (CWMTF) to incorporate mountain biking in the Conservation Easement on the Lenoir Watershed as presented.

**FY2015-2016 BUDGET  
AMENDMENT:**

2. City Staff recommends approval of an FY2015-2016 Budget Amendment in the amount of \$300,000.00 to close out the fiscal year.

A copy of the budget amendment is hereby incorporated into these minutes by reference. (Refer to page 194.)

Mr. Hildebran clarified these funds will be appropriated from the Utilities Franchise Tax line item and transferred to the Economic Incentives line item in order to close out the fiscal year.

Upon a motion by Councilmember Edmisten, Council voted 6 to 0 to approve the FY2015-2016 Budget Amendment in the amount of \$300,000.00 as recommended by City Staff.

**VII. REPORT AND RECOMMENDATIONS OF THE CITY ATTORNEY**

**CINGULAR WIRELESS  
LEASE AGREEMENT:**

- A. City Attorney Ed Blair advised Council that Crown Castle has contacted him about the possibility of extending the existing 2005 Option & Ground License Agreement with Cingular Wireless for their cell tower located near Blue Ridge Memorial Park and Wildwood Road. The current agreement expires in 2030 and Crown Castle has asked for an extension until 2060.

Attorney Blair explained Cingular Wireless has the option to extend the term of the agreement for four (4) additional consecutive five (5) year periods ending in 2030. The annual extended term rental is as follows: 1<sup>st</sup> term (\$16,650); 2<sup>nd</sup> term (\$19,044); 3<sup>rd</sup> term (21,900); and 4<sup>th</sup> term (\$25,185). It was noted they are currently paying the City the \$19,044 annual rate.

Mr. Blair further stated Crown Castle is contacting a number of entities that have similar license agreements regarding the possibility of extending their current agreement. He also mentioned Crown Castle is proposing to pay an upfront fee of

\$7,000.00 to the City along with giving the City a proportionate share of any rental proceeds from the cell tower. Mr. Blair pointed out the City may want to contact someone familiar with these types of extension proposals to determine whether the proposed offer by Crown Castle is reasonable.

In addition, Attorney Blair commented there would be administration costs associated with this request should Council be interested in pursuing it.

City Manager Hildebran along with Public Works Director Beck pointed out that, due to the property Cingular Wireless is leasing from the City being so close to Blue Ridge Memorial Park, it may hinder any future expansion plans for the cemetery. It was noted that section of the cemetery is close to being full.

Following a brief discussion, City Council directed Attorney Blair to seek additional information from Crown Castle regarding what price escalators they are proposing and whether there has been an assignment of the Option & Ground License Agreement from Cingular Wireless and report back to City Council.

## VIII. REPORT AND RECOMMENDATIONS OF THE MAYOR

### BOARD RE-APPOINTMENTS; AUTHORITIES, BOARDS & COMMISSIONS:

- A. Mayor Gibbons recommends the following individuals for re-appointment to the City's Authorities/Boards/Commissions. Notification of these re-appointments was listed on the July 19<sup>th</sup> City Council Agenda and announced to the general public.

#### ABC Board

Jerry Brooks      3-year term

#### Lenoir Housing Authority

Lowmack Stover 3-year term

#### Lenoir Planning Board

Richard Hedrick 4-year term

Lucy McCarl      4-year term

#### Parks & Recreation Advisory Board

Joel Kincaid      2-year term

Upon a motion by Councilmember Rohr, Council voted 6 to 0 to approve the above list of Board re-appointments as presented by Mayor Gibbons.

### COMMENDED; CITY

- STAFF:** B. On behalf of City Council, Mayor Gibbons commended Parks & Recreation Director Rob Winkler upon his nine years of service to the City of Lenoir. Mr. Winkler has accepted the position of Parks & Recreation Director for the City of Morganton.

C. On behalf of City Council, Mayor Gibbons commended Chris Bumgarner of the Lenoir Police Department for his promotion to the rank of Sergeant.

D. On behalf of City Council, Mayor Gibbons commended Lester Whittington and Staff for their hard work in organizing the 44<sup>th</sup> Annual Harambee Festival in the City of Lenoir.

**FINANCE DIRECTOR:**

E. Mayor Gibbons announced that Donna Bean has accepted the position of Finance Director for the City of Lenoir. Ms. Bean will begin her duties with the City of Lenoir in late August. Ms. Bean is currently employed as the Chair of Continuing Education and Workforce Development at Caldwell Community College and Technical Institute.

**IX. REPORT AND RECOMMENDATIONS OF COUNCILMEMBERS**

**X. ADJOURNMENT**

A. There being no further business, the meeting was adjourned at 6:35 p.m.

---

Joseph L. Gibbons

---

Shirley M. Cannon, City Clerk

## **Watershed Property Trail Proposal**

After doing an initial ground survey and utilizing maps of the area provided by the City of Lenoir, we have identified several good areas for potential mountain bike trail development. These areas of the Watershed tract are not in the low-lying areas; they have good side-slope and would encompass an area of approximately 190 acres.

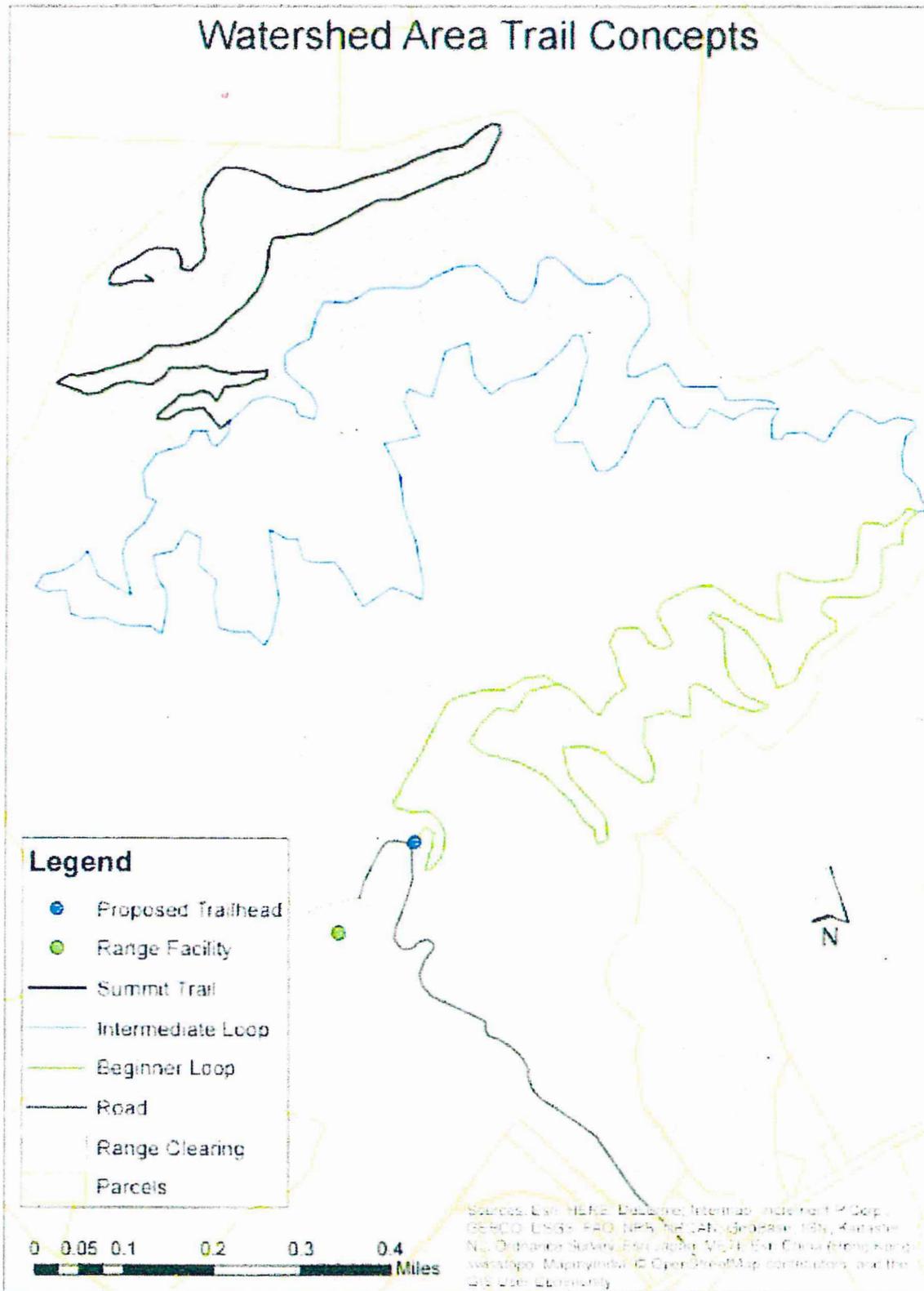
The initial concept is to build 3 distinct loops that are joined by connector trail and progress from easy to difficult as they move outward from the trailhead. Locations suggested for this are based on the field work we have done, and from contour information from aerial maps and locations of primary water courses. Every effort has been made to stay away from perennial streams. If necessary bridges would be built. A proposed trailhead and parking would be established at an area adjacent to the existing roadway, just south of the existing gun range. Please refer to the map (Appendix A) for details.

The trails will be built and maintained under the auspices of the Northwest NC MTB Alliance, the local chapter of the International Mountain Bicycling Association. This non-profit group is dedicated to establishing and maintaining healthy, sustainable mountain bike trails in our region and has multiple projects already in existence that can serve as exemplars of their work. The Alliance will work with the Foothills Conservancy on this project in order to ensure that the trail is in order to ensure that the trail is in keeping with the guidelines of the conservation easement. The trail will be built utilizing the best practices established by the IMBA and outlined in Appendix B.

We would like this project to serve as a model for the NC Clean Water Management Trust Fund. In building this initial trail, we hope to establish a close working relationship with the Trust Fund and to be able to expand it in the future within whatever approval process the Trust Fund would like to establish.

Shawn Moore, member NWNCMTBA

### Appendix A



## Appendix B

### Sample Specifications for the Development of Natural Surfaced Trails

#### **Trail design:**

Starting at the trailhead parking area, a meandering method of trail route layout shall be implemented to provide variety of experiences and encourage water to exit off the trail tread surface quickly and efficiently.

Control Points shall be established at a rate of 2-4 per mile of linear distance. The trail route shall have an average grade of no more than 10% and no section of the trail shall be more than 15% for a maximum distance of not more than 25 linear feet.

The trail shall "Flow" and not have sharp angular turns. Climbing turns shall be used when ascending or descending a slope. Switchbacks must be avoided and if absolutely necessary, shall have the advance written approval of the Owner and the Design Firm before any construction activity begins. The trail shall avoid low lying areas where water collects and side hill, bench cut trail is the preferred routing method.

#### **Trail Corridor:**

Clearing the corridor to construct a natural surface trail shall be done in a conservative, responsible and environmentally sensitive manner. Corridor clearing shall be made two feet wider than the finished tread on both sides of the trail. Use care and caution when cutting vegetation and discard cut pieces to the downhill side of the trail.

Trees over 5" DBH shall be considered part of the trail experience and routed around to prevent any impacts, preferably on the uphill side of the root system. All woody type vegetation shall be removed completely from the trail corridor including all roots and the stump to a depth of 12 inches. Refill hole created from the removal with soil and compact the soil to re-establish a firm surface. Trees and shrubs shall not be cut at ground level and left as stumps.

Branches on trees or shrubs that are in the trail corridor and need to be trimmed back shall be pruned at the branch collar, not flush against the trunk. Cut limbs cleanly with a sharp tool and do not allow branches to remain as a "hat rack".

#### **Trail tread specifications:**

Finished trail tread shall be not less than 24" in width and not greater than 36". Trail tread shall be natural surface (soil with no organic material or debris), single track and mechanically compacted. Total construction impact area should be 5-6 feet wide, depending on the degree of side slope of the location.

The trail shall have an average grade of no more than 10% and no section of the trail shall be more than 15% for a maximum distance of not more than 25 linear feet.

Out slope of constructed and compacted tread shall not be less than 3% and not greater than 6%. Fill materials that are created by bench cut trail shall be removed downhill and spread out so as to not create a berm condition on the outside edge of the trail tread. All back cuts will be blended into the back slope to encourage sheet flow of water and speed revegetation.

Grade reversals which are called rolling grade dips shall be constructed as needed to remove water off the trail tread. A meandering method of trail construction which uses the topography of the project area shall be implemented to encourage water to exit the trail tread surface quickly and efficiently.

**Equipment to be used for trail construction:**

Specific equipment for trail building shall be used to build and maintain natural surface, single track trail. Trail equipment shall be no wider than 48". All equipment to be used for trail equipment must be approved in advance by the Owner and the design firm. Acceptable types of trail building equipment are listed below:

**Excavator** – Bobcat 418 or similar machine from various manufacturers

**Mini Skid Steer** - Ditch Witch SK650/550 or equivalent

**Dozer** – Sweco 480, Sutter 460/480/500

**Combo** – Morrison Trail Blazer, Singletrack 240

**Trail Contractor:**

Trail contractor shall be hired at the sole discretion of the grantee. Trail contractor must have 3 years of prior experience in trail building and maintaining single track natural surface trail. References from at least 3 least prior projects shall been provided with a project description and all the contact information of the owner.

**Web Resources:**

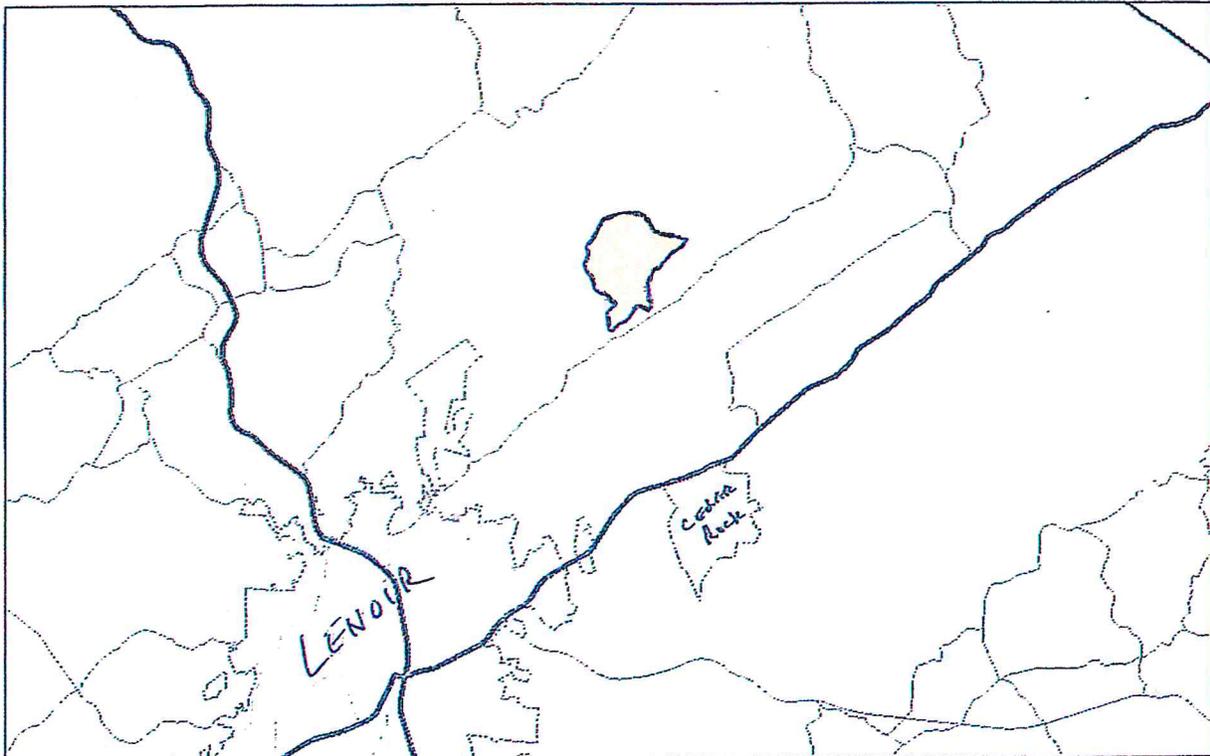
American Trails, "*Trails, Greenway, and Outdoor Recreation Terms*" glossary of terms.

**Print Resources:**

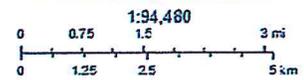
International Mountain Bike Association (IMBA), "*Trail Solutions*" trail construction manual.

135

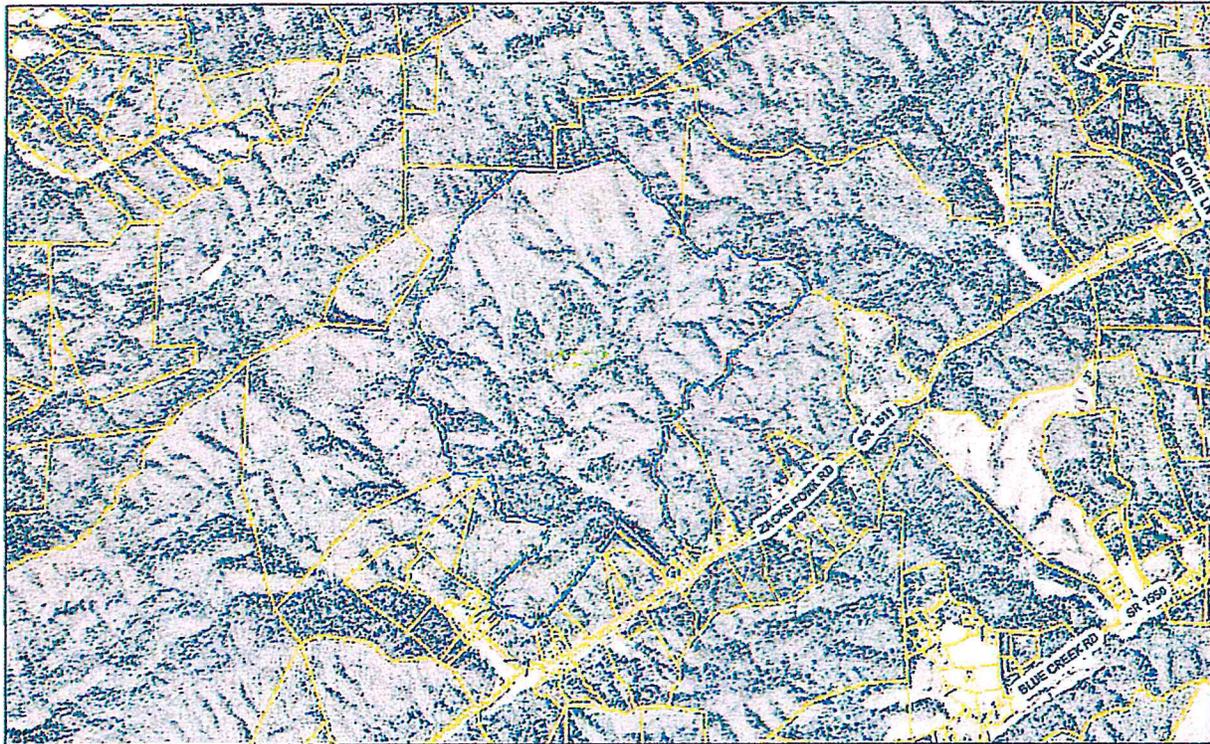
Caldwell County



June 2, 2016



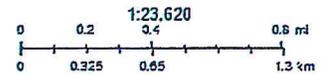
136



Owner CITY OF LENOIR  
PO BOX 958  
LENOIR, NC 28645  
Acct Number 49402  
Parcel ID 09164 1 2  
HCPIN 2862647176

Deferred Val 0  
Assessed Val \$1,039,500  
Calc Acreage 598.092094  
Land Units 568.36 (AC)  
Legal Desc 0102/0262  
Plat Ref /  
Property Addr ZACKS FORK RD

Caldwell County



June 2, 2016

8/2/2016

**BUDGET AMENDMENTS**

**GENERAL FUND**

**REVENUES**

Utilities Franchise Tax 300,000

**TOTAL** \$300,000

**EXPENDITURES**

Legislative  
Economic Incentives 300,000

**TOTAL** \$300,000



Transportation

PAT McCrory  
Governor

NICHOLAS J. TENNYSON  
Secretary

July 20, 2016

Mr. Scott Hildebran-City Manager  
Lenoir City Hall, 2<sup>nd</sup> Floor  
801 West Avenue NW  
Lenoir, N.C. 28645

SUBJECT: Municipal Speed Zone Ordinance for SR 1523 (Nuway Circle).

Dear Mr. Hildebran:

The Department is in the process of reviewing speed zone ordinances and correcting errors. This has led to the discovery of an error in the 25 mile per hour ordinance on the north end of Nuway Circle. The original ordinance was written as a Rural Speed Zone Ordinance that did not have a concurrent Municipal ordinance, and has been rescinded.

I have attached a new ordinance certificate for Nuway Circle for the City's use in correcting the problem. This new ordinance will not change the speed limit, but simply correct the error in the original ordinance. Please have your town council approve and send the signed certificate back to us.

Thank you for your interest in highway safety. If you have any questions or need any further information, please contact me at (336) 667-9111.

Sincerely yours,

Daniel R. Adams, P. E.  
Division Traffic Engineer  
Eleventh Highway Division

ENCLOSURE

DRA/RDS

cc: M. A. Pettyjohn, P.E. - Div. Eng.  
Doug Eller - District Eng.

Nothing Compares<sup>SM</sup>

### Certification of Municipal Declaration To Enact Speed Limits and Request for Concurrence

Concurring State Ordinance Number: 1061767

Division: 11    County: CALDWELL

Municipality: LENOIR

Type: Municipal Speed Zones

Road: SR 1523

Car: 25 MPH

Truck: 25 MPH

Description: Between 0.28 miles south of SR 1529 and 0.13 mile north of SR 1529.

#### Municipal Certification

I, \_\_\_\_\_, Clerk of \_\_\_\_\_, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: \_\_\_\_\_ Page: \_\_\_\_\_ Ordinance/Resolution Number: \_\_\_\_\_

In witness whereof, I have hereunto set my

hand and the municipal seal this \_\_\_\_\_ day

of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(signature)

(municipal seal)

#### Department of Transportation Approval

Division: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Region: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

**CITY OF LENOIR  
COUNCIL ACTION FORM**

**I. Agenda Item:**

**Approve amended 2016 Unifour Consortium Home Program Budget**

**II. Background Information:**

**2016 Home Program Amended Budget for \$1,023,802.**

**III. Staff Recommendation:**

**Approve as requested.**

**IV. Reviewed By:**

**City Attorney:**

**Finance Director:**



**Public Works/Public Utilities Director:**

CITY OF LENOIR  
2016 UNIFOUR CONSORTIUM HOME PROGRAM  
CAPITAL PROJECT BUDGET ORDINANCE

Be it ordained by the City Council of the City of Lenoir that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted.

Section 1. The project authorized is the HOME project described in the work statement contained in the Grant Agreement (#M-16-DC-370208) between this unit and the United States Department of Housing and Urban Development. This project is more familiarly known as the FY 2016 Unifour Consortium HOME Program.

Section 2. The officers of this unit are hereby directed to proceed with the grant project within the terms of the grant document(s), the rules and regulations of the DHUD and the budget contained herein.

Section 3. The following revenues are anticipated to be available to complete the project:

Revenue from HOME Grant	\$793,802
Anticipated Program Income	<u>230,000</u>
Total Revenues	\$1,023,802

Section 4. The following amounts are appropriated for the project:

Downpayment Assistance (HOME Funds)	\$288,351
Program Income Expenditures (Downpayment Assistance)	230,000
HOME CHDO (HOME Funds)	119,071
Development of Multi-Family Housing	307,000
General Program Administration	<u>79,380</u>
Total Expenditures	\$1,023,802

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project Fund sufficient specific detailed accounting records to provide the accounting to the grantor agency required by the grant agreement(s) and Federal and State regulations.

Section 6. Funds may be advanced from the General Funds for the purpose of making payments as due. Reimbursement requests should

be made to the grantor agency in an orderly and timely manner.

Section 7. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on the total grant revenues received or claimed.

Section 8. The Budget Officer is directed to include a detailed analysis of past and future cost and revenues on this grant project in every budget submission made to this Board.

Section 9. Copies of this grant project ordinance shall be made available to the Budget Officer and the Finance Officer for direction in carrying out this project.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_

Mayor

\_\_\_\_\_

Clerk

**CITY OF LENOIR**  
**COUNCIL ACTION FORM**

- I. Agenda Item:** City staff request that City Council adopt an Order of Abatement directing staff to abate the minimum housing violations by demolishing the structure on the property of 330 Connelly Springs Rd.
  
- II. Background Information:** The subject structure is unfit for human habitation and attempts to achieve owner abatement have been unsuccessful. See attached time line for detailed information.
  
- III. Staff Recommendation:** Recommend adoption of the attached ordinance, directing staff to proceed with the demolition and removal of the structure. This property is No. 1 on the minimum housing priority list.

**IV. Reviewed by:**

**City Attorney:** \_\_\_\_\_

**Finance Director:** \_\_\_\_\_

**Planning Director:**                     *J. Wheelock*

**AN ORDINANCE DIRECTING THE MINIMUM HOUSING INSPECTOR TO REMOVE OR DEMOLISH THE PROPERTY HEREIN DESCRIBED AS UNFIT FOR HUMAN HABITATION AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED.**

**WHEREAS**, the City Council of the City of Lenoir finds that the dwelling described herein is unfit for human habitation under the City Housing Standards, and that all of the procedures of the Minimum Housing Standards have been complied with; and

**WHEREAS**, this dwelling should be removed or demolished, as directed by the Minimum Housing Inspector, and should be placard thereon the notice prohibiting use for human habitation; and

**WHEREAS**, the owner of this dwelling, **Helen Bradshaw**, has been given a reasonable opportunity to bring the dwelling up to the standards of the Minimum Housing Standards accordance with G.S. 160A-443 (5) pursuant to an order issued by the Minimum Housing Inspector on August 11, 2015 and the owner has failed to comply with the order;

**NOW THEREFORE BE IT ORDAINED BY the City Council of the City of Lenoir that:**

**Section 1.** The Minimum Housing Inspector is hereby authorized and directed to place a placard containing the following:

**"This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."**

on the building located at the following address:

**330 Connelly Springs Rd**  
**Lenoir, North Carolina.**  
**Parcel-ID 06 63 5 1**  
**NCPIN 2758177738**

**Section 2.** The Minimum Housing Inspector is hereby authorized and directed to proceed to remove or demolish the described above dwelling in accordance with this Order, and in accordance with the City of Lenoir Minimum Housing Code, and NCGS Chapter 160A, Article 19, Part 6.

**Section 3.** The cost of demolition and improvement of the lot shall be a tax lien on the real property as provided by G.S. 160A-443 (6).

**Section 4.** It shall be unlawful for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall be likewise unlawful for any person to occupy or to permit the occupancy of any building therein declared to be unfit for human habitation.

**Section 5.** A copy of this ordinance shall be recorded in the Register of Deeds of Caldwell County, North Carolina, and indexed in the name of the property owner or owners in the grantor index.

**Section 6.** This ordinance shall become effective upon its adoption. Demolition scheduled to begin on August 22, 2016.

**Adopted this the 16th day of August, 2016.**

\_\_\_\_\_  
**JOSEPH L. GIBBONS  
MAYOR**

**ATTEST:**

\_\_\_\_\_  
**SHIRLEY M. CANNON  
CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**EDWARD H. BLAIR, JR  
CITY ATTORNEY**

Owner: Helen Bradshaw  
 Property: 330 Connelly Springs Rd  
 NC Pin No. 2758177738

### Minimum Housing Violation Time Line

<u>Date</u>	<u>Description</u>
<b>November 2014</b>	<p>Received numerous complaints from neighbors regarding minimum housing violations at 330 Connelly Springs Rd. Neighbors stated that the home was abandoned and in terrible condition. Due to the over grown vegetation vermin were entering onto neighboring properties. The neighbors signed a petition requesting the City to enforce against the nuisance/housing violations. The initial inspection of the dwelling revealed deterioration in the exterior structural components including foundation, roofing, and siding. Deflection in the roof has led to water penetrating into the dwelling compromising interior components including electrical, plumbing, roofing supports, interior walls, and wall coverings. Based on the buildings tax value and the amount of deterioration the dwelling was classified as dilapidated.</p> <p><b>November 14, 2014</b> According to information on file with the Lenoir Police Department the owner Helen Bradshaw had two mailing addresses. The first address was P.O. Box 23 Lenoir, NC 28645 and the second was 1815 Swaim Drive Mathews, NC 28105. Initial minimum housing violation/hearing notice was mailed to the property owner. Two copies of the letter were mailed one first class and one registered mail. A copy of the housing letter was also sent to the Mathews, NC address. Initial minimum housing letter requested that the property owner contact the housing inspector to set up time for an onsite hearing to discuss the violations and abatement procedures. All notices mailed to the P.O Box address were returned to sender. The certified mail receipt sent to the Mathews, NC address was signed and returned, but the person who signed the receipt never contacted the City. The signature on the receipt did not match any of the names associated with this property. Since there was no contact made with the owner It was decided to postpone further action until more information could be gathered.  <b>Certified Mail No. 7009 1410 0000 0662 3395</b>  <b>Certified Mail No. 7009 1410 0000 0662 3401</b></p>
<b>December 2014 – May 2015</b>	<p>It was discovered by use of Caldwell County Register of Deeds that the property owner Helen Bradshaw was deceased. According to the records Ms. Bradshaw passed away in 2008. It was not clear who was appointed as representative of the estate since no further contact information could be found it was decided to request a title search for the property. The title search request was sent to City Attorney Ed Blaire. The search was returned on May 27, 2015 and it was determined that Ms. Bradshaw had devised her property to her son Errol E. Bradshaw. Errol E. Bradshaw mailing address was 1815 Swaim Drive Mathews, NC. Mr. Bradshaw was also listed as the executor of the estate and was represented by attorney Bruce Vanderbloemen of Lenoir, NC.</p>
<b>August 2015</b>	<p>Now that it was confirmed that Errol E. Bradshaw was the executor of the estate another housing violation letter was mailed to his listed address in Mathews, NC. Two copies of the letter were mailed one first class and one registered mail. Another copy of the notice was mailed to attorney Bruce Vanderbloemen. Both copies of the letter mailed to Mr. Bradshaw were returned. Written on one of the letters was "Return to sender, moved two years ago". Mr. Vanderbloemen contacted the City once he received the copy of the notice. He explained that Errol Bradshaw no longer lived in Mathews, NC and was currently residing at 1926 SW Dorado Port St. Lucie, FL 34953. He stated that Mr. Bradshaw was aware of the pending violations and wanted to sell the property. Mr. Vanderbloemen also stated that the property had been listed for sale with Ben Griffin Realty &amp; Auction. It was expressed that since the executor of the estate was actively working to find a new property owner that enforcement actions against the housing violations would be temporarily postponed.</p>

Mr. Vanderbloemen sent a letter to the City confirming what was discussed during the phone conversation.

**Certified Mail No. 7015 1520 0000 1311 1257**

**Certified Mail No. 7015 1520 0000 1311 1264**

**September 2015 –  
May 2016**

During this time multiple individual's contacted the City stating that they were in the process of buying the property on Connelly Springs Rd. Each of the potential buyers wanted information regarding the housing violations and what actions they must take to abate these violations. All of the information was given to them and it was explained in detail that once they gained ownership that they would then be responsible for abating the violations by either bring the property into compliance with the City of Lenoir Minimum Housing Code or demolishing the dwelling and removing all the debris from the property. None of the potential buyers followed through with the purchase and the property remained abandoned.

After months of postponing enforcement action and ownership never changing it was decided to inform the owners and all parties involved with the estate that the City would be taking action to eliminate the housing violations by means of demolition. A notice was mailed to all parties involved with the estate (Helen Bradshaw, Errol E. Bradshaw, and Bruce Vanderbloemen). A copy of the notice was still sent to Ms. Bradshaw even though she was deceased her name was still attached to the property. Three copies were sent by registered mail. In this notice it specified that the owners of the property must abate the minimum housing violations by demolishing the dwelling and removing it from the property within 30 days of receiving the notification. Failure to do so would result in an ordinance for the demolition of the dwelling at 330 Connelly Springs Rd. being presented to the City of Lenoir City Council on August 16, 2016. This notice gave the property owners one final chance to abate the violations and informed them of what actions the City planned to take.

**(Helen Bradshaw) Certified Mail No. 7015 1520 0000 1313 0753**

**(Errol E. Bradshaw) Certified Mail No. 7015 1520 0000 1313 0760**

**(Bruce Vanderbloemen) Certified Mail No. 7015 1520 0000 1313 0746**

**July 8, 2016**

**July 11, 2016** Bruce Vanderbloemen contacted the City on this date and stated that a buyer had made an offer on the property and was scheduled to close in the next 30 days. Mr. Vanderbloemen was informed that the realtor and potential buyer would need to contact the City to discuss the violations. He stated that he would pass along the information to them. A letter from Mr. Vanderbloemen was received on July 13, 2016 confirming the telephone conversation on July 11, 2016.

**July 18, 2016** A meeting with realtor Rita Abee with Table Rock Realty and realtor Chris Griffin with Ben Griffin Realty was held on this date. Rita Abee was the agent for the buyer who was attempting to purchase the property. She had not been made aware that the City of Lenoir had an active minimum housing case on this property or that preparations to demolish the structure were being made. Once she shared this information with the buyer he decided to back out of the purchase. An email confirming his decision to terminate his offer was sent on July 20, 2016.

**August 16, 2016**

At this time it is requested that an ordinance be passed for the demolition of the dwelling located at 330 Connelly Springs Road. This demolition will be performed after August 22, 2016 and all fees accumulated will be placed as a lien on the property.

Minimum Housing Violation Affidavit  
(330 Connelly Springs Road)

I, Zach Clark affirm that as the housing inspector for the City of Lenoir I have made every possible attempt to contact the property owners of 330 Connelly Springs Rd. I have exhausted all resources in the effort to find the owners and/or heirs of the property mentioned above. The dwelling is unfit for human habitation and is a health/safety hazard for nearby neighbors. At this time the best course of action to eliminate the minimum housing violations is to demolish the structure and remove all debris from the property.

I swear that everything documented in this packet to be true and correct to the best of my information, knowledge, and belief.

8-10-2016  
Date

Zach Clark  
Zach Clark

STATE OF NORTH CAROLINA  
COUNTY OF CALDWELL

I, the undersigned Notary Public, do hereby affirm that Zach Clark personally appeared before me on the 10<sup>th</sup> day of August 2016, and signed the above Affidavit as his free and voluntary act and deed.

Jacqueline Sigmon  
Notary Public





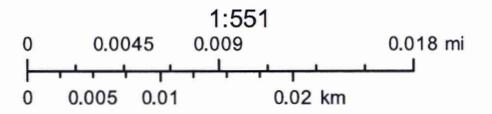
This map is NOT of land survey quality and is NOT suitable for such use.

**Owner** BRADSHAW HELEN  
 PO BOX 23  
 LENOIR, NC 28645

**Acct Number** 7661  
**Parcel ID** 06 63 5 1  
**NCPIN** 2758177738

**Deferred Val**  
**Assessed Val** \$59,100  
**Calc Acreage** 0.37439391  
**Land Units** 100 (FF)  
**Legal Desc** 0255/0246 1949 0.00  
**Plat Ref** /  
**Property Addr** 330 CONNELLY SPRINGS RD

**Caldwell County**



August 8, 2016

Nov. 2014

# PETITION FOR HOUSE CLEANUP

WE THE PEOPLE OF CONNELLY SPRINGS RD SW REQUEST HELP FROM THE CITY OF LENOIR IN REGARDS TO AN ABANDONED HOUSE AT 330 CONNELLY SPRINGS RD SW. THE HOUSE IS A TERRIBLE EYESORE THAT HAS BEEN INHABITED BY SQUATTERS, DRUG ADDICTS AND SCAVENGERS.

THE HOUSE HAS BEEN STRIPPED OF ANYTHING OF VALUE. WINDOWS HAVE BEEN BROKEN. THE GUTTERS ARE FALLING DOWN. THE CEILINGS ARE FALLING DOWN.

THE HOUSE DEFINITELY NEEDS TO BE DESTROYED. AT LEAST THE CITY OF LENOIR COULD CLEAN UP THE YARD OF ALL WEEDS, DEBRIS AND OVERGROWTH. ALL OTHER HOMES AND BUSINESSES KEEP THEIR PROPERTY IN GOOD CONDITION.

PLEASE, PLEASE DO SOMETHING ABOUT THE HOUSE AND YARD AT 330 CONNELLY SPRINGS RD SW.

NAME	ADDRESS	PHONE
James Striptell	#02 Connelly Springs Rd.	754-2607
V. Sam Mabe	Green's Jewelry	
Rena Pilbentz	321 Connelly Springs Rd.	757-9715
Robert R. R. R.	322 Connelly Springs Rd.	
Jacob Cline	405 Connelly Springs #213	828-525-6474
Jewel Exchajchal	401 Connelly Springs	828-750046
Thomas M. M.	405 Connelly Springs side office	759-1449
Dustin Turney	333 Connelly Springs Rd SW, LENOIR	781- <del>9998</del> 7995
Drew Turney	333 Connelly Springs Rd SW	781-9998
Jamy C. C.	1408 BARCOSE	
DUSTIN CRAIG	1407 BARCOSE	



CITY MANAGER  
W. LANE BAILEY

CITY OF LENOIR  
NORTH CAROLINA

MAYOR  
JOSEPH L. GIBBONS

CITY COUNCIL  
T. H. PERDUE  
J. I. PERKINS  
T. J. ROHR  
D. F. STEVENS  
R. R. STILWELL  
C. D. THOMAS  
B. K. WILLIS

November 14, 2014

Helen Bradshaw  
P.O. Box 23  
Lenoir, NC 28645

**Certified Mail: 7009 1410 0000 0662 3395**

**VIOLATION AND HEARING NOTICE**

**TO: Helen Bradshaw**, owner (s) of property located at **330 Connelly Springs Rd (PIN: 2758177738)** in the City of Lenoir, North Carolina.

**Unsafe Buildings: General Statute 160A-426, 160A-446, 160A-429  
North Carolina Code Officials Enabling Act: 160A-412**

Condition of structure is determined as: **Deteriorated** \_\_\_\_\_  
**Dilapidated** XXX

After an investigation promoted by a complaint, several issues with your property must be addressed. As the legal owner, you have ten (10) days to call the City of Lenoir Housing Inspector to establish a hearing date and location that must be held within the specified timeframe.

**The following code violations have been determined:** If further inspection is required, additional violations may be added.

**G.S. 160A-428**

**That the building or structure is in a condition that appears to meet one or more of the following conditions:**

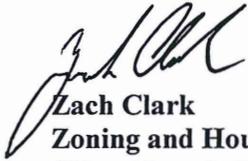
- A. Constitutes a fire or safety hazard.**
- B. Is dangerous to life, health, or other property.**
- C. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.**
- D. Has a tendency to attract person(s) intent on criminal activities or other activities which would constitute a public nuisance.**

The property listed above is in violation of City of Lenoir Minimum Housing Standards. The structure is currently unsecure and is a safety hazard. Due to the massive amount of structural damage this dwelling is being classified as dilapidated. This property must be brought into compliance with the City of Lenoir Minimum Housing Standards. Please contact me to schedule a time for an onsite hearing to discuss what actions will need to take place to abate the current minimum housing violations.

**Stage of the investigation**  
**Initial Investigation XXX**  
**Final Determination**

**Abatement of these violations must occur within a specified period of time, not to exceed 60 days. Failure to comply will result in actions including, but not limited to, civil penalties, posting, and city abatement. All questions about the violation or procedures to abate them will be addressed at the hearing.**

Sincerely,



**Zach Clark**  
**Zoning and Housing Inspector**  
**City of Lenoir Planning Department**  
**(828) 757-2212**

cc. Current Residence  
 1815 Swain Drive  
 Mathews, NC 28105



POST OFFICE BOX 958 • LENOIR, NORTH CAROLINA 28645-0958 • (828) 757-2200  
[www.cityoflenoir.com](http://www.cityoflenoir.com)

CITY OF LENOIR  
P. O. BOX 958  
LENOIR, N. C. 28645-0958



7009 1410 0000 0662 3395

GREENSBORO  
NC 274  
15 NOV 14  
PM 4 L



U.S. POSTAGE PITNEY BOWES  
ZIP 28601 \$ 006.48<sup>0</sup>  
02 1W  
0001391273 NOV 14 2014

B.C.

NOT DELIVERED  
AS ADDRESS IS UNABLE TO FOR  
Helen Bradshaw  
P.O. Box 23  
Lenoir, NC 28645

NAME \_\_\_\_\_  
1ST NOTICE 11-17  
2ND NOTICE \_\_\_\_\_  
RETURN \_\_\_\_\_

28645002323



U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	Ⓢ

Postmark  
Here  
11-14

Sent To  
Helen Bradshaw  
P.O. Box 23  
Lenoir, NC 28645

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p>	
1. Article Addressed to:	B. Received by (Printed Name)	C. Date of Delivery
Helen Bradshaw P.O. Box 23 Lenoir, NC 28645		
	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
	3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
2. Article Number (Transfer from service label)	7009 1410 0000 0662 3395	
PS Form 3811, February 2004	Domestic Return Receipt	102595-02-M-1540

CITY OF LENOIR  
P. O. BOX 958  
LENOIR, N. C. 28645-0958

PRESORTED  
FIRST CLASS



U.S. POSTAGE PITNEY BOWES  
ZIP 28601 \$ 000.46<sup>0</sup>  
02 1W  
0001391555 NOV 14 2014

C

Helen Bradshaw  
P.O. Box 23  
Lenoir, NC 28645

NIXIE 274 FE 1081 0011/25/14  
2ACB4-  
RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD



CITY MANAGER  
W. LANE BAILEY

CITY OF LENOIR  
NORTH CAROLINA

MAYOR  
JOSEPH L. GIBBONS

CITY COUNCIL  
T. H. PERDUE  
J. I. PERKINS  
T. J. ROHR  
D. F. STEVENS  
R. R. STILWELL  
C. D. THOMAS  
B. K. WILLIS

November 14, 2014

Current Residence  
1815 Swain Drive  
Mathews, NC 28105

**Certified Mail: 7009 1410 0000 0662 3395**

**Certified Mail: 7009 1410 0000 0662 3401**

**VIOLATION AND HEARING NOTICE**

TO: **Helen Bradshaw**, owner (s) of property located at **330 Connelly Springs Rd (PIN: 2758177738)** in the City of Lenoir, North Carolina.

**Unsafe Buildings: General Statute 160A-426, 160A-446, 160A-429  
North Carolina Code Officials Enabling Act: 160A-412**

Condition of structure is determined as: **Deteriorated** \_\_\_\_\_  
**Dilapidated** XXX

After an investigation promoted by a complaint, several issues with your property must be addressed. As the legal owner, you have ten (10) days to call the City of Lenoir Housing Inspector to establish a hearing date and location that must be held within the specified timeframe.

**The following code violations have been determined:** If further inspection is required, additional violations may be added.

**G.S. 160A-428**

**That the building or structure is in a condition that appears to meet one or more of the following conditions:**

- A. Constitutes a fire or safety hazard.**
- B. Is dangerous to life, health, or other property.**

- C. **Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.**
- D. **Has a tendency to attract person(s) intent on criminal activities or other activities which would constitute a public nuisance.**

The property listed above is in violation of City of Lenoir Minimum Housing Standards. The structure is currently unsecure and is a safety hazard. Due to the massive amount of structural damage this dwelling is being classified as dilapidated. This property must be brought into compliance with the City of Lenoir Minimum Housing Standards. Please contact me to schedule a time for an onsite hearing to discuss what actions will need to take place to abate the current minimum housing violations.

**Stage of the investigation**  
**Initial Investigation XXX**  
**Final Determination**

**Abatement of these violations must occur within a specified period of time, not to exceed 60 days. Failure to comply will result in actions including, but not limited to, civil penalties, posting, and city abatement. All questions about the violation or procedures to abate them will be addressed at the hearing.**

Sincerely,



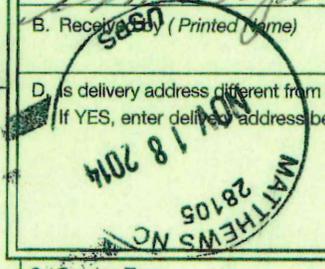
**Zach Clark  
Zoning and Housing Inspector  
City of Lenoir Planning Department  
(828) 757-2212**

cc. Helen Bradshaw  
P.O. Box 23  
Lenoir, NC 28645



POST OFFICE BOX 958 • LENOIR, NORTH CAROLINA 28645-0958 • (828) 757-2200  
[www.cityoflenoir.com](http://www.cityoflenoir.com)

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
	B. Receiver (Printed Name)	C. Date of Delivery
1. Article Addressed to:	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
Current Residence 1815 Swain Drive Mathews, NC 28105	3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label)	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	
	7009 1410 0000 0662 3401	



U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Postage \$	Postmark Here 11-14
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	
Sent To	Current Residence
Street, Apt. No., or PO Box No.	1815 Swain Drive
City, State, ZIP+4	Mathews, NC 28105
PS Form 3800, August 2003	

7009 1410 0000 0662 3401

PRELIMINARY OPINION ON TITLE FOR

City of Lenoir

The undersigned has examined the record title on the Caldwell County records (and municipal tax and assessment records if within a municipality) for the period shown below relative to title to the real property described below, and gives the following opinion of status:

Owner(s): Errol E. Bradshaw
Interest or estate: Marketable Fee Simple
Property Description: (or attach copy of legal description)
Book 255, Page 246, Caldwell County Registry

Property Address: 330 Connelly Springs Road, Lenoir, NC 28645

Subject to the uninitialed STANDARD EXCEPTIONS on reverse side hereof.
Also subject to the following SPECIAL INFORMATION AND EXCEPTIONS:

Taxes:

- 1. Ad valorem taxes are paid through and including those for the year: City 2010; County 2011
2. Taxes now due and payable: City 2012, 2013 & 2014; County 2012, 2013 & 2014
3. Taxes, a lien, deferred or otherwise, but not yet due and payable: 2015
4. Special levies or assessments now due or payable in future installments: 0.00.
5. Estate or inheritance taxes: 0.00.

Restrictive Covenants? No. (Attach Copy).

- 1. Book, Page
2. Does survey and/or public record indicate a violation?
3. Contain reversionary or forfeiture clause? NO
4. Building Setback Line(s) From Front: From Side: From Side Street: From Rear
5. Easements/Other Matters:

Survey and Inspection Report Attached? No.

Recorded Plat? No

- 1. BOOK PAGE
2. Building Setback Line(s) From Front: From Side: From Side Street: From Rear:
3. Violated?
4. Easements/Other Matters:

Access to Public Right of Way? Yes.

If over a private easement, has a search been made of adjoining property on which easement crosses?

Property Occupied By: Unknown.

Updating from Previous Title Insurance Policy? No. (Attach Copy). If "Yes", has a search of the public records been accomplished for such period of time within which judgments, liens or other matters could affect the property, regarding the owner(s) of the property on and after the date of said policy?

Other Easements, Liens, Deeds of Trust, Objections or Defects: YES.

(continue on back if necessary)

This opinion of title is for the parties to whom it is furnished, is not transferable, and may not be used by any other person or entity without the prior written consent of the undersigned.

The Search Period was from 09/07/1949 to 05/27/2015 at 11:13 AM

Telephone: (828)758-0141

Address: Fred D. Pike, Groome, Tuttle, Pike & Blair, P. O. Box 776, Lenoir, NC 28645, (828)758-0141 (828)758-5326

By: [Signature] Fred D. Pike, Attorney

TITLE INSURANCE APPLICATION

- 1. Owner's Insurance: \$ [purchase price/value].
a) Insured:
b) Use of Property: Residential
2. Mortgage insurance: \$ (loan amount).
a) Insured:
b) Loan is: Conventional

The following Standard ALTA Endorsements are requested: 8.1, 9

Send original Binder to: Fred D. Pike, PO Box 776, Lenoir, NC 28645

### STANDARD EXCEPTIONS

The attorney should initial any exceptions that are to be eliminated on the line to the left of the exception.

- \_\_\_ 1. Interest or claims not disclosed by public records, including but not limited to:
- (a) Unrecorded Mechanics' or Materialmen's liens. (Liens may be filed by persons or entities furnishing labor or materials to any improvements of real property within 120 days from the last day of performance and will upon perfection relate in priority to the first day of performance as a valid lien on real property.)
  - (b) Unrecorded leases. (Under North Carolina law, parties in possession of the premises under a verbal or unrecorded lease of three years or less duration may remain in possession under terms of the tenancy.)
  - (c) Matters that may defeat or impair title which do not appear on the record. (Evidence revealing missing heirs, forgeries, etc. may not be on the public records, but such facts if properly established may impair or defeat what appears to be a good title on the record.)
  - (d) Taxes, special assessments and other governmental charges that are not shown as existing liens by the public records. (Governmental charges may be made for acreage fees, tap-on fees, cost of weed cutting, demolition of condemned buildings and other matters that are not shown as existing liens on the property by the public records.)
  - (e) Unlisted personal property taxes. (If discovered, such taxes and any penalties may be assessed as a lien on the subject property.)
- \_\_\_ 2. Matters occurring prior to and subsequent to the inclusive dates of examination.
- \_\_\_ 3. Matters which would be revealed by a review of the public records regarding the proposed purchaser/borrower, who is not a current owner of the property.
- \_\_\_ 4. Any inaccuracies and discrepancies which an accurate survey of the property may disclose. (A survey, if procured from a competent surveyor or civil engineer, will normally determine whether improvements lie within the boundaries of the property, whether existing utility lines, roads or other easements cross the premises, and whether there are any encroachments.)
- \_\_\_ 5. Security interests that may have attached to fixtures on the subject property as provided in Article 9 of the Uniform Commercial Code of North Carolina.
- \_\_\_ 6. Compliance with any local, county, state or federal government law or regulation relative to environment, zoning, subdivision, occupancy, use, construction or development of the subject property.
- \_\_\_ 7. Federal judgments, liens, and proceedings filed only in the Federal Court. (Upon the filing of a petition in Bankruptcy, title to real property vests in the Trustee in Bankruptcy and notice thereof is not always required to be filed in the County in which the Bankrupt owns property; federal condemnation proceedings may vest property in the federal government and notice thereof is not required to be recorded among the County records.)
- \_\_\_ 8. Civil actions where no notice of *lis pendens* against subject property appears of record.

**Note:** The matters included in Standard Exceptions Number One (1) above set forth are items that cannot be checked. Standard Exceptions numbered 2,3,4,5,6,7 and 8 are not included in a normal search of the County records during examination of title. Upon special request, additional investigation may be made, and Standard Exceptions numbered 2, 3, 4, 5, 6, 7 and 8 can be eliminated. Any such elimination is evidenced by the initialing of such exception in the left margin by the attorney.

---

(Continued from front)

### CONTINUED FROM EASEMENTS/OTHER MATTERS. (LIEN'S, ETC)

1. Tax Map # 06-63-5-1; NCPIN 2758177738

2. The estate of Mary Helen Suddreth Bradshaw, the former owner of the property, remains open. Ms. Bradshaw died testate in 2008. She devised her property to her son, Errol E. Bradshaw, 1815 Swaim Drive, Matthews, NC 28105, (704) 819-1056. The executor is also Errol E. Bradshaw, and his attorney is Bruce Vanderbloemen of Lenoir, NC. An order was obtained from the Clerk of Court authorizing the private sale of the property, dated 02/20/2013. However no sale was completed, and the estate remains open. Mr. Vanderbloemen still represents the executor.

3. Medicaid lien against the estate for \$85,982.07.

NORTH CAROLINA  
CALDWELL COUNTY

THIS DEED, Made this 6th day of September, A.D. 1949, by and between

Henry S. Turmire and wife, Bessie Mae Turmire  
of Caldwell County, North Carolina, hereinafter called GRANTORS, whether one or more, and

Virgil E. Bradshaw and wife, Mary Helen Bradshaw  
of Caldwell County, North Carolina, hereinafter called GRANTEEES, whether one or more.

Witnesseth: That the said grantors for certain good and valuable considerations moving them thereto, and particularly the sum of Ten (\$ 10.00) Dollars, to them paid, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do hereby bargain, sell and convey unto the said grantees, their heirs and assigns, the following described lands in Lenoir Township, Caldwell County, State of North Carolina, particularly described as follows, viz:

BEGINNING at a stake in the highway leading to Whitnel, North Carolina, and at the intersection of said highway with the East boundary line of West Boundary Street, and runs North 46° and 30' East 100 feet to a stake in the North margin of said Whitnel highway; thence North 36° and 30' West 180 feet to a stake in Lot No. 15; thence South 46° 30' West 100 feet to a stake in the East margin of West Boundary Street; thence with the said East margin of said Boundary Street 180 feet to the beginning, and being Lots Numbers 11, 12, 13 and 14 and 4 feet of Lot Number 10, adjacent to Lot Number 11, and 30 X 100 feet of Lot Number 15 adjacent to Lots Numbers 11, 12, 13, 14 and a part of Lot Number 10.

BEING the same land conveyed by Lonnie Gragg and wife, Elsie Mae Gragg to Henry S. Turmire and wife, Bessie Mae Turmire, by deed dated September 24, 1945, of record in the office of the Register of Deeds for Caldwell County, North Carolina, in Book 222, at page 117.

The title to the said lands is derived by the grantors as follows:

To HAVE AND TO HOLD the said premises, above described, with every privilege and appurtenance thereunto belonging, to the said grantees, their heirs and assigns, to their only use and behoof forever.  
The grantors covenant to and with the grantees, their heirs and assigns: That they are the owners of and are seized of the premises in fee; that they have good right to convey the same in fee simple; that the said premises are free and clear from encumbrances, except as hereinafter stated; and that they will forever warrant and defend their said title to said premises against the claims of any and all persons whomsoever.  
IN TESTIMONY WHEREOF, the said grantors have signed and sealed these presents the day and year above written.

Signed, sealed and delivered in the presence of  
Henry S. Turmire (Seal)  
Bessie Mae Turmire (Seal)

STATE OF NORTH CAROLINA—CALDWELL COUNTY.  
I, Hilda C. Craig, a Notary Public in and for said County and State, do hereby certify that Henry S. Turmire and Bessie Mae Turmire personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Let the instrument and the certificate be registered.  
Witness my hand and notarial seal, this 6th day of September, A.D. 1949  
My comm. exp: June 27, 1951 (Notarial Seal) Hilda C. Craig, Notary Public

STATE OF NORTH CAROLINA—CALDWELL COUNTY.  
This the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_, personally came before me, \_\_\_\_\_, in and for the County and State aforesaid, who, being by me duly sworn, says he is president of the \_\_\_\_\_, and that the seal affixed to the foregoing instrument in writing is the corporate seal of the Company, and that said writing was signed and sealed by him in behalf of said corporation by its authority duly given. And the said \_\_\_\_\_ acknowledged the said writing to be the act and deed of said corporation. Let the instrument, with the certificate, be registered.  
My commission expires \_\_\_\_\_

STATE OF NORTH CAROLINA—CALDWELL COUNTY.  
The foregoing certificate of Hilda C. Craig, a Notary Public of Caldwell County, is adjudged to be correct. Let the instrument and the certificate be registered.  
This 6th day of September, A.D. 1949.  
Mary Inad Thompson (Deputy), Clerk Superior Court.  
Filed for registration on the 6th day of September, 1949, at 2:45 o'clock P.M., and registered in the office of the Register of Deeds for Caldwell County, North Carolina, on the 7th day of September, 1949, at 10:10 o'clock A. M.  
Margaret Williams, Register of Deeds.  
Edwards & Broughton Co., Raleigh—195139—1314

255/24

# Caldwell County Mapping



1 inch = 200 feet

**Owner**  
BRADSHAW HELEN  
PO BOX 23  
LENOIR, NC 28645

**Account Info**  
NCPIN: 2758177738  
Account#: 7661  
Parcel-id: 06 63 5 1

## Property Info

Acreage: 0.37439391  
Land Units: 100 (FF)  
Legal: 0255/0246 1949 0.00  
Total Value: 59100  
Property Address: 330 CONNELLY SPRINGS RD

This map is prepared for the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for verification of the information contained on this map. Caldwell County and its mapping and software contractors assume no legal responsibility for the information contained on this map or in this website. This map and information are NOT of land survey quality and are NOT suitable for such use.

CADDWELL COUNTY, MS 54		5/26/2015 4:48:35 PM																																																																																																																																						
BRADSHAW HELEN		Appeal Notes: 06-63-S-1																																																																																																																																						
330 CONNELLY SPRINGS RD		UNQ ID 230409																																																																																																																																						
7661		ID NO: 2758.05 17 7738																																																																																																																																						
COUNTY (100), RESCUE READY (100), SOLID WASTE (1)		CARD NO. 1 of 1																																																																																																																																						
Reval Year: 2013 Tax Year: 2015		100.000 FF																																																																																																																																						
Appraised by 05 on 05/20/2009 00031		TR=MS																																																																																																																																						
NEIGHBORHOOD		C-01 EX-AT-																																																																																																																																						
C-01 EX-AT-		LAST ACTION 20141104																																																																																																																																						
CONSTRUCTION DETAIL		DEPRECIATION		CORRELATION OF VALUE																																																																																																																																				
Foundation - 3	5.00	EF	BASE	Standard 0.50000	RESIDENCE TO																																																																																																																																			
Continuous Footing	5.00	CONSTR	Area		MARKET																																																																																																																																			
Rad Floor System - 5	10.00	Q1	Q1	1.338	97																																																																																																																																			
Wood	10.00	Q1	Q1	1.338	97																																																																																																																																			
Exterior Walls - 09	31.00	TYPE	SINGLE FAMILY RESIDENTIAL																																																																																																																																					
Wood on Sheathing or Plywood	31.00	TYPE	SINGLE FAMILY RESIDENTIAL																																																																																																																																					
Roofing Structure - 03	8.00	STORIES	1 - 1.0 Story																																																																																																																																					
Gable	8.00																																																																																																																																							
Roofing Cover - 03	3.00																																																																																																																																							
Asphalt or Composition Shingle	3.00																																																																																																																																							
Interior Wall Construction - 5	20.00																																																																																																																																							
Drywall	20.00																																																																																																																																							
Interior Floor Cover - 09	7.00																																																																																																																																							
Tile	7.00																																																																																																																																							
Interior Floor Cover - 12	0.00																																																																																																																																							
Hardwood	0.00																																																																																																																																							
Heating Fuel - 02	0.00																																																																																																																																							
Oil, Wood or Coal	0.00																																																																																																																																							
Heating Type - 04	4.00																																																																																																																																							
Forced Air - Ducted	4.00																																																																																																																																							
Air Conditioning Type - 01	0.00																																																																																																																																							
None	0.00																																																																																																																																							
Unit Count - 1	0.00																																																																																																																																							
Units	0.00																																																																																																																																							
Bedrooms/Bathrooms/Half-Bathrooms	7.00																																																																																																																																							
D/J/J	7.00																																																																																																																																							
Bedrooms	1																																																																																																																																							
BAS - 2 FUS - 0 LL - 0	1																																																																																																																																							
Bathrooms	1																																																																																																																																							
BAS - 1 FUS - 0 LL - 0	1																																																																																																																																							
Half-Bathrooms	1																																																																																																																																							
BAS - 0 FUS - 0 LL - 0	1																																																																																																																																							
Office	1																																																																																																																																							
BAS - 0 FUS - 0 LL - 0	1																																																																																																																																							
TOTAL POINT VALUE	85,000																																																																																																																																							
BUILDING ADJUSTMENTS																																																																																																																																								
Shape/Design	1																																																																																																																																							
Slight	1,000																																																																																																																																							
Irregular	1																																																																																																																																							
Quality	3																																																																																																																																							
Average	1,000																																																																																																																																							
Size	1																																																																																																																																							
Area	1,000																																																																																																																																							
TOTAL ADJUSTMENT FACTOR	1.020																																																																																																																																							
TOTAL QUALITY INDEX	97																																																																																																																																							
<table border="1"> <thead> <tr> <th>PERMIT</th> <th>CODE</th> <th>DATE</th> <th>NOTE</th> <th>NUMBER</th> <th>AMOUNT</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>						PERMIT	CODE	DATE	NOTE	NUMBER	AMOUNT																																																																																																																													
PERMIT	CODE	DATE	NOTE	NUMBER	AMOUNT																																																																																																																																			
<table border="1"> <thead> <tr> <th>ROUT: WTRSHD:</th> <th>SALES DATA</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>						ROUT: WTRSHD:	SALES DATA																																																																																																																																	
ROUT: WTRSHD:	SALES DATA																																																																																																																																							
<table border="1"> <thead> <tr> <th>OFF. RECORD</th> <th>DATE</th> <th>DEED</th> <th>TYPE</th> <th>Q/LV/L</th> <th>INDICATE SALES PRICE</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>						OFF. RECORD	DATE	DEED	TYPE	Q/LV/L	INDICATE SALES PRICE																																																																																																																													
OFF. RECORD	DATE	DEED	TYPE	Q/LV/L	INDICATE SALES PRICE																																																																																																																																			
HEATED AREA 1,154																																																																																																																																								
NOTES																																																																																																																																								
<table border="1"> <thead> <tr> <th>SUBAREA</th> <th>TYPE</th> <th>Q1 AREA</th> <th>%</th> <th>RPL</th> <th>CS</th> <th>TOTAL OB/XP VALUE</th> <th>CODE</th> <th>QUALITY</th> <th>DESCRIPTION</th> <th>LN</th> <th>WT</th> <th>UNITS</th> <th>UNIT PRICE</th> <th>ORIG % COND</th> <th>BLDG</th> <th>SIZE</th> <th>AYREYR</th> <th>ANN DEP DATE</th> <th>% OVRCOND</th> <th>OB/XP DEPR VALUE</th> </tr> </thead> <tbody> <tr> <td>BAS</td> <td></td> <td>1,154</td> <td>100</td> <td></td> <td></td> <td>78518</td> <td></td> </tr> <tr> <td>FOP</td> <td></td> <td>112</td> <td>00</td> <td></td> <td></td> <td>1457</td> <td></td> </tr> <tr> <td>UBM</td> <td></td> <td>1,154</td> <td>014</td> <td></td> <td></td> <td>11022</td> <td></td> </tr> <tr> <td>FIREPLACE</td> <td></td> <td>3</td> <td></td> <td></td> <td></td> <td>1,200</td> <td></td> </tr> <tr> <td>SUBAREA TOTALS</td> <td></td> <td>2,420</td> <td></td> <td></td> <td></td> <td>92,237</td> <td></td> </tr> </tbody> </table>						SUBAREA	TYPE	Q1 AREA	%	RPL	CS	TOTAL OB/XP VALUE	CODE	QUALITY	DESCRIPTION	LN	WT	UNITS	UNIT PRICE	ORIG % COND	BLDG	SIZE	AYREYR	ANN DEP DATE	% OVRCOND	OB/XP DEPR VALUE	BAS		1,154	100			78518																FOP		112	00			1457																UBM		1,154	014			11022																FIREPLACE		3				1,200																SUBAREA TOTALS		2,420				92,237															
SUBAREA	TYPE	Q1 AREA	%	RPL	CS	TOTAL OB/XP VALUE	CODE	QUALITY	DESCRIPTION	LN	WT	UNITS	UNIT PRICE	ORIG % COND	BLDG	SIZE	AYREYR	ANN DEP DATE	% OVRCOND	OB/XP DEPR VALUE																																																																																																																				
BAS		1,154	100			78518																																																																																																																																		
FOP		112	00			1457																																																																																																																																		
UBM		1,154	014			11022																																																																																																																																		
FIREPLACE		3				1,200																																																																																																																																		
SUBAREA TOTALS		2,420				92,237																																																																																																																																		
BUILDING DIMENSIONS BAS=N2456N7E14S7E24S24W444PTR=E22FOP=57N16N7E164W22UBM=1154																																																																																																																																								
LAND INFORMATION																																																																																																																																								
HIGHEST AND BEST USE	USE CODE	LOCAL ZONING	FRON TAGE	DEPTH	DEPTH	LAND MOD	COND	AND NOTES	ROAD	LAND UNIT	TOTAL LAND UNITS	UNIT TYP	TOTAL ADJST	ADJUSTED UNIT PRICE	LAND VALUE	LAND NOTES																																																																																																																								
SFR	0100		100	180	1.0000	0	1.0800			120.00	100.000	FF	1.080	129.60	12960																																																																																																																									
TOTAL MARKET LAND DATA																																																																																																																																								
TOTAL PRESENT USE DATA																																																																																																																																								

Owner: BRADSHAW HELEN

Parcel: 06-63-5-1



CITY MANAGER  
SCOTT E. HILDEBRAN

CITY OF LENOIR  
NORTH CAROLINA

MAYOR  
JOSEPH L. GIBBONS

CITY COUNCIL  
K. P. EDMISTEN  
T. H. PERDUE  
J. I. PERKINS  
T. J. ROHR  
D. F. STEVENS  
C. D. THOMAS  
B. K. WILLIS

August 11, 2015

Errol E Bradshaw  
1815 Swaim Drive  
Matthews, NC 28105

**Certified Mail:** 7015 1520 0000 1311 1257

**MINIMUM HOUSING VIOLATION AND  
ORDER TO ABATE**

TO: **Errol E. Bradshaw**, owner (s) of property located at **330 Connelly Springs Rd** (PIN: **2758177738**) in the City of Lenoir, North Carolina.

**Unsafe Buildings: General Statute 160A-426, 160A-446, 160A-429**  
**North Carolina Code Officials Enabling Act: 160A-412**

Condition of structure is determined as: **Deteriorated** \_\_\_\_\_  
**Dilapidated** XXX

**The following code violations have been determined:** If further inspection is required, additional violations may be added.

**G.S. 160A-428**

**That the building or structure is in a condition that appears to meet one or more of the following conditions:**

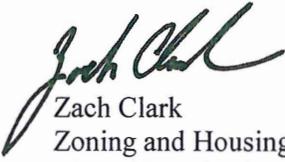
- A. Constitutes a fire or safety hazard.**
- B. Is dangerous to life, health, or other property.**
- C. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.**
- D. Has a tendency to attract person(s) intent on criminal activities or other activities which would constitute a public nuisance.**

All attempts to make contact with the owners of the property listed above by first class mail and certified mail have failed. This notice of violation/order to abate is the final attempt to notify the owners of the housing violations and inform them of the abatement process that must take place as specified below. This notification will also be posted on the dwelling of the property listed above. Abatement of the housing violations must be done in a specified amount of time not to exceed 60 days.

The property listed above is in violation of the City of Lenoir Minimum Housing Standards. Due to the amount of structural damage it has been determined that the dwelling is dilapidated and unfit for human habitation. The structure is currently unsecure and is a safety hazard. In order to abate the minimum housing violations and the health/safety hazards, the dwelling must be demolished and removed from the property. Abatement of these violations must occur within 60 days of the date posted on this notification.

**Abatement of these violations must occur within a specified period of time, not to exceed 60 days. Failure to comply will result in actions including, but not limited to, civil penalties, posting, and city abatement.**

Sincerely,



Zach Clark  
Zoning and Housing Inspector  
City of Lenoir Planning Department  
(828) 757-2212

cc. Bruce Vanderbloemen  
Certified Mail No: 7015 1520 0000 1311 1264  
214 Ridge St.  
Lenoir, NC 28645

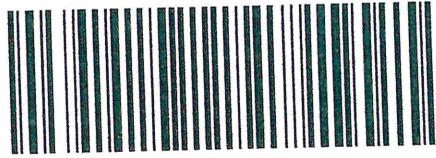


POST OFFICE BOX 958 • LENOIR, NORTH CAROLINA 28645-0958 • (828) 757-2200



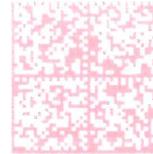
**CERTIFIED MAIL**

CITY OF LENOIR  
P. O. BOX 958  
LENOIR, N. C. 28645-0958



7015 1520 0000 1311 1257

GREENSBORO  
NC 274  
12 AUG '15  
PM 7 L



U.S. POSTAGE FITNEY BOWES  
ZIP 28601 \$ 006.73<sup>5</sup>  
02 1W  
0001391555 AUG 11 2015

NAME  
1st Notice  
2nd Notice  
Return

8-14-15  
8/22/15  
8/29/15

Errol E Bradshaw  
1815 Swaim Drive  
Matthews, NC 28105

NIXIE 282 7E 1009 0009/14/15  
RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

BC: 28645095858 \*3080-07106-12-37

286450958  
20105401915

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee	\$
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postage	\$
Total Postage and	\$

Sent To Errol E Bradshaw  
Street and Apt. No 1815 Swaim Drive  
City, State, ZIP+4 Matthews, NC 28105

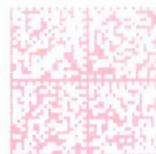
Postmark  
Here  
8-11-15

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY														
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p>														
<p>1. Article Addressed to:</p> <p style="text-align: center;">Errol E Bradshaw 1815 Swaim Drive Matthews, NC 28105</p>  <p style="text-align: center;">9590 9403 0261 5155 1909 30</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>														
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7015 1520 0000 1311 1257</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Mail Restricted Delivery (over \$500)	
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®														
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™														
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery														
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise														
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™														
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery														
<input type="checkbox"/> Mail Restricted Delivery (over \$500)															
<p>PS Form 3811, April 2015 PSN 7530-02-000-9053</p>	<p>Domestic Return Receipt</p>														

CITY OF LENOIR  
P. O. BOX 958  
LENOIR, N. C. 28645-0958

PRESORTED FIRST CLASS



US POSTAGE  
ZIP 28601 \$ 000.47<sup>1</sup>  
02 1W  
0001391273 AUG 11 2015

*RETURN TO SENDER  
MOVED 2 YRS  
AGO*

*REFUSED*

Errol E Bradshaw  
1815 Swaim Drive  
Matthews, NC 28105

NIXIE 282 DE 1009 0068/24/15

RETURN TO SENDER  
VACANT  
UNABLE TO FORWARD

BC: 28645095858 \*1780-04957-10-28

28105@4019

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY												
<ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	<p>A. Signature   <input type="checkbox"/> Agent  <input checked="" type="checkbox"/> Address</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery _____</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                  If YES, enter delivery address below: <input type="checkbox"/> No</p>												
<p>1. Article Addressed to:</p> <p style="text-align: center;">Bruce Vanderbloemen                  214 Ridge St.                  Lenoir, NC 28645</p>													
<div style="text-align: center;">   <b>9590 9403 0261 5155 1919 06</b> </div>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®												
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™												
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery												
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise												
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation												
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery												
<p>2. Article Number (Transfer from service label)</p> <p style="text-align: center;">7015 1520 0000 1311 1264</p>	<p><input type="checkbox"/> Mail Restricted Delivery (300)</p>												

PS Form 3811, April 2015 PSN 7530-02-000-9053

Domestic Return Receipt

**J.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

OFFICIAL USE

Certified Mail Fee \$ _____	Postmark Here <span style="font-size: 1.5em;">8-11-15</span>
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$ _____	
<input type="checkbox"/> Return Receipt (electronic) \$ _____	
<input type="checkbox"/> Certified Mail Restricted Delivery \$ _____	
<input type="checkbox"/> Adult Signature Required \$ _____	
<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ _____	
<b>Total Postage and Fees</b> \$ _____	
Sent To _____ <i>Street and Apt. No.</i> _____ <i>City, State, ZIP+4</i> _____	Bruce Vanderbloemen 214 Ridge St. Lenoir, NC 28645

PS Form 3800, April 2015 PSN 7530-02-000-9047
See Reverse for Instructions

*Law Offices*  
**VANDEBLOEMEN & WHITE, P. A.**  
*Post Office Drawer 1320*  
*Lenoir, North Carolina 28645-1320*

Bruce W. Vanderbloemen  
W. Bryan White

214 Ridge Street, NW  
Telephone: (828)758-0044  
Facsimile: (828)758-8467

Folger L. Townsend (1899-1973)  
James R. Todd, Jr. (1920-2007)

August 20, 2015

Mr. Zach Clark  
Zoning and Housing Inspector  
City of Lenoir  
P.O. Box 958  
Lenoir, NC 28645

RE: Property located at 330 Connelly Springs Road  
Mary Helen Bradshaw Property

Dear Zach:

Thank you for calling regarding this estate property. As I mentioned, I represent, Errol Bradshaw, Executor of the Estate of Mary Helen Bradshaw who died in 2008. The property is being listed for sale with Ben Griffin Realty & Auction. At the time it is sold it will be made clear to the purchaser that they are buying it "as is," and that there is an obligation for repairs to be made to the property to satisfy the Housing Code.

Hopefully the property will go under contract within the next 30 days. I will be glad to keep you posted as to developments. Please call me if you have any questions.

Very truly yours,

VANDEBLOEMEN & WHITE, PA

  
Bruce W. Vanderbloemen

BWV/bhb

cc: Errol Bradshaw  
Fred Pike

**LAW OFFICES  
VANDEBLOEMEN & WHITE, PA  
P.O. DRAWER 1320  
LENOIR, NC 28645**

GREENSBORO  
NC 274  
20 AUG '15  
PM 5 L



Mr. Zach Clark  
Zoning and Housing Inspector  
City of Lenoir  
P.O. Box 958  
Lenoir, NC 28645

28645095858





CITY MANAGER  
SCOTT E. HILDEBRAN

CITY OF LENOIR  
NORTH CAROLINA

MAYOR  
JOSEPH L. GIBBONS

CITY COUNCIL  
K. P. EDMISTEN  
T. H. PERDUE  
J. I. PERKINS  
T. J. ROHR  
D. F. STEVENS  
C. D. THOMAS  
B. K. WILLIS

July 8, 2016

Helen Bradshaw  
P.O. Box 23  
Lenoir, NC 28645

**Certified Mail (Helen Bradshaw):** 7015 1520 0000 1313 0753  
**Certified Mail (Errol E. Bradshaw):** 7015 1520 0000 1313 0760  
**Certified Mail (Bruce Vanderbloemen):** 7015 1520 0000 1313 0746

**RE: Minimum Housing Determination**  
**330 Connelly Springs Rd Lenoir, NC 28645**  
**NCPIN: 2758177738**

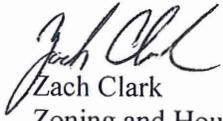
To whom it may concern:

This letter is to inform the property owner(s) and the executor of the estate listed above that they have failed to comply with an order given by the housing inspector to abate the minimum housing violations at 330 Connelly Springs Rd. All violations were to be abated within a specified amount of time not to exceed 60 days as instructed in the Minimum Housing Order to Abate Notice sent on August 11, 2015. After speaking with the estate executor's legal representative it was decided that the property would be placed on the market in attempt to sell during the abatement period. It was made known that if the property failed to sell the executor of the estate would be responsible for abating the violations by means of demolition. The property never switched ownership and is still currently in violation of the City of Lenoir Code of Ordinance. If the minimum housing violations at the dwelling(s) located at the above mentioned address are not abated by method of demolition within 30 days of receiving this notice the City will take action and abate the violations. All expenses acquired during this abatement process will be placed as a lien against the property.

Upon failure of the owner of the dilapidated dwelling to comply with an order of the inspector within the time specified therein, the inspector may submit to the City Council an ordinance ordering the inspector to cause such dwelling to be removed or demolished, as provided in the original order of the inspector. The amount of the cost of vacating and closing, or removal or demolition caused to be made or done by the inspector shall be a lien against the real property upon which such cost was incurred. Such lien shall be filed, have the same priority, and be enforced and the costs collected as the lien for special assessment.

The housing inspector will be submitting an ordinance to City Council, as described above for the demolition of the dwelling located at 330 Connelly Springs Rd. The City Council will consider this ordinance for adoption at the August 16, 2016 City Council Meeting, held in the County Chambers at 905 West Ave in Lenoir. Upon adoption of the ordinance the demolition of the dwelling will be scheduled for August 22, 2016.

Sincerely,



Zach Clark  
Zoning and Housing Inspector  
City of Lenoir Planning Department  
(828) 757-2212

cc. Bruce Vanderbloemen  
214 Ridge St.  
Lenoir, NC 28645

cc. Errol E. Bradshaw  
1926 SW Dorado  
Port St. Lucie, FL 34953



POST OFFICE BOX 958 • LENOIR, NORTH CAROLINA 28645-0958 • (828) 757-2200



7015 1520 0000 1313 074

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY													
<p>Complete items 1, 2, and 3.</p> <p>Print your name and address on the reverse so that we can return the card to you.</p> <p>Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Bruce Vanderbloemen</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>													
	<p>B. Received by (Printed Name)  <i>Dianna Holstclaw</i></p>	<p>C. Date of Delivery  <i>7-11-16</i></p>												
<p>1. Article Addressed to:</p> <p>Bruce Vanderbloemen                  214 Ridge St.                  Lenoir, NC 28645</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                  If YES, enter delivery address below: <input type="checkbox"/> No</p>													
<p>2. Article Number (Transfer from service label)                  9590 9402 1452 5329 3842 24</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> </table>		<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®													
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™													
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery													
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise													
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™													
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery													
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>														

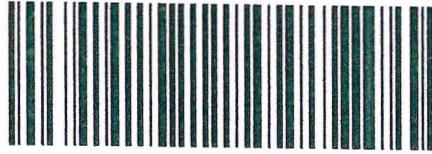
Domestic Mail Only	
<p>For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a></p> <p><b>OFFICIAL USE</b></p>	
<p>Certified Mail Fee</p> <p>Extra Services &amp; Fees (check box, add fee as appropriate)</p> <p><input type="checkbox"/> Return Receipt (hardcopy) \$</p> <p><input type="checkbox"/> Return Receipt (electronic) \$</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery \$</p> <p><input type="checkbox"/> Adult Signature Required \$</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery \$</p>	<p>Postmark Here</p> <p><i>7-8-16</i></p>
<p>Total Postage and Fees</p> <p>Sent To: <i>Bruce Vanderbloemen</i></p> <p>Street and Apt. #: <i>214 Ridge St.</i></p> <p>City, State, ZIP+4: <i>Lenoir, NC 28645</i></p>	<p>PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions</p>

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY													
<p>Complete items 1, 2, and 3.</p> <p>Print your name and address on the reverse so that we can return the card to you.</p> <p>Attach this card to the back of the mailpiece, or on the front if space permits.</p>	<p>A. Signature  <input checked="" type="checkbox"/> <i>Errol Bradshaw</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>													
	<p>B. Received by (Printed Name)  <i>ERROL BRADSHAW</i></p>	<p>C. Date of Delivery  <i>7/14/16</i></p>												
<p>1. Article Addressed to:</p> <p>Errol E. Bradshaw                  1926 SW Dorado                  Port St. Lucie, FL 34953</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                  If YES, enter delivery address below: <input type="checkbox"/> No</p>													
<p>2. Article Number (Transfer from service label)                  9590 9402 1452 5329 3842 31</p>	<p>3. Service Type</p> <table border="0"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input checked="" type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> </table>		<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®													
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™													
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery													
<input type="checkbox"/> Certified Mail Restricted Delivery	<input checked="" type="checkbox"/> Return Receipt for Merchandise													
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™													
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery													
<p>PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>														

Domestic Mail Only	
<p>For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a></p> <p><b>OFFICIAL USE</b></p>	
<p>Certified Mail Fee</p> <p>Extra Services &amp; Fees (check box, add fee as appropriate)</p> <p><input type="checkbox"/> Return Receipt (hardcopy) \$</p> <p><input type="checkbox"/> Return Receipt (electronic) \$</p> <p><input type="checkbox"/> Certified Mail Restricted Delivery \$</p> <p><input type="checkbox"/> Adult Signature Required \$</p> <p><input type="checkbox"/> Adult Signature Restricted Delivery \$</p>	<p>Postmark Here</p> <p><i>7-8-16</i></p>
<p>Total Postage and Fees</p> <p>Sent To: <i>Errol E. Bradshaw</i></p> <p>Street and Apt. #: <i>1926 SW Dorado</i></p> <p>City, State, ZIP+4: <i>Port St. Lucie, FL 34953</i></p>	<p>PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions</p>

65  
CITY OF LENOIR  
P. O. BOX 958  
LENOIR, N. C. 28645-0958

**CERTIFIED MAIL**



7015 1520 0000 1313 0753



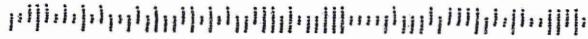
U.S. POSTAGE PITNEY BOWES  
ZIP 28601 \$ 006.46<sup>5</sup>  
02 1W  
0001391555 JUL 08 2016

Box Closed

Helen Bradshaw  
P.O. Box 23  
Lenoir, NC 28645

NAME \_\_\_\_\_  
1ST NOTICE 7-11  
2ND NOTICE \_\_\_\_\_  
RETURN \_\_\_\_\_

2864530023 6001



**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**

Certified Mail Fee	
\$	
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____

Postmark  
Here

Postage	
\$	
Total Postage	
\$	
Sent To	
Helen Bradshaw	
P.O. Box 23	
Lenoir, NC 28645	
Street and A/C	
City, State, Z	

*Law Offices of  
Vanderbloemen & White, PA  
Post Office Drawer 1320  
Lenoir, North Carolina 28645*

*Bruce W. Vanderbloemen  
W. Bryan White*

*Folger L. Townsend (1899-1973)  
James R. Todd, Jr. (1920-2007)*

*214 Ridge Street, N. W.  
Telephone: (828) 758-0044  
Facsimile: (828) 758-8467*

July 13, 2016

Zach Clark  
Zoning and Housing Inspector  
City of Lenoir Planning Department  
Post Office Box 958  
Lenoir, North Carolina 28645

RE: Estate of Helen Bradshaw

Dear Zach:

This will confirm our telephone conversation on July 11, 2016. The property located at 330 Connelly Springs Road, Lenoir, NC 28645 is scheduled for sale with a closing to occur within the next 30 days. I will send a copy of this letter to the purchaser's attorney so that the purchase can discuss with you the condition of the property and repairs to be made.

Very truly yours,



Bruce W. Vanderbloemen

BWV/psm

cc: Dewey Keller Attorney at Law

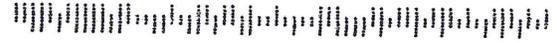
LAW OFFICES  
VANDEBLOEMEN & WHITE, PA  
P.O. DRAWER 1320  
LENOIR, NORTH CAROLINA 28645

GREENSBORO  
NC 274  
14 JUL '16  
PM 5 L



Zach Clark  
Zoning and Housing Inspector  
City of Lenoir Planning Department  
Post Office Box 958  
Lenoir, North Carolina 28645

28645-095858



**Clark, Zach**

---

**From:** Rita Abee <ritaabee@yahoo.com>  
**Sent:** Wednesday, July 20, 2016 6:54 AM  
**To:** chrisgriffin@gmail.com  
**Cc:** bvander@vw-law.com; Dewey Offices; Clark, Zach  
**Subject:** 330 Connelly Springs Rd. Lenoir, NC  
**Attachments:** SHOOK termination.pdf

My buyer client, Mr. Larry Shook, is exercising his right to terminate his Offer to Purchase Contract due to the fact that free and clear legal title cannot be delivered. The critical material fact of prior condemnation was not revealed to my client until after contract execution. Based on this revelation, and after a lengthy discussion with Mr. Zach Clark, the City of Lenoir Zoning and Housing Inspector, to discuss the implications and time restrictions for improvements needed to avoid the proposed impending demolition on August 22, 2016, my buyer is terminating his contract to purchase it.

Although I presented the buyer signed Offer to Purchase on 6-29-16, and was informed that the seller signature would be delayed somewhat, no executed contract was delivered to me as his real estate agent until 7-15-16, despite several inquiries to the listing agent, until I went to the office of Bruce Vanderbloemen, the seller's attorney on 7-15-16. After receipt of the late executed contract, I took the contract to my buyer's closing agent, Dewey Keller, to make arrangements for the buyer to deliver his earnest money that day. The paralegal asked me if I had seen "the letter from the city on that property". After reading the letter and discussing with my client, the property's listing agent, Chris Griffin, and Zach Clark from the city office, my client has decided to walk away from this transaction.

If I can answer any other questions or be of service in any other way, please do not hesitate to contact me. Thank you.

Rita Abee

828-640-0283

Table Rock Realty  
[ritaabee@yahoo.com](mailto:ritaabee@yahoo.com)  
[www.tablerockrealty.info](http://www.tablerockrealty.info)



04/29/2015 02:24 PM



04/29/2015 02:24 PM



04/29/2015 02:24 PM







