

RESOLUTION FIXING DATE OF PUBLIC HEARING ON QUESTION OF
ANNEXATION PURSUANT TO G.S. § 160A-31, AS AMENDED.

WHEREAS, a petition requesting annexation of the area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlotte, North Carolina:

Section 1. That a public hearing on the question of annexation of the area described herein will be held in the Board Meeting Room of the Education Center located at 701 East Second Street at 7:30 o'clock, p. m., on the 23rd day of August, 1976.

Section 2. The area proposed for annexation is described as follows:

Beginning at a point of intersection with the present City of Charlotte city limits and the southerly property line of Marie B. Hildreth, now or formerly, said point being also located in the center area of Big Sugar Creek and running thence in a southeasterly direction following along the present city limits and Big Sugar Creek S. 12-03-42 E. 156.05 feet to a point; thence S. 26-03-22 E. 138.25 feet to a point in the westerly property line of the City of Charlotte; thence S. 42-33-59 E. 1517.73 feet to a point; thence S. 42-32-31 E. 485.23 feet to a point; thence S. 33-11-13 E. 308.55 feet to a point in the easterly property line of Grady L. Ross, et al; thence along the easterly margin of said Ross' line N. 60-12-23 W. 305.22 feet to an iron; thence S. 67-49-40 W. 103.40 feet to an iron; thence N. 88-14-20 W. 59.82 feet to an iron; thence S. 76-09-09-W. 99.98 feet to a spike; thence S. 64-53-47 W. 204.95 feet to a tack; thence S. 64-55-46 W. 100.00 feet to a tack; thence S. 66-57-06 W. 99.95 feet to a tack; thence S. 70-

01-43 W. 100.02 feet to a tack; thence S. 72-59-10 W. 100.04 feet to a tack; thence S. 74-55-35 W. 706.87 feet to a tack; thence S. 76-58-56 W. 202.52 feet to a nail in the center line of Shopton Road (SR 1155); thence in a southwesterly direction following the center line of Shopton Road S. 89-44-30 W. 749.61 feet to a nail in the center line of Beam Road (SR 1156); thence continuing along said Shopton Road S. 89-44-32 W. 1122.73 feet to a bolt; thence in a northwesterly direction following along the easterly property line of Hunter Jersey Farms, Inc. N. 6-46-41 W. 478.82 feet to an iron; thence N. 20-08-20 W. 880.30 feet to an iron, said iron being the southwesterly corner of the D. S. Allison property; thence in a northeasterly direction following along the southerly margin of the D. S. Allison and C. D. Allison property N. 70-00-16 E. 459.04 feet to an iron; thence N. 76-26-02 E. 222.66 feet to a nail in the center line of Beam Road (SR 1156); thence in a northwesterly direction following along the center line of Beam Road N. 13-33-19 W. 631.54 feet to a nail; thence continuing along center line of Beam Road N. 13-33-13 W. 160.84 feet to a nail; thence in an easterly direction following along the southerly property line of the Steele Creek Development Corp.; now or formerly N. 88-47-28 E. 105.24 feet to an iron; thence S. 84-12-37 E. 324.68 feet to an iron; thence N. 76-37-24 E. 218.03 feet to an iron; thence N. 63-58-24 E. 397.34 feet to an iron; thence N. 40-00-17 E. 150.33 feet to an iron; thence S. 86-45-56 E. 366.40 feet to an iron on the property line of Marie B. Hildreth, now or formerly; thence along Hildreth's property line S. 26-46-30 E. 275.94 feet to an iron; thence along the southerly margin of said Hildreth's property line N. 82-50-58 E. 527.98 feet to the point or place of beginning, containing 158.764 acres as shown on attached map by the City of Charlotte Public Works Department, Engineering Division, March 12, 1974, to which reference is hereby made.

Section 3. Legal notice of said public hearing shall be published once in a newspaper having general circulation within the City of Charlotte at least ten (10) days prior to the date of the public hearing.

Approved as to form:

Henry W. Underhill, Jr.
Henry W. Underhill, Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of August, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 16-17.

Ruth Armstrong, City Clerk

RESOLUTION DECLARING AN INTENT TO CLOSE A PORTION OF
SARDIS ROAD IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA, AND CALLING A
PUBLIC HEARING ON THE QUESTION

WHEREAS, the City of Charlotte and the North Carolina Department of Transportation are cooperatively involved in the improvement of the intersection of Sardis, Carmel and Providence Roads; and

WHEREAS, the City Engineer and the City Traffic Engineer recommend that the City close a portion of Sardis Road in order to maintain the safe movement of traffic through the intersection and to preserve the existing and planned land uses of the area; and

WHEREAS, the said portion of Sardis Road recommended to be closed lies between Providence and Fairview Roads, and being more particularly described as follows:

BEGINNING at a point where the present easterly right-of-way margin of Providence Road (N. C. 16) intersects with the present southerly right-of-way margin of Sardis Road, said point being also the northwesterly corner of the R. L. Alexander Estate property and running thence in a northeasterly direction following the northerly property line of the R. L. Alexander Estate and said present southerly right-of-way margin of Sardis Road N. 67-28-40 E. 643.07 feet to a point of curvature; thence with an arc of a circular curve to the left, having a radius of 1667.02 feet an arc distance of 42.54 feet to a point, said point being where the present southerly right-of-way margin of Sardis Road intersects with the northerly right-of-way margin of Fairview Road Extension (State Project No. 9-8100305); thence in a northeasterly direction N. 48-44-41 E. 244.41 feet crossing Sardis Road to a point in the present northerly right-of-way margin of Sardis Road; thence in a southwesterly direction following along the present northerly right-of-way margin of Sardis Road and with an arc of a circular curve to the right, having a radius of 1607.02 feet an arc distance of 275.05 feet to a point of tangency; thence continuing along said present northerly right-of-way margin of Sardis Road S. 67-28-40 W. 654.06 feet to a point in the present easterly right-of-way margin of Providence Road (N. C. 16), said point being also the southwest corner of the Hardy Oil, Inc., now or formerly; thence in a southeasterly direction following along said present easterly right-of-way margin of Providence Road S. 32-54-00 E. 61.00 feet crossing Sardis Road to the point or place of BEGINNING and containing approximately 47,132 square feet (1.082 acres).

Description above being that portion of Sardis Road (60 feet in width) that lies between Providence Road and the extension of Fairview Road for the permanent closing and abandonment of right-of-way.

-2-

WHEREAS, the procedure for closing streets as outlined in North Carolina General Statutes, Section 160A-299, requires that Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for four successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street; and

WHEREAS, the City of Charlotte is desirous to close said portion of Sardis Road, as recommended by the City Engineer and City Traffic Engineer.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of the City of Charlotte, at its regularly scheduled session of August 9, 1976, that it intends to close that certain portion of Sardis Road lying adjacent to Providence Road, said portion of street being more particularly described hereinabove, and hereby calls a public hearing on the question to be held at 3:00 p. m., on Monday, the 13th day of September, 1976, in the Council Chamber of the City Hall. The City Clerk is hereby directed to publish a copy of this resolution in the "Charlotte News" once a week for four successive weeks next preceding the date fixed here for such hearing, as required by G.S. 160A-299; and further, said City Clerk is directed to send by registered or certified mail a copy of this resolution to all owners of property adjoining the said portion of the street as shown on the county tax records, as required by G.S. 160A-299. The City Engineer is hereby directed to prominently post a notice of the closing and public hearing in at least two places along the said portion of the street, as required by G.S. 160A-299.

C E R T I F I C A T I O N

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of August, 1976, and the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 18-19.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of August, 1976.



Ruth Armstrong, City Clerk

August 9, 1976
Resolutions Book 12 - Page 20

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CITIES SERVICE OIL COMPANY, A DELAWARE CORPORATION LOCATED AT 1237 TYVOLA ROAD IN THE CITY OF CHARLOTTE FOR THE TYVOLA ROAD IMPROVEMENTS PROJECT.

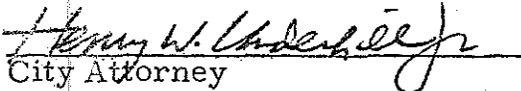
WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Cities Service Oil Company, a Delaware Corporation located at 1237 Tyvola Road in the City of Charlotte, for right of way purposes and a temporary construction easement in connection with the Tyvola Road Improvements Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owner for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of Cities Service Oil Company, a Delaware Corporation located at 1237 Tyvola Road in the City of Charlotte, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$9,000.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

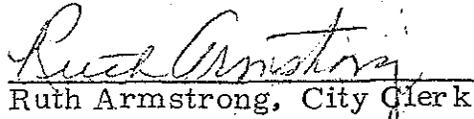
Approved as to form:


City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of August, 1976, and the reference having been made in Minute Book 64, page , and recorded in full in Resolutions Book 12, page 20.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 11th day of August, 1976.


Ruth Armstrong, City Clerk

"RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE
WEST MOREHEAD COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS the City of Charlotte has undertaken the execution of the West Morehead Community Development Target Area, the same being an Urban Redevelopment Project, to be executed in accordance with the provisions of Article 22 of Chapter 160A of the General Statutes of North Carolina; and

WHEREAS the Urban Renewal Law as set out in said Article and Chapter provides for the acquisition, preparation, sale, sound replanning, and redevelopment of property within a redevelopment area, as defined by said law; and

WHEREAS such area has been established in accordance with the requirements of such law and the said West Morehead Community Development Target Area approved by the Governing Body of the City of Charlotte; and

WHEREAS such law specifically provides for the exercise of power of Eminent Domain in order that the purpose of the law as set out in said Article 22 of Chapter 160A to be achieved and accomplished, such purposes being in the public interest and designed to promote the health, safety and welfare of the inhabitants of this community and locality; and

WHEREAS the City of Charlotte has, under the applicable laws and regulations relating to such procedure, endeavored to establish a fair market value on properties within the area, and has in good faith through its proper agents endeavored to negotiate for the acquisition of properties within the fair market value thereof, the City of Charlotte recognizing in such negotiations that it needed to acquire said property in accordance with the said redevelopment plan previously approved; and

WHEREAS the City of Charlotte, after such fair negotiations, has of this date been unable to acquire such properties as hereinafter set out and this acquisition of such properties being essential to the achievement of the plans and accomplishment of the purpose of the redevelopment law as the same relates thereto; and

WHEREAS it therefore appears that it will be necessary for the City of Charlotte to institute condemnation proceedings under the provisions of the North Carolina Law of Eminent Domain and the exercise of powers thereunder.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Council approves and hereby orders the institution of condemnation proceedings in its proper corporate name with respect to the following properties:

| <u>Block No.</u> | <u>Parcel No.</u> | <u>Owner</u> | <u>Fair Market Value</u> |
|------------------|-------------------|-------------------------------|--------------------------|
| 34 | 19 | Lillian Perry Massey Heirs | \$6,000 |

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of August, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 21.

Ruth Armstrong, City Clerk

August 9, 1976
Resolutions Book 12 - Page 22

A RESOLUTION ACCEPTING A STEP 3 STATE GRANT OFFER FOR THE CONSTRUCTION OF THE METRO
CHARLOTTE 201 WASTEWATER FACILITIES

WHEREAS, the North Carolina Clean Water Bond Act of 1971 has authorized the making of grants to aid eligible units of government in financing the cost of wastewater facilities construction; and

WHEREAS, the City of Charlotte has requested a State grant to assist in the construction of the Metro Charlotte wastewater facilities projects as outlined in the Metro Charlotte 201 Plan; and,

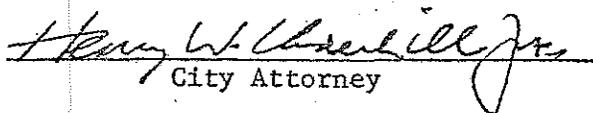
WHEREAS, the North Carolina Department of Natural and Economic Resources - Division of Environmental Management has offered the City of Charlotte a 12-1/2% grant in the amount of \$1,414,329;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

That Mr. David A. Burkhalter is hereby authorized to execute all necessary documentation in order to accept the State's Step 3 grant offer of \$1,414,329 for necessary construction charges.

Mr. Burkhalter is hereby authorized and directed to furnish such additional information as the appropriate State agency may request in connection with accepting a Step 3 grant offer; to make necessary assurances as may be required; to submit grant amendments; and to execute such other documentation as may be requested in connection with accepting the grant offer.

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of August, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at page 22.

Ruth Armstrong
City Clerk

August 9, 1976
Resolutions Book 12 -- Page 23

A RESOLUTION ACCEPTING A STEP 2--STEP 3 STATE GRANT OFFER FOR THE ENGINEERING DESIGN AND CONSTRUCTION OF THE NORTH MECKLENBURG 201 WASTEWATER FACILITIES

WHEREAS, the North Carolina Clean Water Bond Act of 1971 has authorized the making of grants to aid eligible units of government in financing the cost of wastewater facilities design and construction; and,

WHEREAS, the City of Charlotte has requested a State grant to assist in the design and construction of the North Mecklenburg wastewater facilities project as outlined in the North Mecklenburg 201 Plan; and,

WHEREAS, the North Carolina Department of Natural and Economic Resources - Division of Environmental Management has offered the City of Charlotte a 12-1/2% grant in the amount of \$999,535;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

That Mr. David A. Burkhalter is hereby authorized to execute all necessary documentation in order to accept the State's Step 2--Step 3 grant offer of \$999,535 for necessary engineering and construction charges.

Mr. Burkhalter is hereby authorized and directed to furnish such additional information as the appropriate State agency may request in connection with accepting a Step 2--Step 3 grant offer; to make necessary assurances as may be required; to submit grant amendments; and to execute such other documentation as may be requested in connection with accepting the grant offer.

APPROVED AS TO FORM:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of August, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 23.

Ruth Armstrong
City Clerk

A RESOLUTION ACCEPTING A STATE GRANT OFFER OF FINANCIAL ASSISTANCE

FOR

WASTEWATER COLLECTION SYSTEMS

WHEREAS, The North Carolina Department of Natural and Economic Resources - Office of Water and Air Resources is authorized to offer grants provided by the North Carolina Clean Water Bond Act of 1971 to assist local governments in financing the construction of wastewater treatment works and/or collection systems, and

WHEREAS, The City of Charlotte has applied for grant assistance for:

Carmel Road - Sardis Road Area Collector Mains
Annexation Area I(2)
Project WC-117

WHEREAS, The Division of Environmental Management has made a grant offer for the subject project in the amount of \$25,015.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

That the offer for grant assistance be accepted and that all assurances contained therein be met.

APPROVED AS TO FORM:

Henry W. Charles III
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of August, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 24.

Ruth Armstrong, City Clerk

August 9, 1976

Resolutions Book 12 - Page 25

A RESOLUTION AUTHORIZING THE REFUND
OF CERTAIN TAXES

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

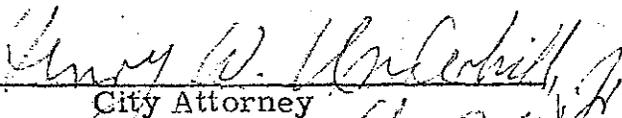
1. The City-County Tax Collector collected taxes from the taxpayers set out on the list attached to the Docket.

2. The City-County Tax Collector has certified that those taxpayers made demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid.

3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 9th day of August, 1976, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested", be refunded the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of August, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 25.

Ruth Armstrong
City Clerk

August 9, 1976

Resolutions Book 12 - Page 26

TAXPAYERS AND REFUNDS REQUESTED

| <u>NAME</u> | <u>AMOUNT OF REFUND REQUESTED</u> | <u>REASON</u> |
|----------------------------------|---------------------------------------|----------------|
| Charles R. Hipps, Jr. | \$ 8.80 | Illegal Levy |
| Thomas Leander James | 23.76 | Clerical Error |
| Carol Forest King | 10.43 | Illegal Levy |
| Harry Woodrow Lyles | 6.12 | Clerical Error |
| Mary Carol Michie | 15.51 | Clerical Error |
| Consolidated Millinery Co. | 258.61 | Clerical Error |
| Funding Systems Leasing Corp. | 27.70 | Clerical Error |
| Industrial Service Centers, Inc. | 112.17 | Clerical Error |
| Mobil Oil Corporation | <u>1,253.62</u> | Clerical Error |
| | <u>\$1,716.72</u> ===== | |