

February 18, 1975
Resolutions Book 10 - Page 326

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE,
NORTH CAROLINA, RELATING TO THE TRANSFER OF LAND IN THE
FIRST WARD URBAN RENEWAL AREA, PROJECT NO. N. C. R-79

WHEREAS, the City of Charlotte, North Carolina (hereinafter referred to as the "City"), and the Redevelopment Commission of the City of Charlotte entered into an Agreement dated April 30, 1973, which defined the City's participation in the First Ward Urban Renewal Program; and

WHEREAS, by Resolution effective May 1, 1973, the City Council of the City of Charlotte abolished the Redevelopment Commission of the City of Charlotte and created in place thereof the Urban Redevelopment Department of the City of Charlotte (hereinafter referred to as the "Urban Redevelopment Department"); and

WHEREAS, the aforementioned Resolution authorized and directed the Urban Redevelopment Department to exercise the powers, duties and responsibilities heretofore exercised by the Redevelopment Commission of the City of Charlotte; and

WHEREAS, in the aforementioned Agreement dated April 30, 1973, the City agreed to donate certain tracts of land to the Project, said donation being contingent upon the Redevelopment Commission (now the Urban Redevelopment Department) crediting the City with the fair cash value of such land, except for the parcel designated Block No. 36, Parcel No. 2, which will not receive credit as it will be consolidated with other parcels to be dedicated for a public park or green space in accordance with the Redevelopment Plan.

NOW, THEREFORE, pursuant to the North Carolina Urban Redevelopment Law, N. C. G. S. 160A-500, et seq., and in consideration of the benefits to accrue to the City and its citizens from the Urban Renewal Project, and in order to comply with the above described Agreement, BE IT RESOLVED by the City Council of the City of Charlotte, as follows:

- (1) The City does hereby transfer to the First Ward Urban Renewal Project, to be used in accordance with the First Ward Redevelopment Plan, the following land in fee simple, free and clear of all encumbrances, without cost to the Project:

	<u>Fair Cash Value</u>
Block 19 - Parcel 13	\$ 2,500
Block 19A - Parcel 3	5,500
Block 31 - Parcel 2	40,000
Block 35 - Parcel 2	1,140
Block 36 - Parcel 2	No Credit
Block 37 - Parcel 3	1,200
Block 37 - Parcel 4	14,500
Block 39 - Parcel 13	5,000
Block 46 - Parcel 1	18,000
Block 51 - Parcel 2	110,000
Block 52 - Parcel 1	47,000

Said tracts of land being shown on the "Property Map, First Ward Urban Renewal Area, Project No. N. C. R-79," prepared by Eric Hill & Associates, dated September, 1970, revised May, 1972.

- (2) The Urban Redevelopment Department of the City is hereby directed to credit the City with the fair cash value of the above described tracts of land, except Block No. 36, Parcel No. 2, effective the date of this resolution, said credit to be applied towards the City's 1/3 net cost of the Project.

- (3) The Urban Redevelopment Department of the City shall not credit the City with the Fair Cash Value of Block No. 36, Parcel No. 2, since the aforesaid tract will be assembled with other property and dedicated for use by the City for a public park or green space in accordance with the Redevelopment Plan.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of February, 1975, the reference having been made in Minute Book 61, and recorded in full in Resolutions Book 10, at Page 326 and 327.

Ruth Armstrong
City Clerk

February 18, 1975
Resolutions Book 10 - Page 328

RESOLUTION APPROVING AND PROVIDING FOR THE EXECUTION
OF A THIRD AMENDATORY CONTRACT
AMENDING LOAN AND GRANT CONTRACT NO. N. C. R-43(LG)
BY AND BETWEEN CITY OF CHARLOTTE (successor to Redevelopment
Commission of the City of Charlotte)
AND THE UNITED STATES OF AMERICA

BE IT RESOLVED BY CITY OF CHARLOTTE

AS FOLLOWS:

SECTION 1. The pending proposed THIRD
Amendatory Contract (herein called the "Amendatory Contract"), to amend that
certain Loan and Grant Contract No. N. C. R-43(LG) dated
the 18th day of July, 19 66, by and
between Redevelopment Commission of the City of Charlotte (predecessor to the
present Local Public Agency) (~~herein called the Local Public
Agency~~) and the United States of America (herein called the "Government"),
is hereby in all respects approved.

SECTION 2. The Mayor is hereby
authorized and directed to execute the Amendatory Contract in two counter-
parts on behalf of the Local Public Agency, and the City Clerk
is hereby authorized and directed to impress
and attest the official seal of the Local Public Agency on each such counter-
part and to forward such counterparts to the Department of Housing and Urban
Development, for execution on behalf of the Government, together with such
other documents relative to the approval and execution of such counterparts
as may be required by the Government.

SECTION 3. This Resolution shall take effect immediately.

Read, approved and adopted by the City Council of the City of Charlotte,
North Carolina, in regular session convened on the 18th day of February,
1975, the reference having been made in Minute Book 61, and recorded in
full in Resolutions Book 10, at Page 328.

Ruth Armstrong
City Clerk

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 18th day of February, 1975, 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:

Henry W. Woodruff Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of February, 1975, the reference having been made in Minute Book 61, and recorded in full in Resolutions Book 10, at Page 329.

Ruth Armstrong
City Clerk

February 18, 1975
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TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
It's the Levis Place	\$225.60	Clerical Error
San Remo Restaurant	62.50	Clerical Error
Dallas Ceramic Company	80.00	Clerical Error
Smith & Stevenson, Inc.	37.50	Clerical Error
Hobart Smith Construction Company	90.00	Clerical Error
Shick Service, Inc.	51.60	Clerical Error
Fafnir Bearing Company	25.00	Clerical Error
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	\$572.20	

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO COVENTRY WOODS LIMITED PARTNERSHIP, A LIMITED PARTNERSHIP; N. B. BONEY, JR., TRUSTEE; NEW YORK LIFE INSURANCE COMPANY; SAM T. BEALLE, III AND GEORGE R. HENNANT, TRUSTEES FOR GENERAL PARTNERS AND LIMITED PARTNERS AS NOTEHOLDERS, LOCATED AT 4600 CORONADO DRIVE (COVENTRY WOODS) IN THE CITY OF CHARLOTTE FOR THE SHARON AMITY ROAD WIDENING PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Coventry Woods Limited Partnership, a limited partnership; N. B. Boney, Jr., Trustee; New York Life Insurance Company; Sam T. Bealle, III and George R. Hennant, Trustees for General Partners and Limited Partners as Noteholders, located at 4600 Coronado Drive (Coventry Woods) in the City of Charlotte, for right of way purposes and a temporary construction easement in connection with the Sharon Amity Road Widening 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 Coventry Woods Limited Partnership, a limited partnership; N. B. Boney, Jr., Trustee; New York Life Insurance Company; Sam T. Bealle, III and George R. Hennant, Trustees for General Partners and Limited Partners as Noteholders, located at 4600 Coronado Drive (Coventry Woods) 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 \$4,546.00, 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 18th day of February, 1975, and the reference having been made in Minute Book 61, page _____, and recorded in full in Resolutions Book 10, page 331.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of February, 1975.


Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO COVENTRY WOODS LIMITED PARTNERSHIP, A LIMITED PARTNERSHIP; N. B. BONEY, JR., TRUSTEE: NEW YORK LIFE INSURANCE COMPANY; AND SAM T. BEALLE, III AND GEORGE R. HENNANT, TRUSTEES FOR GENERAL PARTNERS AND LIMITED PARTNERS AS NOTEHOLDERS, LOCATED AT 4601 CORONADO DRIVE (COVENTRY WOODS) IN THE CITY OF CHARLOTTE FOR THE SHARON AMITY ROAD WIDENING PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Coventry Woods Limited Partnership, a limited partnership; N. B. Boney, Jr., Trustee; New York Life Insurance Company; and Sam T. Bealle, III and George R. Hennant, Trustees for General Partners and Limited Partners as Noteholders, located at 4601 Coronado Drive (Coventry Woods) in the City of Charlotte, for right of way purposes and a temporary construction easement in connection with the Sharon Amity Road Widening 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 owners 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 Coventry Woods Limited Partnership, a limited partnership; N. B. Boney, Jr., Trustee; New York Life Insurance Company; and Sam T. Bealle, III and George R. Hennant, Trustees for General Partners and Limited Partners as Noteholders, located at 4601 Coronado Drive (Coventry Woods) 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 \$6,250.00, 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:

Henry W. Underhill Jr
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 18th day of February, 1975, and the reference having been made in Minute Book 61, page _____, and recorded in full in Resolutions Book 10, page 332.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of February, 1975.

Ruth Armstrong
Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO HAWLEY HUNTER AND WIFE, LOUISE H. HUNTER; LOUIE P. HUNTER (WIDOWER); JOHN L. HUNTER AND WIFE, ELEANORA A. HUNTER; REECE HUNTER AND WIFE, LILA O. HUNTER; SARAH HUNTER LADD AND HUSBAND, JOHN W. LADD; VINTON L. HUNTER AND WIFE, JULIA C. HUNTER; S. N. HUNTER AND WIFE, BLANCHE W. HUNTER, LOCATED ON HEWITT DRIVE (NEAR DERITA) IN THE CITY OF CHARLOTTE FOR THE ANNEXATION AREA II (7) SANITARY SEWER ADDITIONS PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Hawley Hunter and wife, Louise H. Hunter; Louie P. Hunter (Widower); John L. Hunter and wife, Eleanora A. Hunter; Reece Hunter and wife, Lila O. Hunter; Sarah Hunter Ladd and husband, John W. Ladd; Vinton L. Hunter and wife, Julia C. Hunter; and S. N. Hunter and wife, Blanche W. Hunter, located on Hewitt Drive (near Derita) in the City of Charlotte for a perpetual easement for a sanitary sewer in connection with the Annexation Area II (7) Sanitary Sewer Additions 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 owners 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 Hawley Hunter and wife, Louise H. Hunter; Louie P. Hunter (Widower); John L. Hunter and wife, Eleanora A. Hunter; Reece Hunter and wife, Lila O. Hunter; Sarah Hunter Ladd and husband, John W. Ladd; Vinton L. Hunter and wife, Julia C. Hunter; and S. N. Hunter and wife, Blanche W. Hunter, located on Hewitt Drive (near Derita) 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 \$3,850.00, 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:

Henry W. Underhill Jr.
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 18th day of February, 1975, and the reference having been made in Minute Book 61, page _____, and recorded in full in Resolutions Book 10, page 333.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of February, 1975.

Ruth Armstrong
Ruth Armstrong, City Clerk

February 18, 1975
Resolutions Book 10 - Page 334

A RESOLUTION TO RESCIND AUTHORIZATION TO INSTITUTE CONDEMNATION PROCEEDINGS AGAINST PROPERTY BELONGING TO MARATHON FINANCE COMPANY FOR THE SHARON AMITY ROAD WIDENING PROJECT.

WHEREAS, on January 20, 1975, the City Council of the City of Charlotte did authorize the institution of condemnation proceedings for the acquisition of property belonging to Marathon Finance Company for the Sharon Amity Road Widening Project; and

WHEREAS, since this action had been taken, the above named parties have, by written agreement, granted the City the necessary easement required to complete the work of this project, making it no longer necessary to institute condemnation proceedings against these owners.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that authorization previously granted to institute condemnation proceedings against the parties named above, is hereby rescinded.

Approved as to form:

Henry W. Underhill Jr.
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 18th day of February, 1975, and the reference having been made in Minute Book 61, page _____, and recorded in full in Resolutions Book 10, page 334.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of February, 1975.

Ruth Armstrong
Ruth Armstrong, City Clerk