

A RESOLUTION DEFINING  
A MUNICIPAL SERVICE DISTRICT  
FOR CHARLOTTE'S CENTRAL AREA

WHEREAS, Article 23 of Chapter 160A of the North Carolina General Statutes, entitled "The Municipal Service District Act of 1973", as amended, authorizes the City Council of any city within North Carolina to define one or more service districts for the purposes enumerated in that Act and pursuant to the procedure therein prescribed; and

WHEREAS, pursuant to G.S. 160A-536 (2), downtown revitalization projects are one of the purposes for which a municipal service district may be established; and

WHEREAS, the City Council of the City of Charlotte deems it desirable and in the best interests of all the citizens of Charlotte to define a service district as hereafter described for the purpose of promotion of its central area so as to provide said services to a greater extent than provided for the remainder of the city; and

WHEREAS, the City Council of the City of Charlotte has caused to be prepared a report and made it available for public inspection, all as provided by G.S. 160A-537 (b); and

WHEREAS, the City Council of the City of Charlotte has held a public hearing with public notice and property owner notification given, all as provided by G.S. 160A-537 (c).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that a municipal service district is hereby defined and established as all that area and all parcels of property lying within an area bounded by Brookshire Expressway, Independence Boulevard and Interstate 77 in the City of Charlotte, and the City Council hereby finds that said area is in need of promotional services to a greater extent than the remainder of the city; and

BE IT FURTHER RESOLVED that the services and functions provided this district to a greater extent than the remainder of the city are to be undertaken in order to stimulate and maintain continuity of development; that such services and functions are to promote capital investment for all types of development including, but not limited to residential, commercial, office and industrial land uses; that such services and functions are to promote users for such development so promoted; and

BE IT FURTHER RESOLVED that the City of Charlotte shall provide or let contracts for these services and functions within one year from the effective date of this resolution; and

BE IT FURTHER RESOLVED that an additional tax, not to exceed \$0.05 per one hundred dollars valuation or the rate limitation set by G.S. 160A-542, shall be levied upon property located within this district to pay for these services and functions; this specific tax rate to be set each fiscal year at the same time the tax rate is set for all of the City of Charlotte; and

BE IT FURTHER RESOLVED that other revenues whose use is not otherwise restricted by law may be allocated to this service district; and

BE IT FURTHER RESOLVED that this resolution shall be effective on July 1, 1978, the beginning of the City of Charlotte's 1978-1979 fiscal year.

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 12th day of June, 1978, the reference having been made in Minute Book 68, page \_\_\_\_\_, and recorded in full in Resolutions Book 13, page 325-326.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of June, 1978.

Ruth Armstrong  
Ruth Armstrong, City Clerk

"RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE  
FIVE POINTS COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS the City of Charlotte has undertaken the execution of the Five Points 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 Five Points 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>
28	3	Janie Murdock Heirs	\$ 800

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of June, 1978, the reference having been made in Minute Book 68, and is recorded in full in Resolutions Book 13, at page 327.

Ruth Armstrong, City Clerk

June 12, 1978  
Resolutions Book 13 - Page 328

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:

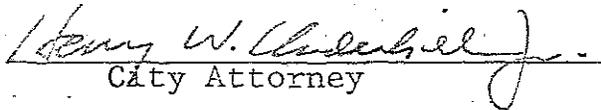
1. The City-County Tax Collector collected taxes from the taxpayers set out on the list attached to the Docket.

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 12th day of June, 1978, 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 12th day of June, 1978, the reference having been made in Minute Book 68, and is recorded in full in Resolutions Book 13, at Page 328.

Ruth Armstrong, City Clerk

## TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
James F. Kelly & wife, Patricia S.	\$ 91.52	Clerical Error
Eva Doris Rich	3.89	Clerical Error
James F. Kelly & wife Patricia S.	91.52	Clerical Error
Shirley Jackson Moore	19.97	Illegal Levy
Edward Glenn Wallace	44.49	Illegal Levy
William Franklin Garrison	102.96	Illegal Levy
Roger C. Green & wife Suzanne	61.60	Clerical Error
Frank C. Keller	18.12	Clerical Error
James F. Kelly & wife Patricia S.	91.52	Clerical Error
Wheels, Inc.	34.32	Clerical Error
Brenda Nadine Duncan	26.82	Illegal Levy
Phillip Haigler Reynolds	27.10	Illegal Levy
Custom Iron Works	14.02	Illegal Levy
Red Wing Shoe Store	<u>16.80</u>	Clerical Error
	\$644.65	
	=====	

June 12, 1978  
Resolutions Book 13 - Page 330

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT  
AGREEMENT WITH SOUTHERN RAILWAY SYSTEM - EDA PROJECT SIDEWALKS, PHASE II  
NORTH TRYON STREET SIDEWALKS 512-78-098

BE IT RESOLVED by the City Council of the City of Charlotte, that the Mayor and City Clerk are hereby authorized to execute an Encroachment Agreement with the Southern Railway System to allow for the temporary use of 480 square feet of railroad property along and adjacent to 1710 and 1804 North Tryon Street for the purpose of sloping banks in a good and workmanlike manner on said property. The City is to pay Fifty Dollars (\$50.00) to the railroad for administrative cost.

APPROVED AS TO FORM:

Henry W. Clendenen Jr.  
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk for 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 a regular session convened on the 12th day of June, 1978, the reference having been made in Minute Book 68, page \_\_\_\_\_, and recorded in full in Resolutions Book 13, page 330.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of June, 1978.

Ruth Armstrong  
Ruth Armstrong, City Clerk