

March 25, 1974  
Resolutions Book 9 - Page 434

A RESOLUTION DECLARING THAT PUBLIC CONVENIENCE AND NECESSITY REQUIRES THE TAXICAB SERVICE PROPOSED BY THE APPLICATION OF VICTORY CAB COMPANY, INC. FOR THE ISSUANCE OF SIX ADDITIONAL CERTIFICATES TO OPERATE TAXICABS IN THE CITY OF CHARLOTTE.

WHEREAS, Victory Cab Company, Inc. has applied to the City Council for the issuance of six (6) additional Certificates of Public Convenience and Necessity for the operation of a like number of taxicabs; and

WHEREAS, in view of the continuing growth of the City of Charlotte, it has been determined that the issuance of these six additional Certificates to Victory Cab Company, Inc. would not create an excessive number of franchises at this time; and

WHEREAS, the City Council has considered and investigated all matters pertinent to said application as required by Sections 19-9, 19-11 and 19-12 of the Code of the City of Charlotte, and after hearing as required by law, desires to approve and issue.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that it hereby has determined and declares that public convenience and necessity require the taxicab service proposed by the application of Victory Cab Company, Inc., and

BE IT FURTHER RESOLVED that, subject to the conditions specified in Section 19-13 of the Code of the City of Charlotte, six (6) new and additional Certificates of Public Convenience and Necessity shall be issued to Victory Cab Company, Inc.

Approved as to form:

  
Henry W. Underhill, Jr.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of March, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 9, at Page 434.

Ruth Armstrong, City Clerk

RESOLUTION CLOSING A CERTAIN PORTION OF THE PUBLIC ALLEY WITHIN THE BLOCK BOUNDED BY EAST TRADE, SOUTH COLLEGE, EAST FOURTH, AND SOUTH TRYON STREETS, IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, a Petition has been filed and received in accordance with the provisions of Chapter 153, Section 9, Sub-section 17 and Chapter 160A, Section 299, Sub-section (a) of the General Statutes of North Carolina, requesting the closing of a certain portion of the public alley within the block bounded by East Trade, South College, East Fourth and South Tryon Streets, in the City of Charlotte, Mecklenburg County, North Carolina; and,

WHEREAS, the City Council has caused to be published a notice of public hearing, all in accordance with said Statutes; and,

WHEREAS, said public hearing was held on the 25th day of March, 1974; and,

WHEREAS, the City of Charlotte and Home Federal Savings and Loan Association own all of the land adjoining the affected portion of the said public alley; and,

WHEREAS, no persons, firms or corporations or parties in interest have appeared in opposition to the closing of said portion of said public alley;

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

That the Council hereby orders the closing of that certain portion of the public alley within the block bounded by East Trade, South College, East Fourth, and South Tryon Streets, in the City of Charlotte, Mecklenburg County, North Carolina, as same is shown as Parcel A on Map of Redevelopment Commission of the City of Charlotte, Downtown Urban Renewal Area, Project No. N. C. A-3, prepared by Ralph Whitehead and Associates, Consulting Engineers, Charlotte, North Carolina, dated April 13, 1973, a copy of which is hereto attached, marked Exhibit "A" and made a part hereof, said portion of said alley being more particularly described as Parcel A in Exhibit "B" hereto attached and made a part hereof, it appearing to the satisfaction of the City Council that the closing of that portion of said alley is not contrary to the public interest and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress to his or its property.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

APPROVED AS TO FORM:

Henry W. Underhill Jr  
City Attorney

## EXHIBIT B

DESCRIPTION OF THAT CERTAIN PORTION OF THE PUBLIC ALLEY WITHIN THE BLOCK BOUNDED BY EAST TRADE, SOUTH COLLEGE, EAST FOURTH AND SOUTH TRYON STREETS, IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, TO BE CLOSED:

A parcel of land in the City of Charlotte, Mecklenburg County, North Carolina, located in Redevelopment Project No. N. C. A-3, Downtown Urban Renewal Area; shown as PARCEL A on a plat prepared by Ralph Whitehead & Associates, Consulting Engineers, Charlotte, North Carolina, dated April 13, 1973, and being more particularly described as follows:

PARCEL A: Beginning at a point in the existing northeasterly right of way boundary of East Fourth Street, said point being 197.10 feet measured in a northwesterly direction along said right of way from the intersection of said northeasterly right of way of East Fourth and the northwesterly right of way of South College Street, and running thence from said beginning point along said northeasterly right of way of East Fourth Street, N. 41-53-04 W. 3.00 feet to a point in said right of way; thence N. 50-32-40 E. 79.25 feet to a point; thence S. 61-57-19 E. 8.12 feet to a point; thence S. 50-32-40 W. 19.49 feet to a point; thence S. 43-05-29 E. 0.50 feet to a point; thence S. 50-32-40 W. 29.48 feet to a point; thence N. 43-05-02 W. 5.01 feet to a point; thence S. 50-32-40 W. 32.98 feet to the point or place of Beginning.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of March, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 9, at Pages 435-436.

Ruth Armstrong  
City Clerk

A RESOLUTION AMENDING THE PAY PLAN  
OF THE CITY OF CHARLOTTE

BE IT RESOLVED by the City Council of the City of Charlotte,  
North Carolina, that the Pay Plan heretofore adopted by the City Council  
to be effective as of October 1, 1960, as subsequently amended, is hereby  
further amended as follows:

Schedule IV, "Pay Range Assignment of Classes", is hereby amended  
to add Class No. 025, Clerk-Stenographer III, assigned to Pay Range 12,  
pay steps A-F.

BE IT FURTHER RESOLVED that this resolution shall be effective  
on March 27, 1973.

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 25th day of  
March, 1974, the reference having been made in  
Minute Book 60, and recorded in full in  
Resolutions Book 9, at Page 437.

Ruth Armstrong, City Clerk

March 25, 1974  
Resolutions Book 9 - Page 438

A RESOLUTION PROVIDING FOR PUBLIC  
HEARINGS ON PETITIONS FOR ZONING CHANGES

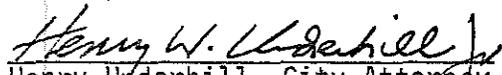
WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 74-6 through 74-10, 74-12 and 74-13 are on record in the Office of the City Clerk, and

WHEREAS, the City Council deems it in the public interest that hearings be held on said petitions,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that public hearings will be held in the Board meeting room on the Fourth Floor of the Education Center at 701 East Second Street beginning at 8:00 o'clock P. M. on Tuesday, the 16th day of April, 1974 on petitions for zoning changes numbered 74-6 through 74-10, 74-12 and 74-13.

BE IT FURTHER RESOLVED that notice of said hearings be published as required by law.

APPROVED AS TO FORM:

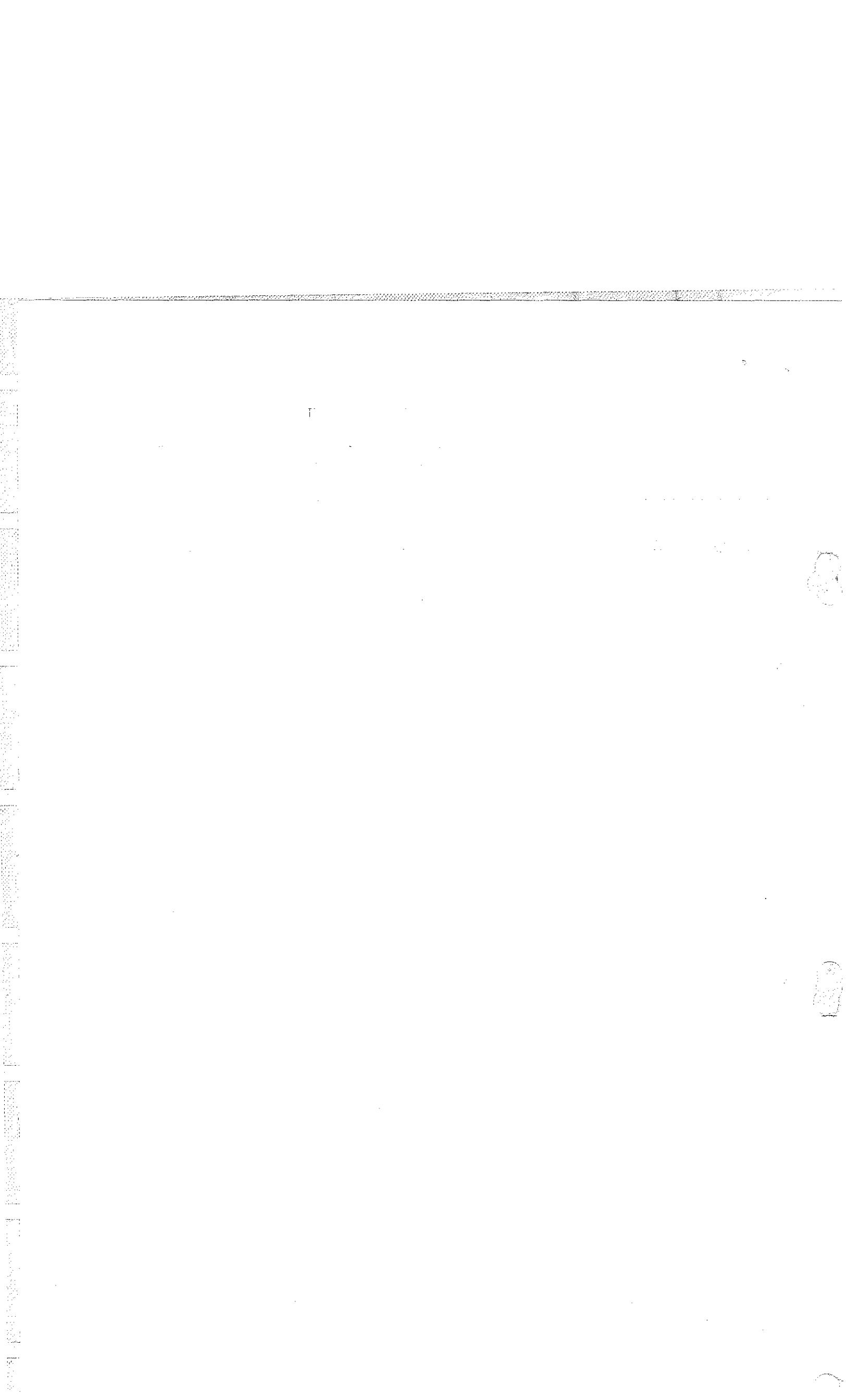
  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of March, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 9, at Page 438.

Ruth Armstrong  
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

NAME	AMOUNT OF REFUND REQUESTED	REASON
Wimpy's Pool Room	\$ 38.00	Illegal levy



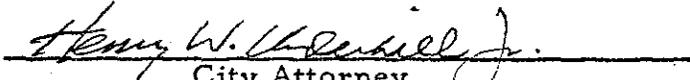
A RESOLUTION AUTHORIZING THE REFUND  
OF CERTAIN TAXES

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 25th day of March, 19 74, 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 25th day of March, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 9, at Page 439.

Ruth Armstrong  
City Clerk

March 25, 1974  
Resolutions Book 9 - Page 440

Copy of a Resolution Passed by the City Council  
of the City of Charlotte, North Carolina

The following resolution was introduced, and Councilman Alexander moved that it be adopted. The motion was seconded by Councilman Withrow and, upon being put to a vote, the resolution was unanimously carried;

WHEREAS, the North Carolina Board of Transportation has prepared and adopted plans to make certain street and highway improvements within this Municipality under Project W. O. 6.672291, said plans consisting of the construction and improvement of Central Avenue (SR 2884) from the vicinity of Sharon Amity Road to Redman Road (SR 2876), the improvement of Redman Road from Central Avenue to Albemarle Road (NC 24-27), and the construction of a 72" steel liner plate tunnel under Central Avenue and Albemarle Road, that said project is considered to be a most necessary street and highway improvement for the promotion of public safety and convenience; and

WHEREAS, the Board of Transportation and this Municipality propose to enter into an agreement for the above mentioned project wherein this Municipality shall cooperate with said Board to the extent of:

(1) Effecting the necessary adjustments of any utilities under franchise without expense to the Board of Transportation, and providing for the adjustments of any municipally owned utilities without cost or obligation to the Board of Transportation except that said Board will reimburse this Municipality in accordance with the Board municipally owned utility policy.

(2) Participating in the right of way costs incurred by the Board of Transportation to the extent of ten percent of the total cost thereof to be paid in one (1) lump sum amount due and payable on February 1, 1975. Payment shall be based on cost estimates to be adjusted when the actual cost figures are determined.

(3) Authorizing the Board of Transportation to withhold so much of this Municipality's share of funds allocated by the General Statutes of North Carolina, Section 136-41.1, in the event this Municipality fails to pay said Board in accordance with the provisions for payment hereinabove provided, until such time as said Board has received payment in full.

(4) Entering into an agreement with the Board of Transportation as to establishing, maintaining, and enforcing traffic operating controls for the regulation and movement of traffic on the project.

NOW, THEREFORE, BE IT RESOLVED that Project W. O. 6.672291, Mecklenburg County, be and it is hereby formally approved by the City Council of the City of Charlotte and that the Mayor and City Clerk (~~or Manager~~) of this Municipality be and they are hereby empowered to sign and execute the required agreement between this Municipality and the Board of Transportation.

This Resolution was passed and adopted the 25th day of March, 1974.

I, Ruth Armstrong, Clerk (~~or Manager~~) of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and correct copy of excerpts from the minutes of the City Council of this Municipality;

WITNESS, my hand and the official seal of the City of Charlotte on this 26th day of March, 1974.

CLERK (~~OR~~ MANAGER)  
CITY OF CHARLOTTE  
NORTH CAROLINA

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of March, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 9, at Pages 440-441.

Ruth Armstrong  
City Clerk

March 25, 1974  
 Resolutions Book 9 "RESOLUTION OF THE CITY COUNCIL OF THE  
 Page 442 CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE  
 DOWNTOWN URBAN RENEWAL PROJECT NO. N. C. A-3"

WHEREAS the City of Charlotte has undertaken the execution of Project No. N. C. A-3, the same being an Urban Redevelopment Project, to be executed in accordance with the provisions of Article 37 of Chapter 160 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 Project No. N. C. A-3 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 purposes of the law as set out in said Article 37 of Chapter 160 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 herein-after 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>
6*		Unnamed Alleyway	\$1,850 Value of Contingent Interest

\*See Exhibit A for description

EXHIBIT A TO "RESOLUTION OF THE  
CITY COUNCIL OF THE CITY OF  
CHARLOTTE FOR CONDEMNATION  
ACTION IN THE DOWNTOWN URBAN  
RENEWAL PROJECT NO. N. C. A-3"

CONDEMNATION OF UNNAMED ALLEYWAY

REDEVELOPMENT COMMISSION PROPERTY MAP, DOWNTOWN  
URBAN RENEWAL AREA, PROJECT NO. N. C. A-3, PRE-  
PARED BY ERIC HILL ASSOCIATES, INC. DATED JUNE,  
1967

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ALLEYWAY IN BLOCK 6 OPENING ON EAST TRADE STREET

BEGINNING at a point in the Southwesterly edge of East Trade Street at a point which is 98.8 feet measured along said edge of said street in a Northwesterly direction from the intersection of the Northwesterly edge of South Brevard Street with the Southwesterly edge of East Trade Street, said point being at the intersection of the Southwesterly edge of East Trade Street with the Northwesterly edge of the subject alley; and running thence South 50-23-36 West 115.00 feet to a point; thence North 39-13-24 West 5.70 feet to a point; thence South 50-45-36 West 98.76 feet to a point; thence South 40-14-30 East approximately 20 feet to a point, said point being the Southwesterly corner of Lot 4 in Block 6 on the above referenced map; thence North 50-44-36 East 214.25 feet to a point in the Southwesterly edge of East Trade Street; thence with said edge of East Trade Street, North 42-52-36 West 15.00 feet to the point or place of beginning.

Said alleyway is shown on map recorded in Book 759 at page 476 of the Mecklenburg County, North Carolina Public Registry.

Fair Market Value: \$1,850 Value of Contingent Interest

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of March, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 9, at Pages 442-443.

Ruth Armstrong  
City Clerk

March 25, 1974

Resolutions Book

9 - Page 444

"RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE  
GREENVILLE URBAN RENEWAL PROJECT NO. N. C. R-78"

WHEREAS the City of Charlotte has undertaken the execution of Project No. N. C. R-78, the same being an Urban Redevelopment Project, to be executed in accordance with the provisions of Article 37 of Chapter 160 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 Project No. N. C. R-78 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 purposes of the law as set out in said Article 37 of Chapter 160 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 herein-after 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>
33	13	Murray L. Grier	\$11,400

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of March, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 9, at Page 444.

Ruth Armstrong  
City Clerk

March 25, 1974  
Resolutions Book 9 - Page 445

A RESOLUTION AUTHORIZING MR. DAVID A. BURKHALTER, CITY MANAGER, TO FILE APPLICATION REQUESTING STATE GRANT ASSISTANCE FOR WATER WORKS IMPROVEMENTS.

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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 construction of wastewater treatment works, wastewater collection systems, and water supply systems, and

WHEREAS, The City of Charlotte has need for and intends to construct a water supply distribution system project, and

WHEREAS, The City of Charlotte intends to request State grant assistance for the project,

PROJECT:  
ANNEXATION SECTION I (3 & 4)  
SARDIS ROAD - ALBEMARLE ROAD  
WATER DISTRIBUTION MAIN PROJECT, NEW MAINS

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

That the City of Charlotte will arrange financing for all remaining costs of the project, if approved for a State grant award.

That the City of Charlotte will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Mr. David A. Burkhalter is hereby authorized to execute and file an application on behalf of City of Charlotte with the State of North Carolina for a grant to aid in the construction of the project described above.

That Mr. David A. Burkhalter is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application, grant offer, or grant award.

That the City of Charlotte has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto; and hereby authorizes the above designated representative to execute an affidavit so stating.

That the City of Charlotte agrees to adopt and place into effect on or before completion of the project a schedule of fees and charges which will provide adequate funds for proper operation, maintenance, and administration of the project.

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 25th day of March, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 9, at Page 445.

Ruth Armstrong  
City Clerk