

May 24, 1976
Resolutions Book 11 - Page 435

"RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE
SOUTHSIDE PARK COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS the City of Charlotte has undertaken the execution of the Southside Park 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 Southside Park 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> |
|------------------|-------------------|------------------------------|--------------------------|
| 16 | 11 | Temple Chapel Baptist Church | \$31,050 |

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 24th day of May, 1976, the reference having been made in Minute Book 63, and recorded in full in Resolutions Book 11, at Page 435.

Ruth Armstrong
City Clerk

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"RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE
GRIER HEIGHTS COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS the City of Charlotte has undertaken the execution of the Grier Heights 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 Grier Heights 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:

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| <u>Block No.</u> | <u>Parcel No.</u> | <u>Owner</u> | <u>Fair Market Value</u> |
|------------------|-------------------|-----------------------|--------------------------|
| 7 | 15 | Willie J. Cuthbertson | \$17,000 |
| 7 | 16 | Sarah McIlwain | 15,000 |
| 10 | 14 | Sarah McIlwain | 8,450 |
| 10 | 15 | Willie J. Cuthbertson | 15,500 |
| 17 | 14 | Willie J. Cuthbertson | 5,500 |
| 17 | 16 | Sarah McIlwain | 5,750 |
| 17 | 17 | Willie J. Cuthbertson | 11,500 |
| 22 | 9 | Mrs. W. F. Upshaw | 150 |

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 24th day of May, 1976, the reference having been made in Minute Book 63, and recorded in full in Resolutions Book 11, at Page 436-437.

Ruth Armstrong
City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO F. L. HONEYCUTT AND WIFE, SALLY T. HONEYCUTT; LOCATED AT 7730 PARK ROAD IN THE CITY OF CHARLOTTE FOR THE ANNEXATION AREA I (1 & 12) SANITARY SEWER TRUNKS PROJECT.

WHEREAS, the City Council by Resolution recorded in Resolutions Book 10, Page 103, at its regularly scheduled meeting on August 26, 1974 found as a fact that it was necessary to acquire certain property belonging to Fletcher L. Honeycutt and wife, Sally T. Honeycutt, located at 7730 Park Road in the City of Charlotte, for a perpetual easement for a sanitary sewer in connection with the Annexation Area I (1 & 12) Sanitary Sewer Trunk; and

WHEREAS, the City Council further resolved that \$962.00 was to be 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; and

WHEREAS, the City now finds as a fact that it is necessary to acquire an additional easement on a portion of that certain property belonging to Fletcher L. Honeycutt and wife, Sally T. Honeycutt located at 7730 Park Road in the City of Charlotte, for purposes of a temporary construction easement for a sanitary sewer in connection with the Annexation Area I (1 & 12) Sanitary Sewer Trunks Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase price 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 Fletcher L. Honeycutt and wife, Sally T. Honeycutt located at 7730 Park 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 \$335.00, 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 Amended 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 24th day of May, 1976, and the reference having been made in Minute Book 63, page _____, and recorded in full in Resolutions Book 11, page 438.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of May, 1976.

Ruth Armstrong, City Clerk