

RESOLUTION OF CITY COUNCIL OF THE CITY OF CHARLOTTE,  
NORTH CAROLINA, APPROVING AMENDMENT NO. 1 TO THE REDEVELOPMENT PLAN  
AND THE FEASIBILITY OF RELOCATION FOR  
NEIGHBORHOOD DEVELOPMENT PROGRAM NO. N. C. A-3

WHEREAS under the provisions of Title I of the Housing Act of 1949, as amended, the Secretary of Housing and Urban Development is authorized to provide financial assistance to Local Public Agencies for undertaking and carrying out Neighborhood Development Programs; and

WHEREAS it is provided in such Act that contracts for financial aid thereunder shall require that the Urban Renewal Plans for the respective urban renewal areas comprising the Neighborhood Development Program be approved by the governing body of the locality in which the areas are situated and that such approval include findings by the governing body that: (1) the financial aid to be provided in the contract is necessary to enable the Program to be undertaken in accordance with the Urban Renewal Plans; (2) the Urban Renewal Plans will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal areas by private enterprise; (3) the Urban Renewal Plans conform to a general plan for the development of the locality as a whole; and (4) the Urban Renewal Plans give due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plans; and

WHEREAS it is desirable and in the public interest that the Redevelopment Commission of the City of Charlotte (herein called the "Local Public Agency") undertake and carry out Neighborhood Development Program No. N. C. A-3, Downtown Urban Renewal Area (herein called the "Program"), and encompassing the area bounded on the northeast by East Trade Street; on the southeast by South Brevard Street; on the southwest by East Fourth Street; and on the northwest by South Tryon Street, in the City of Charlotte, State of North Carolina (herein called the "Locality"); and

WHEREAS the Local Public Agency has applied for financial assistance under such Act and proposes to enter into a contract or contracts with the Department of Housing and Urban Development for the undertaking of, and for making available financial assistance for, the Program; and

WHEREAS the Local Public Agency has made studies of the location, physical condition of structures; land use; environmental influences; and social, cultural, and economic conditions of the urban renewal area comprising the Program and has determined that the area is a blighted area and that it is detrimental and a menace to the safety, health, and welfare of the users thereof and of the Locality at large, because of the extent of building dilapidation, deterioration, age and/or obsolescence to a degree that they are not worthy of conservation and inadequate provision for ventilation, light, air, sanitation or open spaces, and the existence of conditions which endanger life or property by fire or other causes, the combination of which affects 71% or 27 of the 38 buildings in the area predominantly used for non-residential purposes, and the members of this Governing Body have been fully apprised by the Local Public Agency and are aware of these facts and conditions; and

WHEREAS there has been prepared and referred to the City Council of the Locality (herein called the "Governing Body") for review and approval a Redevelopment Plan for the urban renewal area, which also constitutes the Urban Renewal Plan for this project, dated April, 1969, amended April, 1970, and consisting of 16 pages and 6 exhibits; and

WHEREAS the urban renewal area comprising the Program, which area is predominantly non-residential in character, is to be redeveloped for predominantly non-residential uses under the Redevelopment Plan; and

WHEREAS the Redevelopment Plan has been approved by the Governing Body of the Local Public Agency, as evidenced by the copy of said Body's duly certified resolution approving the Redevelopment Plan, which is attached thereto; and

WHEREAS a general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS the Charlotte-Mecklenburg Planning Commission, which is the duly designated and acting official planning body for the Locality, has submitted to the Governing Body its report and recommendations respecting Amendment No. 1 to the Redevelopment Plan for the urban renewal area comprising the Program and has certified that the Redevelopment Plan conforms to the general plan for the Locality as a whole, and the Governing Body has duly considered the report, recommendations, and certification of the planning body; and

WHEREAS the Local Public Agency has prepared and submitted a program for the relocation of businesses that may be displaced as a result of carrying out the Program in accordance with the Redevelopment Plan; and

WHEREAS there have also been presented to the Governing Body information and data respecting the relocation which has been prepared by the Local Public Agency as a result of studies, surveys, and inspections in the areas comprising the program and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and

WHEREAS the members of the Governing Body have general knowledge of the conditions prevailing in the urban renewal area and of the availability of proper non-residential housing in the Locality for the relocation of businesses that may be displaced by the Program and, in the light of such knowledge of local non-residential housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS it is necessary that the Governing Body take appropriate official action respecting the relocation program and the Redevelopment Plan for the Program in conformity with the contracts for financial assistance between the Local Public Agency and the United States of America, acting by and through the Secretary of Housing and Urban Development; and

WHEREAS the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal activities and undertaking with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin; and

WHEREAS in order for the Local Public Agency to implement and effectuate the amended Redevelopment Plan, the assistance of both the Department of Housing and Urban Development and the City of Charlotte is required; namely, of the Department of Housing and Urban Development by lending funds needed to defray the gross cost of the Project, and upon completion of the Project and repayment of said loan, by contributing two-thirds (2/3) of the net cost of the Project; and of the City of Charlotte making certain local grants-in-aid (as specified by Title I of the Housing Act of 1949, as amended) or cash grants-in-aid as hereinafter provided in a total amount equal to at least one-third (1/3) of the net cost of the Project:

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

1. That it is hereby found and determined that the urban renewal area comprising the Program is a blighted area and qualifies as an eligible area under North Carolina Urban Redevelopment Law of 1951, as amended, N. C. G. S. 160-454 through 160-474.1.
2. That the amended Redevelopment Plan for the Program, having been duly reviewed and considered, is hereby approved, and the City Clerk be and is hereby directed to file said copy of the amended Redevelopment Plan with the minutes of this meeting.
3. That it is hereby found and determined that where clearance is proposed that the objectives of the amended Redevelopment Plan cannot be achieved through rehabilitation of portions of the urban renewal area comprising the Program.
4. That it is hereby found and determined that the amended Redevelopment Plan for the Program conforms to the general plan of the Locality.
5. That it is hereby found and determined that the financial aid provided and to be provided pursuant to the contracts for Federal financial assistance pertaining to the Program is necessary to enable the Program to be undertaken in accordance with the amended Redevelopment Plan for the area comprising the Program.
6. That the redevelopment of the urban renewal area for predominantly non-residential uses is necessary for the proper development of the community.
7. That it is hereby found and determined that the amended Redevelopment Plan for the urban renewal area comprising the Program will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the renewal of the area by private enterprise.
8. That it is hereby found and determined that the amended Redevelopment Plan for the urban renewal area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.
9. That it is hereby found and determined that the Program for the proper relocation of businesses displaced in carrying out the amended Redevelopment Plan in decent, safe, and sanitary locations

in conformity with acceptable standards is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Plan; and that such locations available or to be made available to such displaced businesses, are not generally less desirable in regard to public utilities and public and commercial facilities than the locations of the displaced businesses in the area comprising the Program, are available at rents or prices within the financial means of the displaced businesses.

10. That, in order to implement and facilitate the effectuation of the amended Redevelopment Plan hereby approved, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out the Redevelopment Plan, (b) requests the various officials, departments, boards, and agencies of the Locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the amended Redevelopment Plan, and (c) stands ready to consider to take appropriate action upon proposals and measures designed to effectuate the amended Redevelopment Plan.

11. That in order to assist the Local Public Agency in the undertaking of the Project and the effectuation of the amended Redevelopment Plan, the City of Charlotte agrees to make grants-in-aid or to provide cash payments from sources other than taxes levied by the City in a total amount equal to at least one-third (1/3) of the net cost of the Project, which are estimated on the basis of surveys and plans heretofore made by the Local Public Agency to be required in the total amount of \$707,500. Such grants-in-aid shall consist of items including but not limited to such items as demolition and removal work, site improvements, such as, streets, storm drainage, sanitary sewers, water distribution, street lights-engineering, alarm boxes, street signs and signals, street trees, and site grading, and supporting facilities.

12. That additional financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, is necessary to enable the land in the area comprising the Program to be renewed in accordance with the amended Redevelopment Plan for the Program, and accordingly, the proposed Program and the annual increment are approved and the Local Public Agency is authorized to file an application for financial assistance under Title I.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of May, 1970, the reference having been made in Minute Book 53, at Page , and recorded in full in Resolution Book 7, beginning on Page 88.

Ruth Armstrong  
City Clerk

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
 CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE  
 FILING OF AN AMENDATORY NEIGHBORHOOD DEVELOPMENT  
 PROGRAM APPLICATION FOR PROGRAM NO. N. C. A-3

WHEREAS, it is necessary and in the public interest that the Local Public Agency avail itself of the financial assistance provided by Title I of the Housing Act of 1949, as amended, to commence Neighborhood Development Program No. N. C. A-3, Downtown Urban Renewal Area, hereinafter referred to as the "Program;" and

WHEREAS, it is recognized that the Federal contract for such financial assistance pursuant to said Title I will impose certain obligations and responsibilities upon the Local Public Agency and will require among other things (1) the provision of local grants-in-aid; (2) a feasible method for the relocation of individuals and families displaced from the urban renewal areas comprising the Program; and (3) other local obligations and responsibilities in connection with the undertaking and carrying out of the Program; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin under any program or activity receiving Federal financial assistance, and Executive Order 11063 prohibits discrimination on basis of race, color, creed, or national origin in sale, lease or other disposition of residential property (including land intended for residential use) or in the use or occupancy thereof; and

WHEREAS, in those areas where clearance is proposed, the objectives of the Program cannot be achieved through more extensive rehabilitation of the urban renewal areas comprising the Program.

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

1. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964 and applicable Executive Orders.

2. That in order to assist the Local Public Agency in the undertaking of the Neighborhood Development Program, the City of Charlotte agrees to make local grants-in-aid or to provide cash grants-in-aid from sources other than taxes levied by the City in a total amount equal to at least one-third (1/3) of the net cost of the program and the annual increment thereof which is estimated on the basis of surveys and plans heretofore made by the Local Public Agency to be required in the amount of \$707,500.

3. That an amendatory application on behalf of the Redevelopment Commission of the City of Charlotte for a loan under Section 102(a) of said Title I in the amount of \$3,250,000 and for a program capital grant, a relocation grant, and a Federal grant for the making of a rehabilitation grant to the full amount available for undertaking and financing the first increment of such Program is hereby approved, and the Local Public Agency is hereby authorized and directed to execute and to file such application with the Department of Housing and Urban Development for financial assistance to carry out the Neighborhood Development Program and the annual increment thereof.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 25th day of May, 1970, the reference having been made in Minute Book 53, at Page , and recorded in full in Resolution Book 7, beginning on Page 92.

Ruth Armstrong

RESOLUTION CLOSING PORTIONS OF EAST HILL STREET, EAST VANCE STREET, SOUTH MYERS STREET, SOUTH ALEXANDER STREET, EAST STAR STREET AND EAST BOUNDARY STREET 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, Subsection 17 and Chapter 160J, Section 200, Subsection 11 of the General Statutes of North Carolina requesting the closing of certain portions of East Hill Street, East Vance Street, South Myers Street, South Alexander Street, East Star Street and East Boundary Street in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the City Council has caused to be published a notice of public hearing and has caused registered mail notices to be sent to those land owners adjoining the affected portions of East Hill Street, East Vance Street, South Myers Street, South Alexander Street, East Star Street and East Boundary Street who did not join in the Petition, all in accordance with said Statutes; and

WHEREAS, said public hearing was held on the 25th day of May, 1970; and

WHEREAS, the Petitioner, Redevelopment Commission of the City of Charlotte and the recipients of the registered mail notices sent as a part of this proceeding own all of the land adjoining the affected portions of East Hill Street, East Vance Street, South Myers Street, South Alexander Street, East Star Street and East Boundary Street; and

WHEREAS, no persons, firms, corporations or parties in interest, have appeared in opposition to the closing of said portions of East Hill Street, East Vance Street, South Myers Street, South Alexander Street, East Star Street and East Boundary Street.

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

That the Council hereby orders the closing of those portions of East Hill Street, East Vance Street, South Myers Street, South Alexander Street, East Star Street and East Boundary Street as same are more particularly described on Exhibit A attached hereto and made a part hereof, it appearing to the satisfaction of the City Council that the closing of those portions of said streets is not contrary to the public interest and that no individual, firms or corporations owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

BE IT FURTHER RESOLVED that a certified copy of this Resolution, copies of the registered letters giving notice of the public hearing held herein and the returned receipts from the registered letters mailed herein be filed in the office of the Register of Deeds of Mecklenburg County, North Carolina.

APPROVED AS TO FORM:

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City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of 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 25th day of May, 1970, the reference having been made in Minute Book 53, beginning at Page     , and ending at Page      and is recorded in full in Resolution Book 7, at Pages 93-95.

WITNESS MY HAND AND THE CORPORATE SEAL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, this the 28th day of May, 1970.

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City Clerk of the City of Charlotte, N. C.

A parcel of land in Charlotte township, Mecklenburg County, State of North Carolina, located in Redevelopment Section #5, Project No. N. C. R-60, shown as Abandonment of Existing City Streets Right-of-ways on a plat prepared by Wilbur Smith Associates, Inc.-Design, dated February 2, 1970, and being more particularly described as follows:

All of the existing right-of-way on the following streets within the described limits.

(1) East Hill Street-- Beginning at a point at the intersection of the new north right-of-way line of South McDowell Street with the existing west right-of-way line of East Hill Street; thence along said west right-of-way line N36-00-26 West 629.45 feet to a point on the existing west right-of-way line of South Alexander Street; thence along said west right-of-way line North 3-08-01 East 33.48 feet to a point on the new south right-of-way and control of access line of Independence Expressway; thence along said right-of-way and control of access line South 46-21-29 East, 49.33 feet to a point on the existing east right-of-way line of East Hill Street; thence along said east right-of-way line South 36-00-26 East, 606.67 feet to a point on the new north right-of-way line of South McDowell Street; thence along said north right-of-way line in a southwest direction 30.00 feet to the point of beginning and containing 19,170 square feet.

(2) East Vance Street-- Beginning at a point at the intersection of the new north right-of-way line of South McDowell Street with the existing west right-of-way line of East Vance Street; thence along said west right-of-way line North 36-00-26 West 536.85 feet to an iron pin on the westerly boundary of Brooklyn Urban Renewal Area N. C. R-60; thence in a northeast direction a distance of 42.46 feet to a point on the existing east right-of-way line of East Vance Street; thence along said east right-of-way line South 36-00-26 East, 519.76 feet to a point on the new north right-of-way line of South McDowell Street; thence along said north right-of-way line in a southwest direction on an arc having a radius of 2904.79 feet to the left a distance of 40.10 feet and containing 21,131 square feet.

(3) South Myers Street-- First Tract-- Beginning at a point at the intersection of the existing east right-of-way line of East Hill Street with the existing north right-of-way line of South Myers Street; thence along said north right-of-way line North 50-21-21 East, 59.63 feet to a point on the new south right-of-way and control of access line of Independence Expressway; thence along said right-of-way line and control of access line South 46-21-29 East 30.21 feet to a point on the existing south right-of-way line of South Myers Street; thence along the south right-of-way line of South Myers Street South 50-21-21 West, 65.07 feet to a point on the existing east right-of-way line of East Hill Street; thence along said east right-of-way line in a northwest direction a distance of 30.06 feet to the point of beginning and containing 1870 square feet.

Second Tract -- Beginning at an iron pin at the intersection of the south right-of-way line of Independence Boulevard with the existing south right-of-way line of South Myers Street; thence along the south right-of-way line of South Myers Street South 45-08-23 West, 296.62 feet to a point on the existing north right-of-way line of Boundary Street; thence along said north right-of-way line in a northwest direction a distance of 34.60 feet to a point on the existing north right-of-way line of South Myers Street; thence along said north right-of-way line North 45-08-23 East, 292.29 feet to an iron pin on the south right-of-way line of Independence Boulevard; thence along said south right-of-way line South 43-05-37 East, 34.20 feet to the point of beginning and containing 10,064 square feet.

(4) South Alexander Street --First Tract-- Beginning at a point at the intersection of the existing north right-of-way line of East Vance Street with the existing west right-of-way of South Alexander Street; thence along said west right-of-way line North 3-08-01 East, 396.05 feet to a point on the existing south right-of-way line of East Hill Street extended; thence along said south right-of-way line in a southeast direction a distance of 47.53 feet to a point on the existing east right-of-way of South Alexander Street; thence along said east right-of-way line South 3-08-01 West 396.05 feet to a point on the existing north right-of-way line of East Vance Street; thence along said north right-of-way line in a northwest direction a distance of 47.53 feet to the point of beginning and containing 11,882 square feet.

Second Tract-- Beginning at a point at the intersection of the proposed right-of-way line of South Alexander Street with the existing east right-of-way line of South Alexander Street; thence along said east right-of-way line South 51-36-21 West 19.51 feet to a point on a curve having a radius of 636.20 feet, said point also being the new north right-of-way and control of access line of Independence Expressway; thence along said curve and the right-of-way and control of access line bearing to the right in a northerly direction a distance of 33.71 feet to a point on the existing west right-of-way line of South Alexander Street; thence along said west right-of-way line North 51-36-21 East, 1.23 feet to a point on a curve having a radius of 50.00 feet, said curve also being on the proposed right-of-way line of South Alexander Street; thence along said curve and proposed right-of-way line bearing to the left in a south-east direction a distance of 35.59 feet to the point of beginning and containing 274 square feet.

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(5) East Star Street-- First Tract-- Beginning at a point at the intersection of the new south right-of-way line and control of access line of Independence Expressway with the existing east right-of-way line of East Star Street; thence along said east right-of-way line South 3-08-01 West, 384.61 feet to a point on the existing north right of-way line of East Vance Street; thence in a southwest direction a distance of 42.46 feet to a point on the west right-of-way line of East Star Street; thence along said west right-of-way line North 3-08-01 East 433.01 feet to a point on the new south right-of-way line control/access line of Independence Expressway; thence along said right-of-way and control of access line South 46-21-29 East 52.62 feet to the point of beginning and containing 16,352 square feet.

Second Tract-- Beginning at a point at the intersection of the east right-of-way line of the Southern Railroad with the existing north right-of-way of East Star Street; thence along said north right-of-way line South 34-16-15 East 66.74 feet to a point on the new north right-of-way and control of access line of Independence Expressway; thence along said right-of-way and control of access line South 78-21-42 West, 21.67 feet to a point on the south right-of-way line of East Star Street; thence along said south right-of-way line North 34-16-15 West, 56.63 feet to a point on the east right-of-way line of the Southern Railroad; thence along said east right-of-way line in a northeast direction a distance of 20.08 feet to the point of beginning and containing 1234 square feet.

(6) Boundary Street-- First Tract-- Beginning at a point at the intersection of the new north right-of-way line and control of access line of Independence Expressway with the existing north right-of-way line of Boundary Street; thence along said right-of-way and control of access line North 46-21-29 West, 187.30 feet to a point on the existing south right-of-way line of Boundary Street; thence along said south right-of-way North 35-53-58 West, 447.80 feet to a point on a curve having a radius of 50.00 feet, said point also being on the proposed right-of-way line of South Alexander Street; thence along said curve and proposed right-of-way line bearing to the left in an easterly direction a distance of 36.00 feet to a point on the existing north right-of-way line of Boundary Street; thence along said north right-of-way line South 35-53-58 East, 622.76 feet to the point of beginning and containing 18,123 square feet.

Second Tract -- Beginning at an iron pin at the intersection of the proposed right-of-way line of South Alexander Street with the existing north right-of-way line of Boundary Street; thence along said proposed west right-of-way line South 51-36-21 West, 6.93 feet to a point on a curve having a radius of 50.00 feet, said point still being on the proposed right-of-way line of South Alexander Street; thence along said curve and proposed right-of-way line bearing to the left in a southwest direction a distance of 29.07 feet to a point on the existing south right-of-way line of Boundary Street; thence along said south right-of-way line North 35-53-58 West, 41.20 feet to a point on a curve having a radius of 636.20 feet; said point also being the new north right-of-way and control of access line of Independence Expressway; thence along said curve and right-of-way and control of access line bearing to the right in a northerly direction a distance of 53.58 feet to an iron pin on another curve having a radius of 278.10 feet; thence along said curve and still along the right-of-way and control of access line bearing to the right in a northerly direction a distance of 33.27 feet to a point on the existing north right-of-way line of Boundary Street; thence along said north right-of-way line South 35-53-58 East 111.24 feet to the point of beginning and containing 2640 square feet.

Total area of abandonment being 102,740 square feet.

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A RESOLUTION PROVIDING FOR PUBLIC  
HEARINGS ON PETITIONS FOR ZONING CHANGES.

WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 70-80 through 70-90 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 Council Chamber on the Second Floor of the Charlotte City Hall beginning at 2:00 o'clock P.M., on Monday, the 15th day of June, 1970 on petitions for zoning changes numbered 70-80 through 70-90.

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

Approved as to form:

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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 May, 1970, the reference having been made in Minute Book 53, at Page , and recorded in full in Resolution Book 7, at Page 96.

Ruth Armstrong  
City Clerk