

May 29, 1978  
Resolutions Book 13 - Page 310

RESOLUTION OF THE CHARLOTTE CITY COUNCIL ESTABLISHING A PROCEDURE FOR  
THE NOMINATION, CONSIDERATION AND ELECTION OF PERSONS TO CITY BOARDS,  
AGENCIES, COMMITTEES AND COMMISSIONS.

BE IT RESOLVED by the City Council of the City of Charlotte, in regular session duly assembled, that it hereby adopts and establishes the following procedure for the nomination, consideration and election of persons to City boards, agencies, committees and commissions:

1. At least six weeks prior to the expiration of terms of persons serving on existing boards, agencies, committees and commissions, and in the case of initial appointments of persons to any newly established boards, agencies, committees and commissions, the City shall publicize that appointments will be made by the Council and shall solicit citizens of the community to suggest and comment upon persons for appointment.

2. At the first meeting two weeks after the actual beginning of the above process, each member of the City Council shall have the opportunity to nominate one person for election to each of the positions to be filled. No Council members may make a nomination after this meeting.

3. At the second Council meeting following the closing of nominations, the Council shall hold an election for the positions to be filled.

The elections shall be determined by written ballot. A ballot containing the names of the nominees shall be distributed to each Council member present. Each Council member shall vote for a nominee, sign the ballot and return it to the City Clerk who shall tally and announce the votes, and announce the results. In accordance with the City Charter, no nominee shall be deemed elected unless he or she receives at least six (6) votes. If no nominee receives at least six (6) votes on the first ballot, the balloting process shall be repeated for one additional time. Only the top two (2) vote getters shall be candidates for election on the second ballot. If as a result of the first ballot

(2)

a tie vote situation produced more than two (2) top vote getters, (i.e. 3-3-3-2; 5-3-3; 4-2-2-2-1), the Council shall conduct a separate balloting to narrow the field of candidates to two (2). The top two (2) vote getters shall then be voted upon at second balloting. If no nominee receives at least six (6) votes after the second balloting, each Council member shall have an opportunity to make one additional nomination at the next meeting. All nominations made shall lay on the table for a period of two weeks, and an election on the additional nominees shall be held in accordance with this paragraph at the third Council meeting following the date of nominations.

This the 29th day of May, 1978.

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 29th day of May, 1978, the reference having been made in Minute Book 68, and recorded in full in Resolutions Book 13, at Page 310-311.

Ruth Armstrong  
City Clerk

May 29, 1978  
Resolutions Book 13 - Page 312

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO DORIS GLORIA JEAN STEWART; SUBJECT TO OPEN ESTATE OF ESTHER STEWART - ALENE McCORKLE, ADMINISTRATRIX, LOCATED 15.99 ACRES SOUTH OF JOHNETTE DRIVE IN THE CITY OF CHARLOTTE FOR THE ANNEXATION AREA II SANITARY SEWER TRUNKS PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Doris Gloria Jean Stewart; subject to open estate of Esther Stewart - Alene McCorkle, Administratrix, located at 15.99 acres south of Johnette Drive in the City of Charlotte for a perpetual easement for a sanitary sewer plus a temporary construction easement in connection with the Annexation Area II Sanitary Sewer Trunks; 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 Doris Gloria Jean Stewart; subject to open estate of Esther Stewart - Alene McCorkle, Administratrix, located 15.99 acres south of Johnette Drive 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 \$1,400.00, 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.

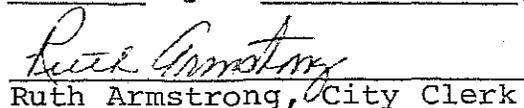
Approved as to form:

  
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 29th day of May, 1978, and the reference having been made in Minute Book 68, page          and recorded in full in Resolutions Book 13, page 312.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of May, 1978

  
Ruth Armstrong, City Clerk

May 29, 1978  
Resolutions Book 13 - Page 313

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO N.C.N.B. MORTGAGE CORPORATION, LOCATED AT 5307 DAWNDEER LANE IN THE CITY OF CHARLOTTE FOR THE ANNEXATION AREA II SANITARY SEWER TRUNKS PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to N.C.N.B. Mortgage Corporation, located at 5307 Dawndeer Lane in the City of Charlotte for a perpetual easement for a sanitary sewer plus a temporary construction easement in connection with the Annexation Area II Sanitary Sewer Trunks; 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 N.C.N.B. Mortgage Corporation, located at 5307 Dawndeer Lane 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 \$300.00, 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. Cheshire, 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 29th day of May, 1978, and the reference having been made in Minute Book 68 page and recorded in full in Resolutions Book 13 page 313.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of May, 1978

Ruth Armstrong  
Ruth Armstrong, City Clerk

May 29, 1978  
Resolutions Book 13 - Page 314

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JOHN W. KILLIAN AND WIFE, SARA K., LOCATED AT McDANIEL LANE OFF 6300 BLOCK OF OLD CONCORD ROAD IN THE CITY OF CHARLOTTE FOR THE TOBY CREEK OUTFALL SANITARY SEWER TRUNKS PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to John W. Killian and wife, Sara K. located at McDaniel Lane off 6300 Block Old Concord Road in the City of Charlotte for a perpetual easement for a sanitary sewer plus a temporary construction easement in connection with the Toby Creek Outfall Sanitary Sewer Trunks; 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 John W. Killian and wife, Sara K., located at McDaniel Lane off 6300 Block Old Concord 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 \$3,500.00, 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. Cassell 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 29th day of May, 1978, and the reference having been made in Minute Book 68 page          and recorded in full in Resolutions Book 13 page 314.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of May, 1978.

Ruth Armstrong  
Ruth Armstrong, City Clerk

May 29, 1978  
Resolutions Book 13 - Page 315

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO MALCOLM B. BLANKENSHIP, JR., AND BESSIE G. BLANKENSHIP, GUARDIAN FOR JANE ELLEN BLANKENSHIP (A MINOR), LOCATED AT 192.80 ACRES NEWELL ROAD AT FAIRHAVEN TO WILSON DRIVE IN THE CITY OF CHARLOTTE FOR THE TOBY CREEK OUTFALL AND ANNEXATION AREA I SANITARY SEWER TRUNKS PROJECTS.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Malcolm B. Blankenship, Jr., and Bessie G. Blankenship, Guardian for Jane Ellen Blankenship (a minor), located at 192.80 Acres Newell Road at Fairhaven to Wilson Drive in the City of Charlotte for a perpetual easement for a sanitary sewer plus a temporary construction easement in connection with the Toby Creek Outfall and Annexation Area I Sanitary Sewer Trunks; 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 Malcolm B. Blankenship, Jr., and Bessie G. Blankenship, Guardian for Jane Ellen Blankenship (a minor), located at 192.80 Acres Newell Road at Fairhaven to Wilson Drive 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 \$5,200.00, 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 29th day of May, 1978, and the reference having been made in Minute Book 68 page          and recorded in full in Resolutions Book 13 page 315.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of May, 1978.

Ruth Armstrong  
Ruth Armstrong, City Clerk

May 29, 1978  
Resolutions Book 13 - Page 316

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 29th day of May, 19 78, 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. Chastain Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 29th day of May, 1978, the reference having been made in Minute Book 68, and is recorded in full in Resolutions Book 13, at Page 316.

Ruth Armstrong, City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Custom Iron Works	\$58.00 =====	Illegal Levy