

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

WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 73-44 and 73-45 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 19th day of November, 1973 on petitions for zoning changes numbered 73-44 and 73-45.

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 15th day of October, 1973, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, on Page 321.

Ruth Armstrong, City Clerk

October 15, 1973  
Resolutions Book 9 - Page 322

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHARLOTTE, CHARLOTTE, NORTH CAROLINA, APPROVING  
PURCHASE AGREEMENT FOR SALE OF LAND TO SEABOARD COAST LINE  
RAILROAD COMPANY IN REDEVELOPMENT PROJECT NO. N. C. R-78

WHEREAS, on the 15th day of July, 1973, the City of Charlotte received from Seaboard Coast Line Railroad Company a proposal to purchase and develop 1,087 square feet of land known as Disposition Block No. 20, Parcel No. 2; as designated on a plat entitled "Redevelopment Commission of the City of Charlotte, Charlotte, N. C., Greenville Urban Renewal Area, Project No. N. C. R-78, Seaboard Coast Line Railroad Co. Parcel for Connection Track No. 51, Parcel 2, Block 20, and Proposed Easement," dated January 18, 1973, prepared by Merlin E. Giddings, Engineer and Land Surveyor, 6101 Idlewild Rd., Suite 117, Charlotte, N. C., with relocation of an existing track, which is in accordance with the Redevelopment Plan for the Project, dated September, 1969, Amended August, 1970, Modified November, 1972, and Amended July, 1973; and

WHEREAS, the proposed developer has submitted a Purchase Contract, Redeveloper's Statement for Public Disclosure and Redeveloper's Statement of Qualifications and Financial Responsibility, and a good faith deposit in the amount of \$39.13, representing 10% of the total purchase price of the land; and

WHEREAS, Section 160-464(d) of the North Carolina Urban Redevelopment Law, as amended, requires that the sale of all land in the Project shall be subject to the approval of the Governing Body of the Municipality.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CHARLOTTE does hereby approve the sale of Seaboard Coast Line Railroad Company of 1,087 feet of land in Disposition Block No. 20, Parcel No. 2 in Greenville Urban Renewal Area, Project No. N. C. R-78, to be redeveloped by realignment of an existing track, which is in accordance with the Redevelopment Plan for the Project, dated September, 1969, Amended August, 1970, Modified November, 1972, and Amended July, 1973.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 15th day of October, 1973, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, on Page 322.

Ruth Armstrong, City Clerk

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

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

WHEREAS, the City of Charlotte and the North Carolina Board of Transportation, on the 10th day of July, 1972, entered into a municipal agreement as to the proposed construction of the Independence Freeway from I-77 east to existing Independence Boulevard at Kenilworth Avenue; and, under the terms of the aforementioned agreement, it was agreed that the Board of Transportation would acquire the necessary right of way to be reimbursed by this Municipality to the extent of 33 1/3%; and,

WHEREAS, the City of Charlotte and the North Carolina Board of Transportation, on the 24th day of April, 1963, entered into a municipal agreement as to the construction of the Northwest Expressway from near the Independence Boulevard - McDowell Street and the Independence Boulevard - Louise Avenue intersections running northwesterly to the interchange with I-85; and, under the terms of paragraphs 1 and 5 of said agreement, it was agreed that supplementary agreements would be entered into regarding the adjustments to utility lines and regarding traffic operating controls; and,

WHEREAS, the Board of Transportation has prepared and adopted plans to make certain street and highway constructions and improvements within this Municipality under Project 8.1654816 (8.1654823), said plans consisting of the construction of a portion of the Independence Freeway from the Northwest Expressway at Tenth Street to existing Independence Boulevard opposite Kenilworth Avenue; and,

WHEREAS, the Board of Transportation and this Municipality propose to enter into a supplemental agreement wherein this Municipality shall cooperate with said Board to the extent of:

- (1) Conveying to the Board of Transportation the area of land within the right of way of Project 8.1654816 lying south of Independence Boulevard between McDowell Street and Pearl Street, shown as parcel 810B on the project plans for which the Board is to reimburse this Municipality 100% of the actual cost of said property upon furnishing to the Board proper documentation to support the actual cost.
- (2) Participating in the cost of parcel 810B to the extent of 33 1/3% in accordance with paragraph 1 of the municipal agreement dated July 10, 1972 and reimbursing to the Board of Transportation 33 1/3% of the cost of parcel 810B within 30 days of the date the Board pays to this Municipality the full cost of parcel 810B.

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- (3) For Project 8.1654816 (8.1654823), 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's municipally owned utility policy.
- (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 Project 8.1654816 (8.1654823).

NOW, THEREFORE, BE IT RESOLVED that the supplemental agreement for Project 8.1654816 (8.1654823), 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 15th day of October, 1973.

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 16th day of October, 1973.

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

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE AC-  
QUISITION OF PROPERTY BELONGING TO THE McALPINE CORPORATION  
LOCATED AT 6901 MATTHEWS PINEVILLE ROAD, HIGHWAY 51, IN MECKLEN-  
BURG COUNTY, FOR A SANITARY SEWER TO SERVE SOUTHERN BELL PROP-  
ERTY AND 30-ACRE TRACT IN WALDEN.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to The McAlpine Corporation located at 6901 Matthews Pineville Road, Highway 51, in Mecklenburg County, for a perpetual easement for a sanitary sewer necessary to serve Southern Bell property and 30-acre tract in Walden off Matthews Pineville Road; and

WHEREAS, the City has in good faith undertaken to negotiagate for the purchase of this property but has been unable to reach an agreement with the owner 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 by Chapter 216, 1967 Session Laws, Chapter 384, 1969 Session Laws and Chapter 432, 1973 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of The McAlpine Corporation located at 6901 Matthews Pineville Road, Highway 51, in Mecklenburg County, 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 \$5,400.00, 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:

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 a regular session convened on the 15th day of October, 1973, the reference having been made in Minute Book 59, page \_\_\_\_\_, and recorded in full in Resolutions Book 9, page 325.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 17th day of October, 1973.

\_\_\_\_\_  
Ruth Armstrong, City Clerk

October 15, 1973  
Resolutions Book 9 - Page 326

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO EDGAR HALL HAND, JR. AND FIRST UNION NATIONAL BANK, CO-TRUSTEES OF TRUST UNDER WILL OF EDGAR HALL HAND, LOCATED IN MECKLENBURG COUNTY FOR THE IRWIN CREEK CROSSOVER SANITARY SEWER CONSTRUCTION.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Edgar Hall Hand, Jr. and First Union National Bank, Co-Trustees of Trust under will of Edgar Hall Hand, located in Mecklenburg County for a perpetual easement for a sanitary sewer in connection with the construction of a sanitary sewer to serve the Irwin Creek Crossover; 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 by Chapter 216, 1967 Session Laws, Chapter 384, 1969 Session Laws and Chapter 432, 1973 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of Edgar Hall Hand, Jr. and First Union National Bank, Co-Trustees of Trust under will of Edgar Hall Hand, located in Mecklenburg County, 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 \$20,000.00, 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. Udehill 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 a regular session convened on the 15th day of October, 1973, the reference having been made in Minute Book 59, page \_\_\_\_\_, and recorded in full in Resolutions Book 9, page 326.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 17th day of October, 1973.

\_\_\_\_\_  
Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE AC-  
QUISITION OF PROPERTY BELONGING TO JOHN STEPHEN MILLER AND WIFE,  
ANNE S. MILLER, LOCATED IN MECKLENBURG COUNTY FOR THE IRWIN  
CREEK CROSSOVER SANITARY SEWER CONSTRUCTION.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to John Stephen Miller and wife, Anne S. Miller, located in Mecklenburg County for a perpetual easement for a sanitary sewer in connection with the construction of a sanitary sewer to serve the Irwin Creek Crossover; 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 by Chapter 216, 1967 Session Laws, Chapter 384, 1969 Session Laws and Chapter 432, 1973 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of John Stephen Miller and wife, Anne S. Miller, located in Mecklenburg County, 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 \$9,050.00, 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 a regular session convened on the 15th day of October, 1973, the reference having been made in Minute Book 59, page \_\_\_\_\_, and recorded in full in Resolutions Book 9, page 327.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 17th day of October, 1973.

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Ruth Armstrong, City Clerk