

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON THE PETITION REQUESTING THE ANNEXATION
OF PROPERTY TO THE CITY OF CHARLOTTE
PURSUANT TO G. S. 160A-31, AS AMENDED.

WHEREAS, a petition requesting the annexation of the area described herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of said petition has been made.

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

Section 1. That a public hearing on the question of annexation of the area described herein will be held in the Council Chamber in the City Hall, Charlotte, N. C., at 3 o'clock P. M., on the 6th day of October, 1975.

Section 2. The area proposed for annexation is described as follows:

BEGINNING at an iron in the center line of Monroe Road, the northwest corner of the tract conveyed to Alvin E. Levine and Albert G. Segal by Deed recorded in Book 2561, Page 313, Mecklenburg County Public Registry, and running thence with said center line in three calls: (1) North 39-30-30 West 200.00 feet to a nail; (2) North 37-22-30 West 148.88 feet to a nail; (3) North 34-07-20 West 466.71 feet to a nail; thence a new line North 63-19 East 350.00 feet to an iron; thence another new line North 27-54-50 West 357.43 feet to a point in McAlpine Creek; thence with the creek two calls (1) North 72-20 East 225.00 feet to a point; (2) thence South 83-11 East 67-45 feet to a point; thence leaving the creek and within the right-of-way of the Seaboard Airline Railway South 58-45 East 1,285.00 feet to an iron; thence with the line of Alvin E. Levine and Albert G. Segal South 63-19 West 1170.56 feet to the point and place of beginning.

Section 3. Legal notice of said public hearing shall be published in Charlotte News, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of said public hearing.

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 22nd day of September, 1975, the reference having been made in Minute Book 62, and recorded in full in Resolutions Book 11, at Page 79.

Ruth Armstrong
City Clerk

September 22, 1975
Resolutions Book 11 - Page 80

RESOLUTION DECLARING AN INTENT TO CLOSE A PORTION OF
EAST KINGSTON AVENUE IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA, AND CALLING A
PUBLIC HEARING ON THE QUESTION

WHEREAS, the City of Charlotte is presently engaged in the Dilworth Neighborhood Assistance Program (NAP), Project No. 1; and

WHEREAS, the City Engineer recommends that the City close a portion of East Kingston Avenue in connection with the Dilworth NAP Project for safety reasons and general improvement of the neighborhood; and

WHEREAS, the said portion of East Kingston Avenue recommended to be closed lies between the southerly margin of Euclid Avenue and a line approximately 50 feet southeast and parallel thereto of the southerly margin of Euclid Avenue, and being more particularly described as follows:

BEGINNING at a point where the present westerly margin of East Kingston Avenue intersects the present southerly margin of Euclid Avenue and running thence in a northeasterly direction following along the extension of the southerly margin of Euclid Avenue N-42°-30'-00" E., 60 feet to a point which is the intersection of the southerly margin of Euclid Avenue and the easterly margin of East Kingston Avenue; thence in a southeasterly direction following along the easterly margin of East Kingston Avenue S-47°-30'-00" E., 50 feet to a point; thence in a southwesterly direction S-42°-30'-00" W., 60 feet to a point; thence in a northwesterly direction along the westerly margin of East Kingston Avenue N-47°-30'-00" W., 50 feet to the point or place of BEGINNING.

WHEREAS, the procedure for closing streets as outlined in North Carolina General Statutes, Section 160A-299, requires that Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for four successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street; and

WHEREAS, the City of Charlotte is desirous to close said portion of East Kingston Avenue, as recommended by the City Engineer.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of the City of Charlotte, at its regularly scheduled session of September 22, 1975, that it intends to close that certain portion of East Kingston Avenue lying southeasterly of its intersection with Euclid Avenue, said portion of street being more particularly described hereinabove, and hereby calls a public hearing on the question to be held at 3 p.m., on Monday, the 27th day of October, 1975, in the Council Chamber of the City Hall. The City Clerk is hereby directed to publish a copy of this resolution in the "Charlotte News" once a week for four successive weeks next preceding the date fixed here for such hearing, as required by G.S. 160A-299; and further, said City Clerk is directed to send by registered or certified mail a copy of this resolution to all owners of property adjoining the said portion of the street as shown on the county tax records, as required by G.S. 160A-299. The City Engineer is hereby directed to prominently post a notice of the closing and public hearing in at least two places along the said portion of the street, as required by G.S. 160A-299.

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 22nd day of September, 1975, and the reference having been made in Minute Book 62, and recorded in full in Resolutions Book 11, at Page 80 and 81.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of September, 1975.

Ruth Armstrong, City Clerk

September 22, 1975

Resolutions Book 11 - Page 82

RESOLUTION DECLARING AN INTENT TO CLOSE PORTIONS OF
WHISNANT STREET, BURKE STREET, AND WHITE STREET
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH
CAROLINA, AND CALLING A PUBLIC HEARING ON THE QUESTION

WHEREAS, the City of Charlotte entered into an agreement with the Redevelopment Commission of the City of Charlotte dated the 31st day of August, 1970, revised June 15, 1971, with respect to the Redevelopment Area Plan for Redevelopment Project No. N.C. R-78, Greenville; and

WHEREAS, Section III of that agreement provides that the City will, at no cost or expense to the Redevelopment Commission of the City of Charlotte, and upon the request of the Redevelopment Commission of the City of Charlotte, vacate the streets, roads, alleys and other public ways to be eliminated in preparing the Project Area for its new uses, as shown in the Redevelopment Area Plan; and

WHEREAS, by Resolution effective May 1, 1973, the City of Charlotte abolished the Redevelopment Commission of the City of Charlotte and created in place thereof the Urban Redevelopment Department of the City of Charlotte, said Resolution reciting that the Urban Redevelopment Department was established for the purpose of exercising the powers, duties, and responsibilities heretofore exercised by the Redevelopment Commission of the City of Charlotte; and

WHEREAS, by Resolution of the City Council of the City of Charlotte passed on the 12th day of May, 1975, effective May 12, 1975, the Urban Redevelopment Department of the City of Charlotte was abolished and there was established in place thereof the Community Development Department of the City of Charlotte which succeeded to all of the powers and duties formerly exercised by the Urban Redevelopment Department of the City of Charlotte; and

WHEREAS, the Community Development Department of the City of Charlotte, by and through its Director, has requested the City to vacate and close those certain portions of Whisnant Street, Burke Street and White Street in the City of Charlotte, Mecklenburg County, North Carolina, as same is shown on Maps of Redevelopment Commission of the City of Charlotte, Greenville Urban Renewal Area, Project No. N. C. R-78, entitled "Abandonment of Existing City Streets Right of Way" prepared by Wilbur Smith and Associates, Inc. - Design dated May 19, 1972, copies of which are available for inspection in the Office of the City Clerk in the City Hall at Charlotte, North Carolina; said portion of said streets being more particularly described in Exhibits "A-1, A-2 and A-3" and made a part hereof; and

WHEREAS, the procedure for closing streets and public alleys as outlined in Chapter 160A, Section 299 of the General Statutes of North Carolina requires that Council first adopt a resolution declaring its intent to close the street or public alley and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for four successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street or public alley as shown on the County tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said streets or public alley; and

WHEREAS, the City of Charlotte is desirous of complying with the Petitioner's request.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of the City of Charlotte, at its regularly scheduled session of September 22, 1975, that it intends to close those certain portions of Whisnant Street, Burke Street, and White Street in the City of Charlotte, Mecklenburg County, North Carolina, as same is shown

GREENVILLE URBAN RENEWAL AREA

PROJECT NO. N.C. R-78

ABANDONMENT OF A PORTION OF THE EXISTING STREET RIGHT-OF-WAY

A parcel of land in Charlotte Township, Mecklenburg County, State of North Carolina, located in Greenville Urban Renewal Area, Project No. N.C. R-78, shown as Abandonment of Existing City Streets Right-of-Way on a plat prepared by Wilbur Smith and Associates, Inc. - Design, dated May 19, 1972, and being more particularly described as follows:

1. WHISNANT STREET--From Oaklawn Avenue to the Northwest Expressway

Beginning at the point of intersection of the south right-of-way line of Oaklawn Avenue and the east right-of-way line of Whisnant Street; thence along the east right-of-way line of Whisnant Street, S 34-23-17 W 200.33 feet to the point of intersection of said east right-of-way line of Whisnant Street with the jog in Whisnant Street; thence along the jog in Whisnant Street N 55-03-58 W 13.00 feet to the point of intersection of said jog in Whisnant Street with the east right-of-way line of Whisnant Street; thence with the east right-of-way line of Whisnant Street S 24-36-49 W 894.29 feet to the point of intersection of said east right-of-way line of Whisnant Street with the east right-of-way line of Northwest Expressway; thence along the east right-of-way line of Northwest Expressway N 8-40-43 W ~~48.72~~^{53.72} feet to the point of intersection of said east right-of-way line of Northwest Expressway with the west right-of-way line of Whisnant Street; thence along the west right-of-way line of Whisnant Street N 24-24-38 E 347.97 feet to a point on the west right-of-way line of Whisnant Street; thence along the west right-of-way line of Whisnant Street, N 24-26-10 E 230.29 feet to a point on the west right-of-way line of Whisnant Street; thence along the west right-of-way line of Whisnant Street N24-13-38 E 267.24 feet to the point of intersection of said west right-of-way line of Whisnant Street with the jog in Whisnant Street; thence along the jog in Whisnant Street N 65-30-58 W 9.00 feet to the point of intersection of said jog in Whisnant Street with the west right-of-way line of Whisnant Street; thence along the west right-of-way line of Whisnant Street N 23-47-48 E 172.00 feet to the point of intersection of said west right-of-way line of Whisnant Street with the south right-of-way line of Oaklawn Street; thence along the south right-of-way line of Oaklawn Street S 81-50-28 E 95.40 feet to the point of beginning and containing 40,251 square feet.

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3. WHITE STREET--From Northwest Expressway to Burton Street

Beginning at the point of intersection of the north right-of-way line of White Street and the west right-of-way line of Burton Street; thence along the west right-of-way line of Burton Street S46-58-06 W 32.28 feet to the point of intersection of said west right-of-way line of Burton Street with the south right-of-way line of White Street; thence along the south right-of-way line of White Street N 64-41-21 W 214.00 feet to the point of intersection of said south right-of-way line of White Street with the east right-of-way line of Northwest Expressway; thence along the east right-of-way line of Northwest Expressway, N 13-27-02 W 38.47 feet to the point of intersection of said east right-of-way line of Northwest Expressway with the north right-of-way line of White Street; thence along the north right-of-way line of White Street, S 64-41-21 E 250.00 feet to the point of beginning and containing 6,960 square feet.

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on Maps of Redevelopment Commission of the City of Charlotte, Greenville Urban Renewal Area, Project No. N. C. R-78 entitled "Abandonment of Existing City Streets Right of Way" prepared by Wilbur Smith and Associates, Inc. - Design dated May 19, 1972, copies of which are available for inspection in the Office of the City Clerk in the City Hall at Charlotte, North Carolina, said portion of said streets being more particularly described in Exhibit "A" hereto attached and made a part hereof, and hereby calls a public hearing on the question to be held at 3 P. M., on Monday the 27th day of October, 1975, in the Council Chamber of the City Hall. The City Clerk is hereby directed to publish a copy of this resolution in The Charlotte News once a week for four successive weeks next preceding the date fixed here for such hearing as required by the provisions of Chapter 160A, Section 299 of the General Statutes of North Carolina; and further, the Petitioner is directed to send by registered or certified mail a copy of this resolution to all owners of property adjoining the said portion of the streets or public alley as shown on the county tax records as required by said Statute. The Petitioner is hereby directed to prominently post a notice of the closing and public hearing in at least two places along the said portion of the streets or public alley, as required by said Statute.

BY ORDER OF THE CITY COUNCIL

Ruth Armstrong
City Clerk

C E R T I F I C A T I O N

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 22nd day of September, 1975, and the reference having been made in Minute Book 62, and recorded in full in Resolutions Book 11, at Page 82.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of September, 1975.

Ruth Armstrong, City Clerk

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 22nd day of September, 1975, 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. 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 22nd day of September, 1975, the reference having been made in Minute Book 62, and recorded in full in Resolutions Book 11, at Page 84.

Ruth Armstrong, City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Wil-Kin, Inc.	\$188.92	Clerical Error
Wil-Kin, Inc.	<u>203.81</u>	Clerical Error
	\$392.73	
	=====	

September 22, 1975
Resolutions Book 11 - Page 86

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

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,

12" Water Main Along Newell-Hickory Grove Road
(Annexation Area III-6)

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.

- CONTINUED -

September 22, 1975
Resolutions Book 11 - Page 37

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 22nd day of September, 1975, the reference having been made in Minute Book 62, Page , and recorded in full in Resolutions Book 11, Page 86.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of September, 1975.

Ruth Armstrong
City Clerk

September 22, 1975
Resolutions Book 11 - Page 88

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

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,

Water Main Construction for Pellyn Woods
(Annexation Area I-2)

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.

- CONTINUED -

September 22, 1975
Resolutions Book 11 - Page 89

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 22nd day of September, 1975, the reference having been made in Minute Book 62, Page , and recorded in full in Resolutions Book 11, Page 88.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of September, 1975.

Ruth Armstrong
City Clerk

90

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT AGREEMENT WITH SOUTHERN RAILWAY COMPANY FOR TWO 10 INCH CI WATER MAINS CROSSING UNDER SOUTHERN RAILWAY COMPANY'S TRACKS NEAR NEVADA BOULEVARD 516-75-122

BE IT RESOLVED by the City Council of the City of Charlotte, that the Mayor and City Clerk are hereby authorized to execute an encroachment agreement with Southern Railway Company for the construction of two 10 inch CI water mains crossing Southern Railroad's tracks near Nevada Boulevard as per maps prepared by Charlotte Mecklenburg Utility Department, a copy attached to the encroachment agreement. Fifty dollars (\$50.00) compensation is to be paid to the Southern Railway System for this agreement.

Approved as to form:

Henry W. Chesbill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk for 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 22nd day of September, 1975, and recorded in full in Resolutions Book 11, page 90.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of September, 1975.

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

The following resolution was introduced, and Councilman Withrow
moved that it be adopted. The motion was seconded by Councilman Harris,
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 27th day of February, 1975, entered into a municipal agreement as to the construction of the extension of Fairview Road (SR-3686) from Sharon Road to Sardis Drive, under Project W. O. 6.803414, Mecklenburg County; and,

WHEREAS, the parties thereto now wish to amend the aforementioned agreement to provide for the City of Charlotte to be responsible for providing current and for maintaining the lighting system for the pedestrian underpass to be constructed by the Board of Transportation under Fairview Road Extension at McMullen Creek; and,

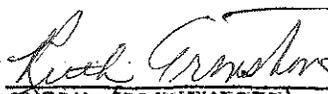
WHEREAS, except as hereinabove provided, the City Council ratifies and affirms the municipal agreement entered into on the 27th day of February, 1975, for Project W. O. 6.803414, Mecklenburg County between this Municipality and the Board of Transportation.

NOW, THEREFORE, BE IT RESOLVED that the supplemental agreement for Project W. O. 6.803414, 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 empowered to sign and execute the required agreement between this Municipality and the Board of Transportation.

This Resolution was passed and adopted the 22nd day of September
1975.

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 23rd day of September, 1975.


CLERK (OR MANAGER)
CITY OF CHARLOTTE
NORTH CAROLINA