

A Special Meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber, City Hall, on Monday, March 24, 1952, at 11:30 o'clock a.m., with Mayor Shaw presiding, and Councilmen Baxter, Coddington, Dellinger, Jordan and Van Every present.

Absent: Councilmen Alba and Boyd.

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INVOCATION.

The invocation was given by Councilman Philip L. Van Every.

PURPOSE OF MEETING.

Mayor Shaw stated that the purpose of the meeting, as set forth in the Notice given each Councilman on March 21, 1952 in accordance with the provisions of the Charter, is to consider the execution of a contract with the State Highway & Public Works Commission providing for the relocation of a portion of the Dixie Road, in connection with the extension of a runway at Douglas Municipal Airport, as shown on maps prepared in the office of the City Engineer.

RESOLUTION AUTHORIZING CONTRACT WITH THE STATE HIGHWAY AND PUBLIC WORKS COMMISSION CONCERNING THE RELOCATION OF A PORTION OF DIXIE ROAD.

Mr. John D. Shaw, City Attorney, outlined briefly the background of the project, stating that the State Highway and Public Works Commission was made a party in the condemnation proceedings for the necessary lands for the runway extension by the Clerk of Mecklenburg County Superior Court. He then explained his negotiations with the Commission leading up to the proposed contract and resolution.

The proposed contract was read by Mr. Shaw:

"STATE OF NORTH CAROLINA )  
COUNTY OF MECKLENBURG )

In consideration of, and as an inducement to, State Highway and Public Works Commission relocating a portion of Dixie Road substantially as shown in red upon the map hereto attached and closing a portion of Dixie Road as shown in orange on map as expeditiously as possible, the same being necessary in the enlargement of Douglas Municipal Airport, owned and operated by the City of Charlotte and being involved in a condemnation proceeding entitled "City of Charlotte versus Lillian F. Hudson, et al" pending in the Court of Mecklenburg County, North Carolina, the City of Charlotte, a municipal corporation, hereby covenants and agrees with the State Highway and Public Works Commission, an agency of the State of North Carolina, to pay or cause to be paid, to said Highway Commission all costs of relocating and reconstructing such portion of Dixie Road, including the cost of acquiring any right-of-way needed for such project.

It is understood that that portion of Dixie Road shown in orange upon said map shall be closed when such relocated section has been constructed and open to the public.

As security for this agreement, the City of Charlotte hereby deposits with the State Highway and Public Works Commission the sum of TWENTY THOUSAND (\$20,000) DOLLARS representing the outside cost estimate of said project. Should such project cost more than said sum, City will promptly pay same, however, should the cost be less than said sum, City shall receive reimbursement of the excess of said sum of TWENTY THOUSAND (\$20,000) DOLLARS over cost. State Highway

and Public Works Commission agrees to furnish City a detailed statement of cost in connection with this project upon completion.

IN TESTIMONY WHEREOF, the City of Charlotte hereunto causes its corporate name to be signed by its Mayor, attested by its City Clerk and its corporate seal to be hereto affixed, all pursuant to the resolution of its City Council duly adopted. on \_\_\_\_\_."

The proposed resolution was next introduced and following the reading thereof, Councilman Baxter moved its adoption, which was seconded by Councilman Coddington, and unanimously carried:

RESOLUTION AUTHORIZING CONTRACT  
WITH STATE HIGHWAY & PUBLIC WORKS  
COMMISSION CONCERNING RELOCATION  
OF A PORTION OF DIXIE ROAD.

WHEREAS, the City of Charlotte has instituted a condemnation proceeding entitled, "City of Charlotte v. Lillian F. Hudson et al", in the Superior Court of Mecklenburg County, North Carolina, in connection with the acquiring of lands necessary for the enlargement of Douglas Municipal Airport; and

WHEREAS, it is deemed advisable to relocate a portion of Dixie Road in order that a portion of Dixie Road crossing said lands may be closed; and

WHEREAS, the State Highway and Public Works Commission has agreed to relocate said portion of Dixie Road and close the old section thereof, upon certain terms and conditions;

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

That, the Mayor and City Clerk be, and they hereby are, authorized, empowered and directed to enter into a contract, approved as to form by the City Attorney, with the State Highway and Public Works Commission under which the City agrees to pay or cause to be paid, the cost of relocating and reconstructing such portion of Dixie Road, including acquisition of rights-of-way needed for such project, and further providing for the deposit of Twenty Thousand (\$20,000.00) Dollars as security for such contract, all as set forth in the form of contract hereto attached.

FUNDS FROM AIRPORT RESERVE MAINTENANCE-RUNWAYS FUND AUTHORIZED DEPOSITED WITH STATE HIGHWAY & PUBLIC WORKS COMMISSION TO GUARANTEE RELOCATION OF ROADWAY.

Councilman Van Every moved that the City Manager be authorized to deposit with the State Highway & Public Works Commission the sum of \$20,000.00 from the Airport Reserve Maintenance-Runways Fund to guarantee the relocation of portions of Dixie Road in the Municipal Airport enlargement condemnation proceedings. The motion was seconded by Councilman Dellinger, and unanimously carried.

ADJOURNMENT.

Upon motion of Councilman Van Every, seconded by Councilman Dellinger, and unanimously carried, the meeting was adjourned.

Lillian R. Hayfman  
City Clerk