

A RESOLUTION PROVIDING FOR A PUBLIC HEARING March 20, 1961
ON A PROPOSED AMENDMENT TO THE ZONING ORDINANCE.

(South side Interstate 85 at Starita Road)

WHEREAS, at the meeting of the City Council on February 13, 1961 the following amendment to the City Code was introduced:

"Ordinance No. 727. An Ordinance Amending Chapter 21
of the City Code -Zoning Ordinance

An Ordinance Amending the City Code
with Respect to the Zoning Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 23 Article II, Section / ²³⁻⁴² of the City Code
of the City of Charlotte, be amended by having Building Zone Map
of the Charlotte Perimeter Area amended by changing from Rural to Industrial
the following described property:

BEGINNING at an iron in the south line of U. S. Highway No. 85 (#29
By-Pass) and in the line of the Broome land, and runs thence South
8-26 West 124.90 feet to an iron, corner of the Coppala land;
thence along the line of said land, South 25-52 East 368.60 feet to
a large red oak, a corner of "Woodland Park"; thence with a line of
"Woodland Park", South 83-10 East 384.40 feet to an old iron; thence
along another line of "Woodland Park" North 66-55 East 1547.05 feet
to a stone in the line of the Robinson land; thence along another
line of said land North 27-46 West 269 feet to an iron by a fence
post in the line of the Robinson land; thence along another line of
said land South 40-13 West 133.20 feet to an iron and stone by a
fence post; thence North 26-18 West 145.79 feet to an iron in the
south line of said Highway; and thence along the south line of
said Highway South 77-24 West 1712.45 feet to the place of BEGINNING.

Section 2. That this ordinance shall become effective upon its adoption
after a public hearing in connection therewith."

AND, WHEREAS, under the law no amendment to the Zoning Ordinance can
be adopted until a public hearing thereon is held, of which public hearing
notice is required to be given publication not less than fifteen days immedi-
ately preceding the date of such hearing;

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

1. That March 20th, 1961, at 2 o'clock P.m.,
be fixed as the time and the Council Chamber in the City Hall as the place
for the public hearing on the proposed amendment as above set out.

Approved as to Form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte,
North Carolina, on the 13th day of February, 1961, the reference having
been made in Minute Book 40, at Page 238, and recorded in full in Resolutions
Book 4, at Page 88.

Lillian R. Hoffman
City Clerk

A RESOLUTION PROVIDING FOR A PUBLIC HEARING March 20, 1961
ON A PROPOSED AMENDMENT TO THE ZONING ORDINANCE

(Both sides Eastway Drive south of Central Ave.)
WHEREAS, at the meeting of the City Council on February 13,

1961, the following amendment to the City Code was introduced:

"Ordinance No. 728 An Ordinance Amending Chapter 21
of the City Code - Zoning Ordinance

An Ordinance Amending the City Code
with Respect to the Zoning Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 23, Article I, Section ²³⁻⁸ of the City Code
of the City of Charlotte, be amended by having Building Zone
Map of the City of Charlotte amended by changing from Residence 2 and
Business 1 to Office-Institution and from Residence 2 to Business 1 the
following described property:

Tract 1 - RESIDENCE 2 TO BUSINESS 1

BEGINNING at the point of intersection of the centerline of Eastway
Drive with the centerline of Thackery Lane and running thence with
the centerline of Eastway Drive S. 19-31-45 W. 978.31 feet; thence
N. 66 -40-15 W. 489.91 feet; thence N. 70-33-15W. 345 feet, more or
less to the easterly boundary line of Douglas Acres Subdivision as
shown on a map recorded in Map Book 5, page 131 in the office of the
Register of Deeds for Mecklenburg County, North Carolina; thence in
a northerly direction with said boundary line 1,180 feet, more or
less, crossing Thackery Lane to the corner of an existing Business
1A Zoning District; thence with said Zoning District boundary S. 65-
01-45 E. 620 feet, more or less, to the centerline of Eastway Drive;
thence in a southerly direction with said centerline 157 feet, more
or less, to the BEGINNING.

Tract 2 - RESIDENCE 2 AND BUSINESS 1 TO OFFICE-INSTITUTION

BEGINNING at a point in the easterly margin of the 60 foot right of
way of Eastway Drive, said point being 134.36 feet, measured along said
margin, south of the southerly margin of Central Avenue; thence S.86-
59-45 E. 200 feet, more or less, to the southeast corner of a tract
of land leased to Barber-Colman Co.; thence S. 3-00 W. 347.79 feet;
thence S. 19-36 W. 419.50 feet to a point in Medford Drive; thence
with Medford Drive N. 70-27 W. 204 feet, more or less, to the east-
erly margin of the 60 foot right of way of Eastway Drive; thence in
a northerly direction with said margin 706.64 feet to the BEGINNING.

Section 2. That this ordinance shall become effective upon its
adoption after a public hearing in connection therewith."

AND, WHEREAS, under the law no amendment to the zoning ordinance can
be adopted until a public hearing thereon is held, of which public hearing
notice is required to be given publication not less than fifteen days imme-
diately preceding the date of such hearing;

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

1. That March 20, 1961, at 2 o'clock p.m.
be fixed as the time, and the Council Chamber in the City Hall as the place
for the public hearing on the proposed amendment as above set out.

Approved as to form:

City Attorney

Rea, approved and adopted by the City Council on the 13th day of February,
1961, and recorded in full in Resolutions Book 4, Page 89, reference having
been made in Minute Book 40 - Page 238. Lillian R. Hoffman, City Clerk

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A RESOLUTION PROVIDING FOR A PUBLIC HEARING March 20, 1961
ON A PROPOSED AMENDMENT TO THE ZONING ORDINANCE

(South side Herrin Ave., near Tappan Pl.)

WHEREAS, at the meeting of the City Council on February 13, 1961,

the following amendment to the City Code was introduced:

"Ordinance No. 729 An Ordinance Amending Chapter 21
of the City Code - Zoning Ordinance

An Ordinance Amending the City Code
with Respect to the Zoning Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Chapter 23, Article I, Section ²³⁻⁸ of the City Code
of the City of Charlotte, be amended by having Building Zone
Map of the City of Charlotte amended by changing from Residence 2 to
Business 1 the following described property:

BEGINNING at a point in the southerly margin of Herrin Avenue,
said point being located S. 60 - 27 E. 299.32 feet from the
intersection of the said margin of Herrin Avenue and the south-
easterly margin of The Plaza, and being further described as a
point in an existing Business 1 Zoning District boundary line
and running thence with said margin of Herrin Avenue S. 60 -27 E.
110 feet; thence S. 39 - 42 - 30 W. 167.34 feet; thence N. 60 -
27 W. 209.39 feet, more or less, to a point in an existing Business
1 Zoning District boundary line; thence with said line three courses
as follows: (1) N. 39 - 44 E. 50 feet; (2) S. 60 - 27 E. 99.37 feet;
(3) N. 39-42-30 E. 117.34 feet to the BEGINNING.

Section 2. That this ordinance shall become effective upon its
adoption after a public hearing in connection therewith."

AND, WHEREAS, under the law no amendment to the zoning ordinance
can be adopted until a public hearing thereon is held, of which public
hearing notice is required to be given publication not less than fifteen
days immediately preceding the date of such hearing;

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

1. That March 20, 1961, at 2 O'clock p.m.
be fixed as the time, and the Council Chamber in the City Hall as the place
for the public hearing on the proposed amendment as above set out.

Approved as to form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte,
North Carolina, on the 13th day of February, 1961, the reference having
been made in Minute Book 40, Page 238, and recorded in full in Resolutions
Book 4, at Page 90.

Lillian R. Hoffman, City Clerk

A regular meeting of the City Council of the City of Charlotte, North Carolina, was held in the Council Chamber of the City Hall, at 3 o'clock P.M., on February 13, 1961, Mayor Smith presiding, and the following members being present: Councilmen Albea, Babcock, Dellinger, Hitch, Myers Smith and Whittington.

Absent: None

* * * * *

Councilman Hitch introduced the following resolution which was read:

RESOLUTION PROVIDING FOR THE ISSUANCE OF \$3,500,000 SANITARY SEWER BONDS

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. The City Council has determined and does hereby find and declare:

(a) That an ordinance authorizing \$3,500,000 Sanitary Sewer Bonds was passed on April 18, 1960, which ordinance was approved by the vote of a majority of the qualified voters of said City who voted thereon at an election duly called and held on May 28, 1960.

(b) That none of said bonds has been issued and that \$985,000 notes have been issued in anticipation of the receipt of the proceeds of a like amount of said bonds, which notes are designated "Sanitary Sewer Bond Anticipation Notes", are dated October 20, 1960 and mature on April 1, 1961.

(c) That it is necessary to issue all of said \$3,500,000 bonds, \$985,000 of the proceeds thereof to be used to pay said notes at their maturity.

(d) That the probable period of usefulness of the enlargements and extensions to the sanitary sewer system of said City to be made pursuant to said ordinance is a period of forty years from April 18, 1961, a date not more than one year after the passage of said ordinance, and that said period expires on April 18, 2001.

Section 2. Pursuant to said ordinance there shall be issued the negotiable coupon bonds of the City of Charlotte, in the aggregate principal amount of \$3,500,000, designated "Sanitary Sewer Bonds", consisting of 3,500 bonds

of the denomination of \$1,000 each, numbered 1 to 3,500, inclusive, dated March 1, 1961, maturing annually, March 1, in numerical order, lowest numbers first, \$80,000 1962 to 1964, \$120,000 1965 to 1974, \$125,000 1975 to 1979 and \$200,000 1980 to 1986, all inclusive, and \$35,000 1987, without option of prior payment, and bearing interest from their date at a rate or rates not exceeding 6% per annum to be determined by the Local Government Commission at the time the bonds are sold, which interest to the maturity thereof shall be payable semi-annually on the first days of March and September of each year. Both the principal of and the interest on said bonds shall be payable in any coin or currency of the United States of America which, at the respective dates of payment thereof, is legal tender for the payment of public and private debts, at the North Carolina National Bank, in the City of Charlotte, North Carolina, or at The Hanover Bank, in the Borough of Manhattan, City and State of New York, or at The First National Bank of Chicago, in the City of Chicago, Illinois, at the option of the holder or registered owner.

Upon motion of Councilman Hitch , seconded by Councilman Dellinger, and unanimously carried, the foregoing resolution entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF \$3,500,000 SANITARY SEWER BONDS", was passed by the following vote:

YEAS: Councilmen Albea, Babcock, Dellinger, Hitch, Myers, Smith and Whittington.

NAYS: None

Thereupon Councilman Hitch introduced the following resolution which was read:

RESOLUTION PROVIDING FOR THE ISSUANCE OF
\$1,500,000 HOSPITAL BONDS (CHARLOTTE
MEMORIAL HOSPITAL)

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. The City Council has determined and does hereby find and declare:

(a) That an ordinance authorizing \$1,500,000 Hospital Bonds (Charlotte Memorial Hospital), was passed on April 18, 1960, which ordinance was approved by the vote of a majority of the qualified voters of said City who voted thereon at an election duly called and held on May 28, 1960.

(b) That none of said bonds has been issued and that \$25,000 notes have been issued in anticipation of the receipt of the proceeds of a like amount

of said bonds, which notes are designated "Charlotte Memorial Hospital Bond Anticipation Notes", are dated October 20, 1960 and mature on April 1, 1961.

(c) That it is necessary to issue all of said \$1,500,000 bonds, \$25,000 of the proceeds thereof to be used to pay said notes at their maturity.

(d) That the probable period of usefulness of the facilities to be furnished pursuant to said ordinance is a period of thirty years from April 18, 1961, a date not more than one year after the passage of said ordinance, and that said period expires on April 18, 1991.

Section 2. Pursuant to said ordinance there shall be issued the negotiable coupon bonds of the City of Charlotte, in the aggregate principal amount of \$1,500,000, designated "Hospital Bonds (Charlotte Memorial Hospital)", consisting of 1,500 bonds of the denomination of \$1,000 each, numbered 1 to 1,500, inclusive, dated March 1, 1961, maturing annually, March 1, in numerical order, lowest numbers first, \$60,000 1962, \$30,000 1963, \$30,000 1964, \$65,000 1965 to 1969, inclusive, \$70,000 1970 to 1983, inclusive, and \$75,000 1984, without option of prior payment, and bearing interest from their date at a rate or rates not exceeding 6% per annum to be determined by the Local Government Commission at the time the bonds are sold, which interest to the maturity thereof shall be payable semi-annually on the first days of March and September of each year. Both the principal of and the interest on said bonds shall be payable in any coin or currency of the United States of America which, at the respective dates of payment thereof, is legal tender for the payment of public and private debts, at the North Carolina National Bank, in the City of Charlotte, North Carolina, or at The Hanover Bank, in the Borough of Manhattan, City and State of New York, or at The First National Bank of Chicago, in the City of Chicago, Illinois, at the option of the holder or registered owner.

Upon motion of Councilman Hitch , seconded by Councilman Dellinger, and unanimously carried, the foregoing resolution entitled: "RESOLUTION PROVIDING FOR THE ISSUANCE OF \$1,500,000 HOSPITAL BONDS (CHARLOTTE MEMORIAL HOSPITAL)", was passed by the following vote:

YEAS: Councilmen Albea, Babcock, Dellinger, Hitch, Myers, Smith and Whittington.

NAYS: None.

Thereupon Councilman Hitch introduced the following resolution

which was read:

RESOLUTION FIXING THE FORM AND MANNER OF EXECUTION OF \$5,000,000 BONDS TO BE ISSUED UNDER DATE OF MARCH 1, 1961, PROVIDING FOR THE REGISTRATION THEREOF AND RATIFYING APPLICATION TO LOCAL GOVERNMENT COMMISSION FOR THE ADVERTISEMENT AND SALE OF SAID BONDS

BE IT RESOLVED by the City Council of the City of Charlotte:

Section 1. The \$3,500,000 Sanitary Sewer Bonds and \$1,500,000 Hospital Bonds (Charlotte Memorial Hospital), to be issued by the City of Charlotte under date of March 1, 1961, shall be signed by the Mayor and the City Clerk, under the corporate seal of the City, and the interest coupons to be attached to said bonds shall be executed with the facsimile signature of said City Clerk. Said bonds and coupons and the endorsements to be printed upon the reverse of said bonds shall be in substantially the following forms:

Number _____ \$1,000

United States of America
State of North Carolina
County of Mecklenburg

CITY OF CHARLOTTE

..... Bond

The City of Charlotte, a municipal corporation in Mecklenburg County, North Carolina, is justly indebted and for value received hereby promises to pay to the bearer or, if this bond be registered, to the registered owner hereof, on the 1st day of March, 19____, the principal sum of

ONE THOUSAND DOLLARS

and to pay interest thereon from the date hereof at the rate of ____ per centum (____%) per annum until payment of such principal sum, such interest to the maturity hereof being payable semi-annually on the first days of March and September of each year upon the presentation and surrender of the coupons representing such interest as the same respectively become due.

Both the principal of and the interest on this bond are payable in any coin or currency of the United States of America which, at the respective dates of payment thereof, is legal tender for the payment of public and private debts, at the North Carolina National Bank, in the City of Charlotte, North Carolina, or at The Hanover Bank, in the Borough of Manhattan, City and State

of New York, or at The First National Bank of Chicago, in the City of Chicago, Illinois, at the option of the holder or registered owner. For the prompt payment hereof, both principal and interest as the same shall become due, the full faith and credit of said City of Charlotte are hereby irrevocably pledged.

This bond is one of a series issued by said City pursuant to and in full compliance with The Municipal Finance Act, 1921, as amended, (here insert in the Hospital Bonds (Charlotte Memorial Hospital), the words "the Municipal Hospital Facilities Act, as amended,") and the Local Government Act, as amended, and an ordinance which was approved by the vote of a majority of the qualified voters of said City who voted thereon at an election duly called and held and resolutions duly passed by the City Council of said City for the purpose of providing funds

It is hereby certified and recited that all acts, conditions and things required to happen, exist and be performed by the Constitution and laws of North Carolina precedent to and in the issuance of this bond have happened exist and have been performed in regular and due form and time as so required; that provision has been made for the levy and collection of a direct annual tax upon all taxable property within said City sufficient to pay the principal of and the interest on this bond as the same shall become due; and that the total indebtedness of said City, including this bond, does not exceed any constitutional or statutory limitation thereon.

This bond may be registered as to principal alone in accordance with the provisions endorsed hereon.

IN WITNESS WHEREOF, said City of Charlotte has caused this bond to be signed by its Mayor and its City Clerk, under the corporate seal of the City, and has caused the interest coupons attached hereto to be executed with the facsimile signature of said City Clerk, all as of the 1st day of March, 1961.

Mayor

City Clerk

(Endorsements on bonds)

CERTIFICATE OF LOCAL GOVERNMENT COMMISSION

The issuance of the within bond has been approved under the provisions of the Local Government Act of North Carolina.

W. E. EASTERLING,
Secretary, Local Government Commission

By: _____
Designated Assistant

PROVISIONS FOR REGISTRATION

This bond may be registered as to principal alone in the Bond Register of the City of Charlotte by the City Treasurer as Bond Registrar, at his office in the City of Charlotte, or by such other Bond Registrar as may be legally appointed by the governing body of said City upon presentation hereof to the Bond Registrar who shall make notation of such registration in the registration blank below, and this bond may thereafter be transferred only upon a duly executed assignment of the registered owner or his attorney in such form as shall be satisfactory to the Bond Registrar, such transfer to be made on such Bond Register and endorsed hereon by the Bond Registrar. Such transfer may be to bearer and thereby transferability by deliver shall be restored, but this bond shall again be subject to successive registrations and transfers as before. The principal of this bond, if registered, unless registered to bearer, shall be payable only to or upon the order of the registered owner or his legal representative. Notwithstanding the registration of this bond as to principal alone, the coupons shall remain payable to bearer and shall continue to be transferable by delivery.

<u>Date of Registration</u>	<u>Name of Registered Owner</u>	<u>Signature of Bond Registrar</u>
.....
.....
.....

(Form of coupons)

No. _____ \$ _____

On the 1st day of _____, 19____, the City of Charlotte, a municipal corporation in Mecklenburg County, North Carolina, will pay to bearer at the North Carolina National Bank, in the City of Charlotte, North

Carolina, or at The Hanover Bank, in the Borough of Manhattan, City and State of New York, or at The First National Bank of Chicago, in the City of Chicago, Illinois, at the option of the bearer, upon the presentation and surrender hereof, the sum of _____ Dollars in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, as provided in and for the semi-annual interest then due upon its _____
 _____ Bond, dated March 1, 1961, numbered _____.

 City Clerk

Section 2. The dotted line in the foregoing bond form following the words "for the purpose of providing funds" shall be filled out as follows:

In the bonds designated "SANITARY SEWER BONDS", there shall be inserted the words "for enlarging and extending the sanitary sewer system of said City, including the acquisition, construction and enlargement of sewage collection, treatment and disposal facilities and the acquisition of necessary land and rights of way".

In the bonds designated "HOSPITAL BONDS (CHARLOTTE MEMORIAL HOSPITAL)" there shall be inserted the words ", with any other available funds, to aid the Charlotte Memorial Hospital Authority of Charlotte, North Carolina, to provide additional physical facilities for furnishing hospital, clinic and similar services to the people of the City of Charlotte by the expansion of the Charlotte Memorial Hospital owned by said Authority by the construction of a hospital building addition, including the acquisition of necessary equipment".

Section 3. Said bonds shall be registrable as to principal alone in accordance with the provisions hereinabove provided for endorsement upon said bonds and the City Treasurer is hereby appointed Bond Registrar for the purpose of registering and transferring said bonds, subject to the right of the governing body of the City of Charlotte hereafter to appoint another Bond Registrar. No charge shall be made to any bondholder for the privilege of registration and transfer herein granted.

Section 4. The action of the City Treasurer in applying to the Local Government Commission for the advertisement and sale of said \$3,500,000 Sanitary Sewer Bonds and \$1,500,000 Hospital Bonds (Charlotte Memorial Hospital) be and the same is hereby ratified and confirmed.

Upon motion of Councilman Hitch, seconded by Councilman Dellinger, and unanimously carried, the foregoing resolution entitled: "RESOLUTION FIXING THE FORM AND MANNER OF EXECUTION OF \$5,000,000 BONDS TO BE ISSUED UNDER

DATE OF MARCH 1, 1961, PROVIDING FOR THE REGISTRATION THEREOF AND RATIFYING APPLICATION TO LOCAL GOVERNMENT COMMISSION FOR THE ADVERTISEMENT AND SALE OF SAID BONDS" was passed by the following vote:

YEAS: Councilmen Albea, Babcock, Dellinger, Hitch, Myers, Smith and Whittington.

NAYS: None.

* * * * *

I, Lillian R. Hoffman, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the City Council of the City of Charlotte, at a regular meeting held February 13, 1961, the reference having been made in Minute Book 40, beginning at Page 240 and ending at Page 241, and recorded in full in Resolutions Book 4, beginning at page 91, and ending at page 98, and is a true copy of so much of the said minutes as relate in any way to the issuance of bonds of said City.

WITNESS my hand and the corporate seal of said City, this 16th day of February, 1961.

City Clerk