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RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF ELIZABETH MILDRED T. GOINES LOCATED AT 816 AND 818 NORTH CALDWELL STREET FOR NORTHWEST EXPRESSWAY.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property of Elizabeth Mildred T. Goines located at 816 and 818 North Caldwell Street, for right of way purposes for the Northwest Expressway project; 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 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, condemnation proceedings are hereby authorized to be instituted against the property of Elizabeth Mildred T. Goines located at 816 and 818 North Caldwell Street 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 \$9,100.00, 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:

J. W. Kiser Acting City Attorney

November 4, 1965

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in meeting on the 1st day of November, 1965, the reference having been made in Minute Book 46, at Page 164, and recorded in full in Resolutions Book 5, at Page 150.

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF FLORA JEAN FIDLER ESTATE LOCATED AT EAST 11TH, AND NORTH DAVIDSON STREETS FOR NORTHWEST EXPRESSWAY

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property of Flora Jean Fidler Estate, located at East 11th and North Davidson Streets in the City of Charlotte for right of way purposes for the Northwest Expressway project; and

WHEREAS, the City cannot acquire a good fee simple title to the property by purchase,

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, condemnation proceedings are hereby authorized to be instituted against the property of Flora Jean Fidler Estate, located at East 11th and North Davidson Streets 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 \$15,000.00, 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:

J. W. Kiser Acting City Attorney

November 4, 1965

Read, approved and adopted by the City Council of the City of Charlotte,
North Carolina in meeting on the 1st day of November, 1965, the reference
having been made in Minute Book 46, at Page 164, and recorded in full in
Resolutions Book 5, at Page 151.

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RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF WILLIAM FIDLER AND JOYCE FIDLER LOCATED AT EAST 11TH AND NORTH DAVIDSON STREETS FOR NORTHWEST EXPRESSWAY.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property of William Fidler and Joyce Fidler located at East lith and North Davidson Streets in the City of Charlotte for right of way purposes for the Northwest Expressway project; and

WHEREAS, the City cannot acquire a good fee simple title to the property by purchase,

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, condemnation proceedings are hereby authorized to be instituted against the property of William Fidler and Joyce Fidler located at East 11th and North Davidson Streets 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 \$22,500.00, 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:

J. W. Kiser Acting City Attorney

November 4, 1965

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in meeting on the 1st day of November, 1965, the reference having been made in Minute Book 46, at Page 165, and recorded in full in Resolutions Book 5, at Page 152.

RESOLUTION APPROVING A JUDGMENT IN THE CASE OF CITY OF CHARLOTTE AND CHARLOTTE PARK AND RECREATION COMMISSION AGAINST THE CHARLOTTE-MECKLENBURG BOARD OF EDUCATION, AND THE TRUSTEES OF CHARLOTTE COMMUNITY COLLEGE SYSTEM, AND AUTHORIZING EXECUTION THEREOF.

WHEREAS, by deed dated March 8, 1950, and recorded in Book 1428, at page 33, of the Mecklenburg Public Registry, the City of Charlotte conveyed certain properties to the Board of School Commissioners of the City of Charlotte, including that property located behind the old Central High School; and

WHEREAS, certain questions concerning the status of the title to said property had to be resolved by an action to quiet title under North Carolina General Statute Section 41-10; and

WHEREAS, the City of Charlotte joined as a plaintiff in the law suit for the sole purpose of having the Court determine the interest that it had conveyed by the deed referred to above, it having been the City's intention to convey such property as it was legally entitled to convey; and

WHEREAS, the parties have agreed upon a Consent Judgment in settlement of the matters in dispute, and all except the City of Charlotte have
signed the Judgment;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that the Consent Judgment entered into by and between the parties to the action to quiet title to the property located behind old Central High School is hereby approved, and the City Manager and Acting City Attorney are hereby authorized to execute the Judgment on behalf of the City of Charlotte.

Approved as to form:

J. W. Kiser Acting City Attorney

November 4, 1965

Read, approved and adopted by the City Council of the City of Charlotte,

North Carolina in meeting on the 1st day of November, 1965 the reference

having been made in Minute Book 46, at Page 170, and recorded in full in
Resolutions Book 5, at Page 153.

RESOLUTION APPROVING AGREEMENT BETWEEN THE STATE HIGHWAY COMMISSION AND THE CITY OF CHARLOTTE RELATING TO PROJECT NO. 8.27225 (SUGAR CREEK ROAD, HIGHWAY PLACE AND EASTWAY DRIVE).

WHEREAS, the State Highway Commission has prepared and adopted plans to make certain street and highway improvements within the City of Charlotte consisting of the construction and improvement of Secondary Road 2975 (Sugar Creek Road), Secondary Road 2974 (Highway Place) and Secondary Road 2940 Eastway Drive) as shown on the plans of Project 8.27225, Mecklenburg County; said project having right of way widths as shown on the plans of Project 8.27225, Mecklenburg County, as filed with the State Highway Commission in Raleigh, North Carolina; that said project is considered to be a most necessary improvement in the street and highway system within the corporate limits of this Municipality for the promotion of public safety and convenience; and

WHEREAS, in the plans and proposals of said improvement, it is provided that this Municipality cooperate with the State Highway Commission to the extent of:

- (1) Exercising any right which it may have under any franchise to effect the changing, adjusting or relocating of telephone, telegraph, electric power lines, underground cables and gas lines or any privately or publicly owned utilities without expense to the State Highway Commission, and without cost to said Commission providing for the laying, changing, relaying or repairing of any necessary municipally owned electric lines, water, sewer, gas or other pipelines or conduits, together with all necessary house or lot connections or services extending to the outer edges of said project whether made necessary by the widening of existing or the construction of new or relocated streets or sidewalks. Except the State Highway Commission will reimburse the Municipality in accordance with the policy of said Commission contained in the official minutes of the July 2, 1964, meeting of the Commission, which policy is incorporated herein by reference.
- (2) Entering into an agreement with the State Highway Commission as to establishing and maintaining traffic operating controls for the regulation and movement of traffic on said project.

NOW, THEREFORE, BE IT RESOLVED that Project 8.27225, 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 of this Municipality be and they are hereby empowered to sign and execute the required agreement between this Municipality and the State Highway Commission.

Approved as to form:

J. W. Kiser Acting City Attorney

November 4, 1965

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in meeting on the 1st day of November, 1965, the reference having been made in Minute Book 46, at Page 171, and recorded in full in Resolutions Book 5, at Page 154.