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## 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 two 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 <u>3rd</u> day of June, 1968, 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: while fr. Acting City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting of June 3, 1968, the reference having been made in Minute Book 50, at Page , and recorded in full in Resolutions Book 6, at Page 142.

Ruth Armstrong City Clerk

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## TAXPAYERS AND REFUNDS REQUESTED

NAME OF TAXPAYER	AMOUNT OF REFUN REQUESTED	ID REASON
Cecil Benton Threadgill & wife 1214 Sharon-Amity Road 1967 Taxes	97.51	Clerical Error
D. L. Peterson, Trustee 2701 North Charles St. Baltimore, Maryland 1967 Taxes	21.15	Clerical Error
Mrs. Lucy H. McDonald 1400 N. McDowell St.	7.50	Clerical Error
Piedmont & Northern Railway Co. P. O. Box 480, Charlotte, N. C.	6.87	Clerical Error
Cynthia Baker Fuqua 4316 Applegate Road 1967 Taxes	6.28	Clerical Error
Frank Woods, Inc. 522 S. Tryon St. 1967 Taxes	370.86	Duplication Error
	510.17	

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RESOLUTION APPROVING AND PROVIDING FOR THE EXECUTION OF A PROPOSED CONTRACT FOR CODE ENFORCEMENT PROGRAM UNDER SECTION 117 OF TITLE I OF THE HOUSING ACT OF 1949, AS AMENDED, NUMBERED CONTRACT NO. N.C.E.-2(G) BY AND BETWEEN THE CITY OF CHARLOTTE, NORTH CAROLINA AND THE UNITED STATES OF AMERICA.

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WHEREAS, the United States of America (herein called the "Government") has tendered to the City of Charlotte, North Carolina (herein called the Public Body"), a proposed Contract for Code Enforcement Program under Section 117 of Title I of the Housing Act of 1949, as amended, under which the Government would make a grant of Federal funds to the Public Body to aid in financing the cost of a certain Code Enforcement Program designated Program No. N. C. E. -2 in the area described in such proposed Contract; and

WHEREAS, the Public Body has given due consideration to said proposed Contract:

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, as follows:

Section 1. The proposed Contract for Code Enforcement Program under Title I of the Housing Act of 1949, as amended, designated Contract No. N. C. E. -2(G), consisting of Parts I and II, under and subject to the terms and conditions of which the Government would make a grant of Federal funds to the Public Body to aid in financing the cost of a certain Code Enforcement Program designated Program No. N. C. E. -2, situated in the City of Charlotte, North Carolina, is hereby in all respects approved.

Section 2. The Mayor is hereby authorized and directed to execute said proposed Contract in two counter parts on behalf of the Public Body, and the City Clerk is hereby authorized and directed to impress and attest the official seal of the Public Body on each such counterpart, and to forward such counterparts to the Department of Housing and Urban Development for execution on behalf of the Government, together with such other documents relative to the approval and execution thereof as well as to this Resolution as may be required by the Government.

Section 3. The Executive Director of Redevelopment Commission of the City of Charlotte, North Carolina, agency responsible for the administration of said Code Enforcement Program, is hereby authorized to file requisitions, together with necessary supporting documents with the Government from time to time, requesting payment to be made on account of the grant provided for in the said Contract, and to do and perform all such other things and acts required to be done or performed in order to obtain such payments.

Section 4. This Resolution shall take effect immediately.

Approved as to form:

eshell fr. Acting City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 3rd day of June, 1968, the reference having been made in Minute Book 50 - Page , and recorded in full in Resolutions Book 6, at Page 143.

> Ruth Armstrong City Clerk

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF YETIVE W. SMITH AND HUSBAND, RICHARD P. SMITH, LOCATED AT 1221 MEADOWWOOD LANE FOR THE WILLHAVEN DRIVE TRUNK PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property of Yetive W. Smith and husband, Richard P. Smith located at 1221 Meadowwood Lane in the City of Charlotte, for a perpetual easement and right of way for a sanitary sewer in connection with a sanitary sewer system to serve Willhaven Drive; 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 of the Charter of the City of Charlotte, as amended by Chapter 216, 1967 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of Yetive W. Smith and husband, Richard P. Smith located at 1221 Meadowwood Lane in the City of Charlotte, Mecklenburg County, under the procedures as set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$155.00, 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:

Acting City Attorney

### CERTIFICATION

I, <u>Ruth Armstrong</u>, 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 <u>3rd</u> day of June, 1968, the reference having been made in Minute Book 50, Page \_\_\_\_, and recorded in full in Resolutions Book 6, Page <u>144</u>.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 4th day of June, 1968.

City Clerk

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#### RESOLUTION APPROVING A REVISED MUNICIPAL AGREEMENT WITH THE STATE HIGHWAY COMMISSION FOR PROJECT NO. W. O. 9.7100310 - THIRTIETH STREET

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WHEREAS, on the 2nd of October, 1967, the Municipality and the Commission entered into a Municipal Agreement for the construction and improvement of East Thirtieth Street under Project W. O. 9.7100310, Mecklenburg County, and the Commission and the Municipality do hereby mutually agree to rescind the aforesaid agreement and enter into a new agreement for the construction and improvement of said project, as hereinafter set out.

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 East Thirtieth Street as shown on the plans of Project W. O. 9.7100310, Mecklenburg County; said project having right of way widths as shown on the plans of Project W. O. 9.7100310, 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, the Commission will participate in the cost of the project to the extent of one million two hundred and fifty thousand dollars (\$1,250,000.00), said amount to apply to the construction cost of Project W. 0. 9.7100310, less that amount that will be expended for preparation of plans; 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) Effecting the necessary 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, provide 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 Commission will, in accordance with Section 307-3.3 of the Standard Specifications for Roads and Structures, at its expense, have the contractor adjust the existing manholes, valve boxes and meter boxes encountered within the limits of the project that have to be raised or lowered two feet or less in elevation. June 3, 1968 Resolutions Book 6° - Page 146

- (2) Acquiring all the rights of way necessary for the location and construction of said project, and the removal therefrom of all obstructions and encroachments of any kind or character; furnishing the necessary rights of way free of all encroachments and obstructions to the State Highway Commission without any cost or liability whatsoever to said Commission and to save said Commission harmless from any and all claims for damages that might arise on account of the acquisition of right of way and drainage and slope easements in construction of said project in accordance with the plans on file with the State Highway Commission in Raleigh, North Carolina.
- (3) Constructing the project in accordance with the plans and specifications of said project as filed with and approved by the Commission and the following procedures shall be followed:
  - (a) The Municipality will enter into such contract or contracts as may be necessary to construct the project.
  - (b) Proposals for any work covered by this agreement to be performed by contract shall be submitted to the Commission for approval prior to advertising and the Commission shall approve the award of all contracts; further, upon award of the project to contract, the Municipality will furnish to the Commission a copy of the approved proposal and contract.
- (4) Furnishing all the construction engineering and all supervision.
- (5) Agreeing that the Commission shall have the right to inspect the project at all times.
- (6) Providing the Commission with one complete set of As-Built plans upon completion of the project.
- (7) Assuming the total cost of the project, less one million two hundred and fifty thousand dollars (\$1,250,000.00), which the Commission has agreed to pay toward construction and preparation of plans of the project.
- (8) Agreeing that upon completion of Project W. O. 9.7100310, that the portion of East Thirtieth Street that was constructed and improved under said project, will become a part of the North Carolina State Highway System.
- (9) Entering into an agreement with the State Highway Commission as to establishing and maintaining traffic operating controls for the regulation of movement of traffic on said project.

NOW, THEREFORE, BE IT RESOLVED that Project W. O. 9.7100310, Mecklenburg County, be and it is hereby formally approved by the City Council of this 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 State Highway Commission.

This Resolution was passed and adopted the \_\_\_\_\_ day of \_\_\_\_\_\_

APPROVED AS TO FORM:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 3rd day of June, 1968, the reference having been made in Minute Book 50, at Page , and recorded in full

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