

RESOLUTION
OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, N. C.
AUTHORIZING FILING OF APPLICATION
FOR GRANT TO ACQUIRE AND DEVELOP OPEN-SPACE LAND

WHEREAS, Title VII of the Housing Act of 1961, as amended, provides for the making of grants by the Secretary of Housing and Urban Development to States and local public bodies to assist them in the acquisition and development of permanent interests in land for open-space uses where such assistance is needed for carrying out a unified or officially coordinated program for the provision and development of open-space land as part of the comprehensively planned development of the urban area; and

WHEREAS the City of Charlotte (herein sometimes referred to as "Applicant") desires to acquire and develop as an urban park certain land known as the Charlotte-Mecklenburg County Library Park, which land is to be held and used for permanent open-space; and

WHEREAS Title VI of the Civil Rights Act of 1964, and the regulations of the Department of Housing and Urban Development effectuating that Title, provide that no person shall be discriminated against because of race, color, or national origin in the use of the land acquired and/or developed; and

WHEREAS it is recognized that the contract for Federal grant will impose certain obligations and responsibilities upon the Applicant and will require among other things (1) assurances that families and individuals displaced as a result of the open-space land project are offered decent, safe, and sanitary housing, (2) compliance with Federal labor standards, and (3) compliance with Federal requirements relating to equal employment opportunity; and

WHEREAS it is estimated that the cost of acquiring said interest(s) will be \$129,000; and

WHEREAS it is estimated that the cost of development of said land will be \$18,280; and

WHEREAS it is estimated that the cost of necessary demolition and removal of improvements on said land will be \$10,000; and

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

1. That an application be made to the Department of Housing and Urban Development for a grant in an amount authorized by Title VII of the Housing

Act of 1961, as amended, which amount is presently estimated to be \$78,640, and that the Applicant will pay the balance of the cost from other funds available to it.

2. That adequate open-space land for the locality cannot effectively be provided through the use of existing undeveloped or predominantly undeveloped land.

3. That the City Manager is hereby authorized and directed to execute and to file such application with the Department of Housing and Urban Development, to provide additional information and to furnish such documents as may be required by said Department, to execute such contracts as are required by said Department, and to act as the authorized correspondent of the Applicant.

4. That the proposed acquisition and development is in accordance with plans for the allocation of land for open-space uses, and that, should said grant be made, the Applicant will acquire, develop, and retain said land for the use(s) designated in said application and approved by the Department of Housing and Urban Development.

5. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the Applicant with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964.

6. That there exists in the locality an adequate amount of decent, safe, and sanitary housing which is available to persons displaced as a result of the open-space land project, at prices which are within their financial means, and which are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families, and it is the sense of this body that such displacees, if any, will be relocated in accordance with applicable regulations of the Department of Housing and Urban Development.

7. That the United States of American and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the Applicant with the Federal labor standards imposed under Title VII of the Housing Act of 1961, as amended.

8. That a land acquisition policy will be developed whereby every reasonable effort to acquire each property by negotiated purchase will be made before instituting eminent domain proceedings against the property. In addition, a property owner will not be required to surrender the right to possession of his property until the applicant pays, or causes to be paid, to the owner (a) the agreed purchase price arrived at by negotiation, or (b) in any case where only the amount of the payment to the owner is in dispute, not less than 75% of the appraised fair value as approved by the applicant and concurred in by the United States Department of Housing and Urban Development. Also, the applicant will not require any person lawfully occupying property to surrender possession without at least 90-days' written notice from the applicant of the date on which possession will be required.

Approved as to form:


Acting City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 6th day of May, 1968, the reference having been made in Minute Book 50, at Page , and recorded in full in Resolutions Book 6, at Page 117 and 118.

Ruth Armstrong
City Clerk

RESOLUTION APPROVING APPLICATION FOR PRELIMINARY LOAN FOR LOW-RENT PUBLIC HOUSING.

WHEREAS, it is the policy of this locality to eliminate sub-standard and other inadequate housing, to prevent the spread of slums and blight, and to realize as soon as feasible the goal of a decent home in a suitable living environment for all of its citizens; and

WHEREAS, under the provisions of the United States Housing Act of 1937, as amended, the Public Housing Administration is authorized to provide financial assistance to local public housing agencies for undertaking and carrying out preliminary planning of low-rent housing projects that will assist in meeting this goal; and

WHEREAS, the Act provides that there shall be local determination of need for low-rent housing to meet needs not being adequately met by private enterprise and that the Public Housing Administration shall not make any contract with a public housing agency for preliminary loans for surveys and planning in respect to any low-rent housing projects unless the governing body of the locality involved has by resolution approved the application of the public housing agency for such preliminary loan; and

WHEREAS, the Housing Authority of the City of Charlotte, North Carolina, (herein called the "Local Authority") is a public housing agency and is applying to the Public Housing Administration for a preliminary loan to cover the costs of surveys and planning in connection with the development of low-rent housing:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, as follows:

1. There exists in the City of Charlotte, North Carolina a need for such low-rent housing at rents within the means of low-income families;
2. The application of the Local Authority to the Public Housing Administration for a preliminary loan in an amount not to exceed \$400,000.00 for surveys and planning in connection with low-rent housing projects of not to exceed approximately 1,000 dwelling units is hereby approved.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in meeting on the 6th day of May, 1968, the reference having been made in Minute Book 50, at Page , and recorded in full in Resolutions Book 6, at Page 119.

Ruth Armstrong
City Clerk

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF PEPSI-COLA BOTTLING COMPANY OF CHARLOTTE, INC., LOCATED AT 2820 SOUTH BOULEVARD FOR THE SOUTH BOULEVARD INTERSECTIONS PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Pepsi-Cola Bottling Company of Charlotte, Inc., located at 2820 South Boulevard for right of way purposes for the South Boulevard Intersections 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 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 Pepsi-Cola Bottling Company of Charlotte, Inc., located at 2820 South Boulevard 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 \$27,500.00, 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:

Henry W. Woodruff Jr.
Acting 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 6th day of May 1968, the reference having been made in Minute Book 50, Page _____, and recorded in full in Resolution Book 6, at Page 120.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 8th day of May 1968.

City Clerk