A RESOLUTION PROVIDING FOR PUBLIC HEARINGS ON PETITIONS FOR ZONING CHANGES.

WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 71-23 through 71-25 are on record in the Office of the City Clerk, and

WHEREAS, the City Council deems it in the public interest that hearings be held on said petitions,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that public hearings will be held in the Council Chamber on the Second Floor of the Charlotte City Hall beginning at 2:00 o'clock P. M., on Monday, the 22nd day of March, 1971 on petitions for zoning changes numbered 71-23 through 71-25.

BE IT FURTHER RESOLVED that notice of said hearings be published as required by law.

APPROVED AS TO FORM:

(Henry W. Underhill, Jr.)
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 1st day of March, 1971, the reference having been made in Minute Book 55, at Page , and recorded in full in Resolution Book 7, at Page 257.

IA 800

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, N. C.

AUTHORIZING FILING OF INTERIM ASSISTANCE APPLICATION

WHEREAS, Section 118 of the Housing Act of 1949, as amended, authorizes the Secretary of Housing and Urban Development to make grants to cities, to assist them in carrying out programs of interim assistance to alleviate harmful conditions in slum and blighted areas which are planned for urban renewal in the near future but in which some immediate action is needed until renewal activities can be undertaken; and

WHEREAS, it has been found and determined by this body that there exist in this locality certain slum and blighted areas for which a program of interim assistance may be expected to alleviate harmful conditions in the area; and

WHEREAS, it is recognized that the grant of funds pursuant to Section 118 will impose certain obligations and responsibilities upon the City of Charlotte, North Carolina, among which is the obligation to assure that all individuals and families who may be displaced as a result of the interim assistance program activities are relocated into decent, safe, and sanitary housing and that all displaced business concerns and non-profit organizations are assisted in their relocation and that relocation payments are made to all eligible displacees, all in accordance with the regulations of the II. S. Department of Housing and Urban Development; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin under any program or activity receiving Federal financial assistance and Executive Order 11063 prohibits discrimination on the basis of race, color, creed or national origin in sale, lease, or other disposition of residential or residential related property (including land intended for residential use) or in the use or occupancy thereof:

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

1. That an application be filed with the Department of Housing and Urban Development on behalf of the City of Charlotte for an interim assistance grant under Section 118 of the Housing Act of 1949, as amended, of two-thirds of the cost of undertaking and carrying out an interim assistance program, the total cost of which is now estimated to be \$354,049, in First and Third Ward areas of the Model Neighborhood, and that the Mayor is hereby authorized and directed to execute and file such application, to provide such contract or contracts as may be necessary for the grant applied for, to execute and file for funds, and to act as the authorized representative of the City of Charlotte in the accomplishment of the interim assistance program.

- 2. That it is hereby determined that the areas designated in the application authorized in paragraph 1 above are eligible and appropriate for an interim assistance program.
- 3. That the United States of America and the Secretary of Housing and Urban Development hereby are assured of full compliance by the City of Charlotte (a) with regulations of the Department of Housing and Urban Development, effectuating Title VI of the Civil Rights Act of 1964 and applicable Executive Orders; and (b) with requirements and regulations of the Department of Housing and Urban Development regarding the relocation of those displaced by interim assistance program activities.

Approved as to form: / Jenny W. Lerence City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 1st day of March, 1971, the reference having been made in Minute Book 55, at Page and recorded in full in Resolution Book 7, beginning on Page 258.

A RESOLUTION GRANTING RELIEF FROM HARDSHIP UNDER A RESOLUTION ADOPTING SET-BACK LINES ON EAST AND WEST THIRD STREET.

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

THAT WHEREAS, the owners of the 19,093 sq. ft. lot located at the northwest corner of South Tryon Street and West Third Street in the City of Charlotte are desirous of constructing a 13-story office building at this location, a part of which will be leased to THE NORTHWESTERN BANK; and

WHEREAS, the proposed construction plans for this building call for a portion of the building on the ground level and a projection of the upper floors to extend over the set-back line established for West Third Street by resolution of the City Council adopted January 2, 1957; and recorded in Resolution Book 3, page 18;

WHEREAS, the owners of the property have requested that the City

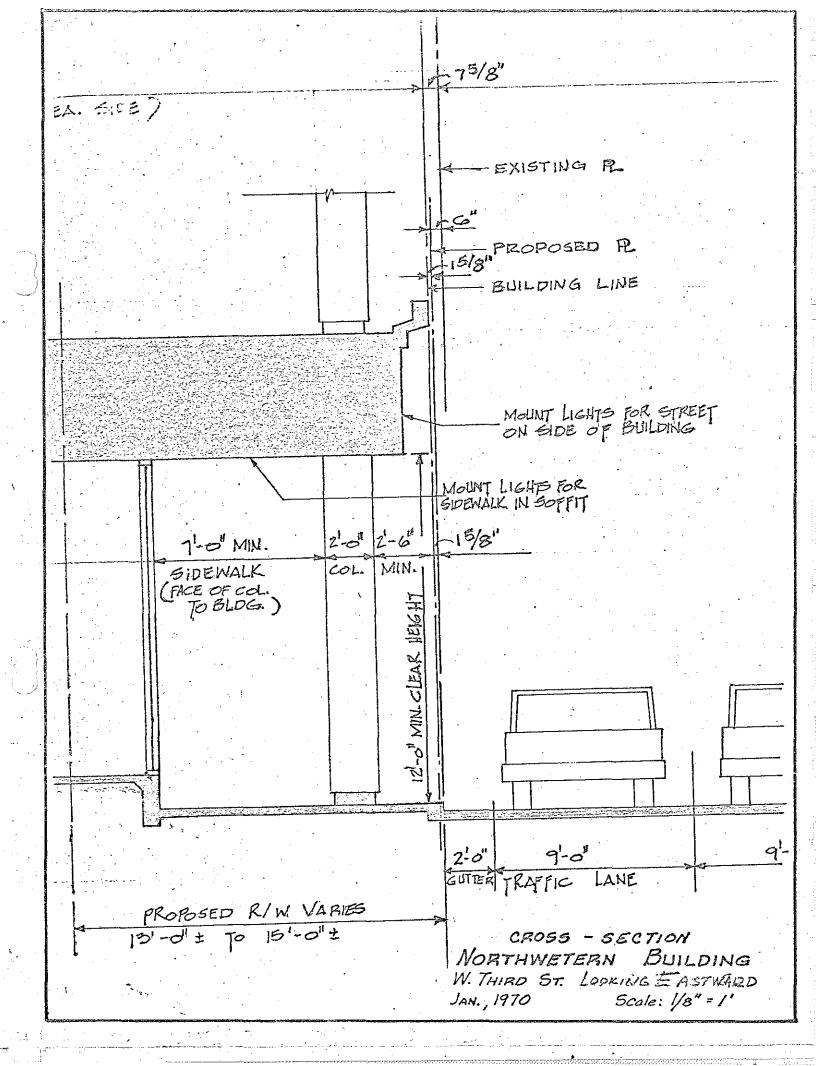
Council relieve them, and THE NORTHWESTERN BANK, their successors and

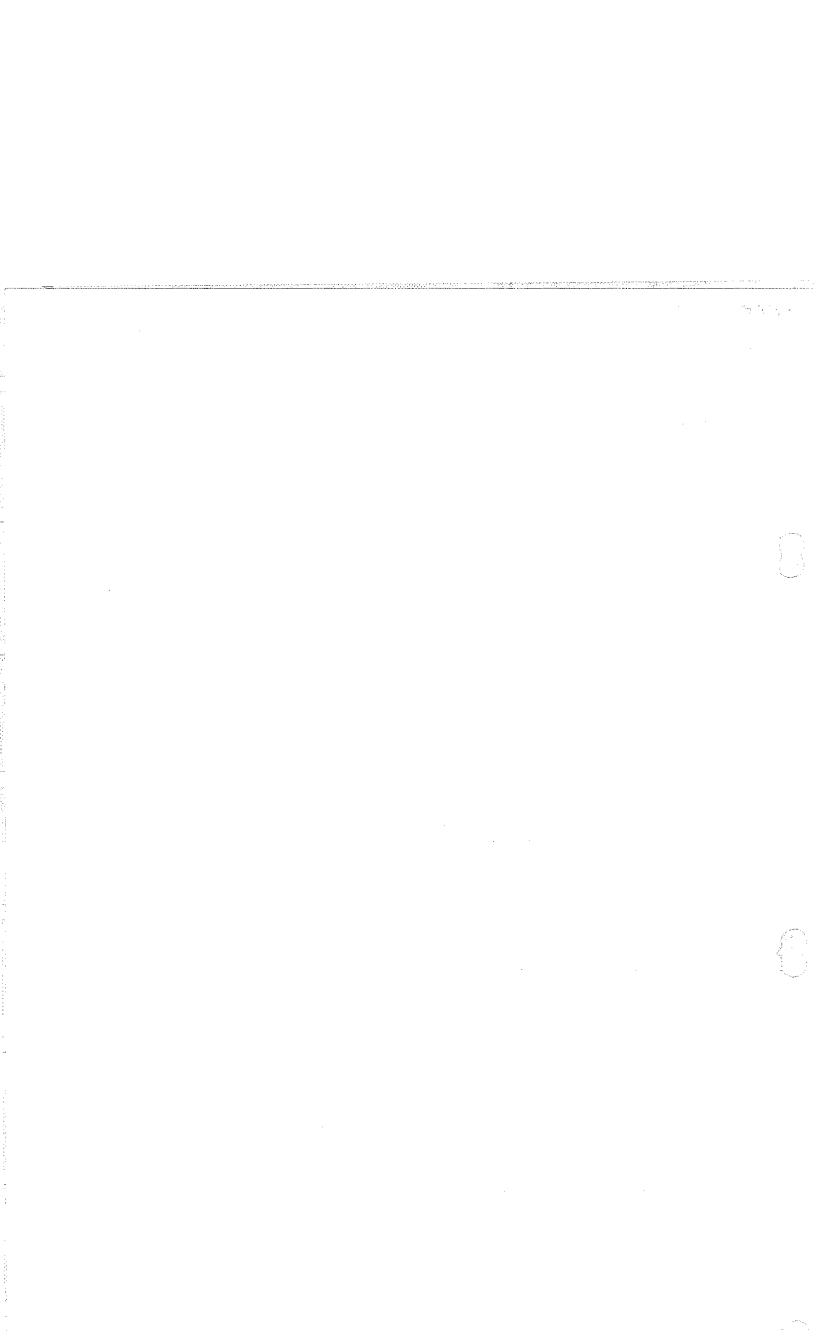
assigns, from this set-pack time restriction, and authorize them to construct

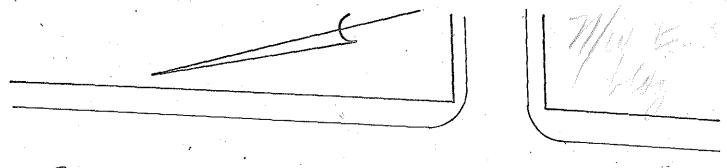
this building in accordance with the proposed sketch hereto attached as

Exhibit A relating to the building and projection; and

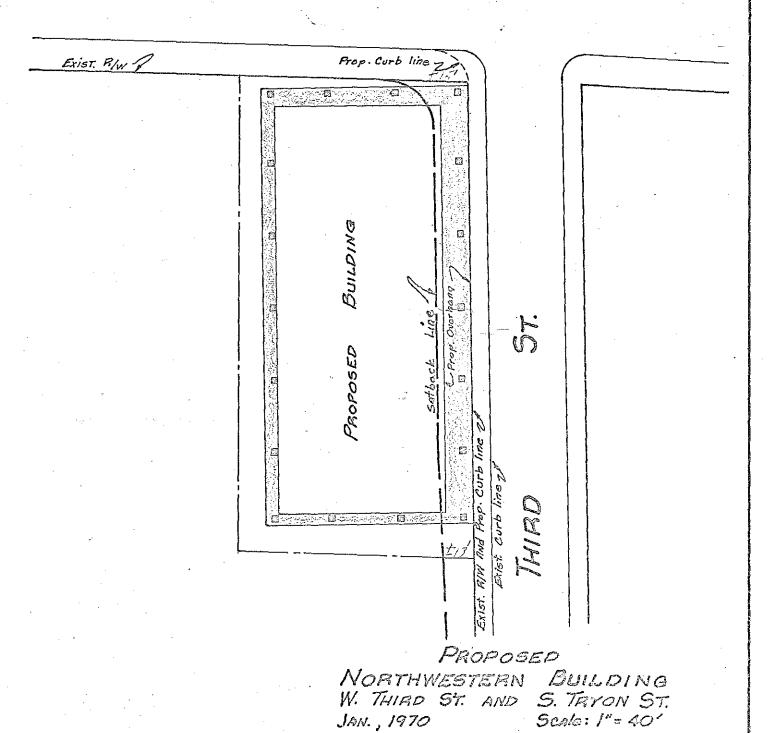
WHEREAS, in exchange for this relief from the set-back line restriction, the owners of the property have agreed to grant the City of Charlotte an easement for a public pedestrian walkway, said easement to be along the northerly boundary of West Third Street approximately 11.5 feet in width, 197.93 feet in length, and extending upward 12 feet above the surface of the proposed walkway, said easement to be subject to the right of the owners to construct

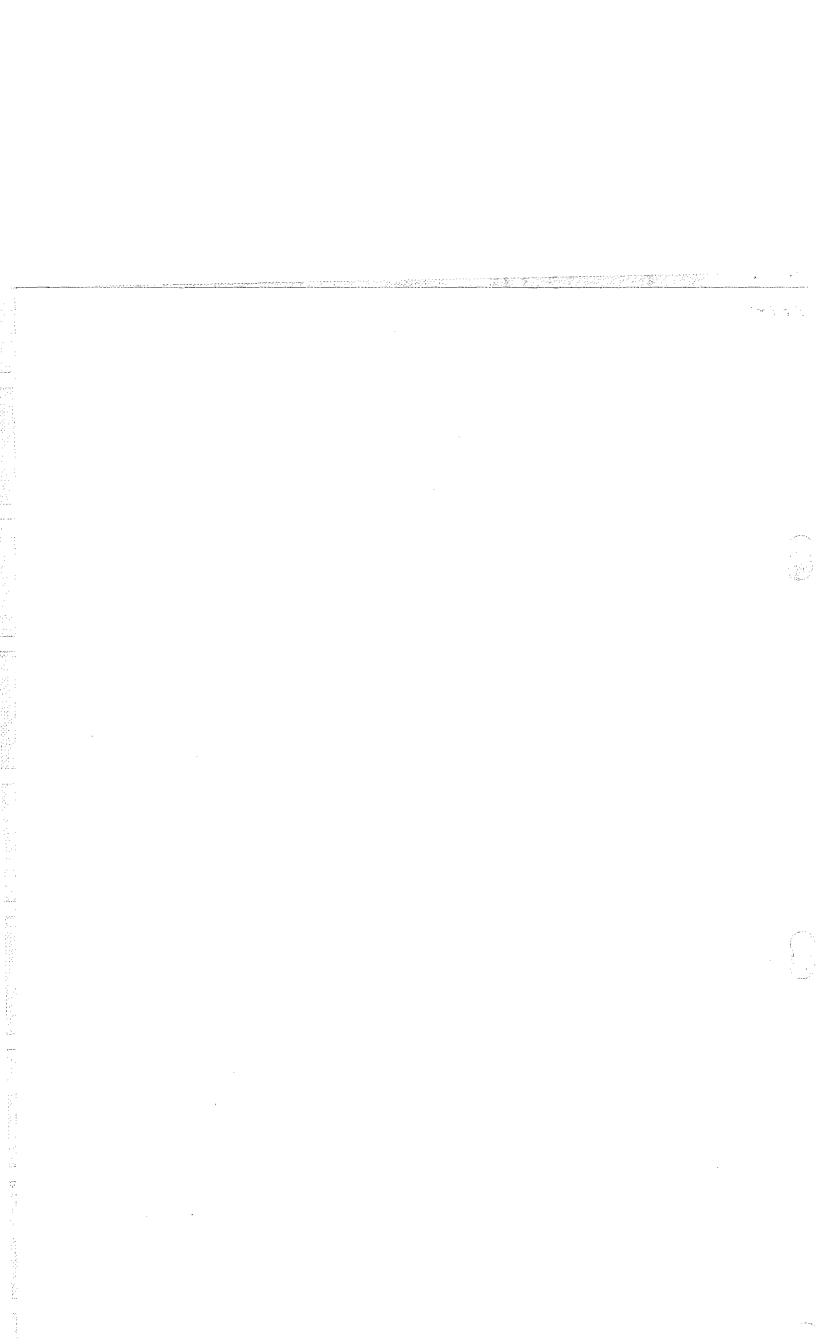






S. TRYON ST.





and maintain within the easement area, seven support columns for the building, each column being approximately 2 feet by 2.5 feet in diameter; and

WHEREAS, the owners further agree, at their own expense, to construct the proposed walkway, the curb and gutter along West Third Street and provide the necessary lighting therefor, as well as to maintain the walkway within the set-back area for as long as the building shall remain on this said property; and

WHEREAS, the owners of this said property agree to hold the City of Charlotte harmless from and against all damage, including injury to persons or damage to property which may result from, arise out of, or be brought about by reason of use of the walkway easement by the public;

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

That said set-back line be, and same hereby is, modified to permit the construction of said building in accordance with the sketch appearing as Exhibit A hereto, that this modification shall continue only so long as the Building shall remain on said premises, and except as hereby expressly modified, the set back line for West Third Street is hereby ratified, reaffirmed and re-published.

Approved as to form:

City Attornor

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 1st day of March, 1971, the reference having been made in Minute Book 55, at Page, and recorded in full in Resolution Book 7, at Pages 260-261.

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 eight 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, THEREFOR	E, BE IT RESOLVED by the City Council of the	City
or Charlesse, Renth Car	olina, in regular resambled thisist.	day
of March	, 19 71, that those taxpayers listed on the	VI STEPPEN TO THE STATE OF THE
schedule of "Taxpayers	and Refunds Requested", be refunded the amoun	nts
therein set out and that	the schedule and this resolution be spread upon	the
minutes of this meeting		
	Read, approved and adopted by the City Counci of Charlotte, North Carolina, in regular sess on the 1st day of March, 1971, the reference	ion convened
Approved as to form:	made in Minute Book 55, at Page , and rec in Resolution Book 7, at Page 262.	orded in full

TAXPAYERS AND REFUNDS REQUESTED

NAME	AMOUNT OF REFUND REQUESTED	REASON
Morgenthaler Linotype Co.	\$1,352.40	Clerical Error
Elliott Leon Cooke	26.26	Clerical Error
M. Dudley Crook & wife	30.12	Clerical Error
Clyde McKinley Gibson	1.00	Clerical Error
Auto Supply Co., Inc.	31.01	Clerical Error
Mergenthaler Linotype Co.	1,298.57	Clerical Error
R & H Heating & Air Conditioni	ng Corp. 253.26	Clerical Error
Jefferson B. Dishongh & wife	9.30	Clerical Error
Associates Leasing Corp. of In	diana 27.89	Clerical Error
C.I.T. Service Leasing Corp.	178.46	Clerical Error
The Falco Corporation	123.20	Clerical Error
Lease Plan, Inc.	372.90	Clerical Error
Pepisco Service Industries Lea	sing Corp. 4.48	Clerical Error
Patricia C. Linton TOTAL	$\frac{1.01}{\$3,709.86}$	Clerical Error