

STATE OF NORTH CAROLINA - COUNTY OF MECKLENBURG
 RESOLUTION CALLING FOR A PUBLIC HEARING ON THE
 REDEVELOPMENT PLAN FOR
 PROJECT NO. N. C. A-3(1), THIRD WARD URBAN RENEWAL AREA,
 CHARLOTTE, NORTH CAROLINA

WHEREAS, under the authority of Article 37 of Chapter 160 of the General Statutes of North Carolina and particularly Section 160-463 of the General Statutes, the Redevelopment Commission of the City of Charlotte has prepared a Redevelopment Plan for Project No. N. C. A-3(1), Third Ward Urban Renewal Area; and

WHEREAS, the Redevelopment Plan has been approved by the Redevelopment Commission of the City of Charlotte and the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, G. S. 160-463(h) requires that the City Council hold a public hearing upon the Redevelopment Plan.

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

1. That on Monday, April 10, 1972, at 3:00 p.m. in the Council Chamber of the City Hall, the City Council shall hold a public hearing on the Redevelopment Plan for the Third Ward Urban Renewal Area.

2. That boundary description of the project area specified in the Redevelopment Plan is that certain area in the City of Charlotte, County of Mecklenburg, State of North Carolina, described as follows:

BEGINNING at a point of the intersection of the northern right-of-way line of West Fifth Street and the centerline of the Southern Railroad; thence southwesterly along the centerline of the Southern Railroad approximately 2,460 feet to its intersection with the centerline of the Seaboard Railroad (formerly the Piedmont and Northern Railroad); thence northwesterly along the centerline of the Seaboard Railroad approximately 2,090 feet to its intersection with the centerline of Irwin Creek; thence northeasterly along the centerline of Irwin Creek approximately 2,060 feet to a property corner and to its intersection with the eastern right-of-way line of the North-South Expressway (Interstate 77); thence in a northeasterly direction along the eastern right-of-way line of the North-South Expressway approximately 1,660 feet to its intersection with the southern property line of the Elmwood Cemetary; thence southeasterly and southerly along said property line of the Elmwood Cemetary approximately 1,400 feet to the northern right-of-way line of North Clarkson Street; thence northeasterly along said right-of-way line approximately 40 feet to its intersection with the eastern right-of-way line of Cates Street; thence southerly along said right-of-way line approximately 560 feet to its intersection with the southern right-of-way of North Cedar Street; thence southwesterly along said right-of-way line approximately 440 feet to a property corner; thence southeasterly along the rear property lines of properties fronting on West Fifth Street approximately

(Resolution Calling for Public Hearing-
Redevelopment Plan for Project No.
N. C. A-3(1), Third Ward Urban Renewal
Area - Continued)

200 feet to a property corner; thence southwesterly along the side property line of a property fronting on West Fifth Street approximately 150 feet to the northern right-of-way line of West Fifth Street; thence southeasterly along said right-of-way line approximately 510 feet to its intersection with the centerline of the Southern Railroad, the point of beginning.

3. The Redevelopment Plan with such maps, plans, contracts and other documents which are part of the proposal, together with the recommendation of the Planning Board and supporting data, are available for public inspection in the City Manager's Office, City Hall, and the office of the Executive Director of the Redevelopment Commission of the City of Charlotte, Room 268, One Charlottetown Center, and shall be available from the date of this Resolution until the time of the public hearing.

4. That this Resolution shall be published at least once a week for two consecutive weeks in The Charlotte News, a newspaper of general circulation in the City of Charlotte, the first publication to be not less than fifteen (15) days prior to the date fixed for said hearing.

The foregoing Resolution was adopted by the City Council of the City of Charlotte, North Carolina, on March 13, 1972.

BY ORDER OF THE CITY COUNCIL OF
THE CITY OF CHARLOTTE

Ruth Armstrong,
City Clerk

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of March, 1972, the reference having been made in Minute Book 56, and recorded in full in Resolutions Book 8, at Pages 82-83.

Ruth Armstrong
City Clerk

RESOLUTION OF CITY COUNCIL OF THE CITY OF CHARLOTTE,
NORTH CAROLINA, APPROVING AMENDMENT NO. 4 TO THE
REDEVELOPMENT PLAN AND THE FEASIBILITY OF RELOCATION
FOR NEIGHBORHOOD DEVELOPMENT PROJECT NO. N. C. A-3

WHEREAS under the provisions of Title I of the Housing Act of 1949, as amended, the Secretary of Housing and Urban Development is authorized to provide financial assistance to Local Public Agencies for undertaking and carrying out Neighborhood Development Projects; and

WHEREAS it is provided in such Act that contracts for financial aid thereunder shall require that the Urban Renewal Plans for the respective urban renewal areas comprising the Neighborhood Development Project be approved by the governing body of the locality in which the areas are situated and that such approval include findings by the governing body that: (1) the financial aid to be provided in the contract is necessary to enable the Project to be undertaken in accordance with the Urban Renewal Plans; (2) the Urban Renewal Plans will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the rehabilitation or redevelopment of the urban renewal areas by private enterprise; (3) the Urban Renewal Plans conform to a general plan for the development of the locality as a whole; and (4) the Urban Renewal Plans give due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the sites covered by the Plans; and

WHEREAS it is desirable and in the public interest that the Redevelopment Commission of the City of Charlotte (herein called the "Local Public Agency") undertake and carry out Neighborhood Development Project No. N. C. A-3, Downtown Urban Renewal Area (herein called the "Project"), and encompassing the area bounded on the northeast by East Trade Street; on the southeast by South Brevard Street; on the southwest by East Fourth Street; and on the northwest by South Tryon Street, in the City of Charlotte, State of North Carolina (herein called the "Locality"); and

WHEREAS the Local Public Agency has applied for financial assistance under such Act and proposes to enter into a contract or contracts with the Department of Housing and Urban Development for the undertaking of, and for making available financial assistance for, the Project; and

WHEREAS the Local Public Agency has made studies of the location, physical condition of structures; land use; environmental influences; and social, cultural, and economic conditions of the urban renewal area comprising the Project and has determined that the area is a blighted area and that it is detrimental and a menace to the safety, health, and welfare of the users thereof and of the Locality at large, because of the extent of building dilapidation, deterioration, age and/or obsolescence to a degree that they are not worthy of conservation and inadequate provision for ventilation, light, air, sanitation or open spaces; and the existence of conditions which endanger life or property by fire or other causes, the combination of which affects 71% or 27 of the 38 buildings in the area predominantly used for non-residential purposes, and the members of this Governing Body have been fully apprised by the Local Public Agency and are aware of these facts and conditions; and

WHEREAS there has been prepared and referred to the City Council of the Locality (herein called the "Governing Body") for review and approval a Redevelopment Plan for the urban renewal area, which also constitutes the Urban Renewal Plan for this project, dated April, 1969, amended April, 1970, modified August, 1970, Amended March, 1971, February, 1972, and March, 1972, and consisting of 16 pages and 6 exhibits; and

WHEREAS the urban renewal area comprising the Project, which area is predominantly non-residential in character, is to be redeveloped for predominantly non-residential uses under the Redevelopment Plan; and

WHEREAS the Redevelopment Plan has been approved by the Governing Body of the Local Public Agency, as evidenced by the copy of said Body's duly certified resolution approving the Redevelopment Plan, which is attached thereto; and

WHEREAS a general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS the Charlotte-Mecklenburg Planning Commission, which is the duly designated and acting official planning body for the Locality, has submitted to the Governing Body its report and recommendations respecting Amendment No. 4 to the Redevelopment Plan for the urban renewal area comprising the Project and has certified that the Redevelopment Plan conforms to the general plan for the Locality as a whole, and the Governing Body has duly considered the report, recommendations, and certification of the planning body; and

WHEREAS the Local Public Agency has prepared and submitted a program for the relocation of businesses that may be displaced as a result of carrying out the Project in accordance with the Redevelopment Plan; and

WHEREAS there have also been presented to the Governing Body information and data respecting the relocation which has been prepared by the Local Public Agency as a result of studies, surveys, and inspections in the areas comprising the project and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and

WHEREAS the members of the Governing Body have general knowledge of the conditions prevailing in the urban renewal area and of the availability of proper non-residential housing in the Locality for the relocation of businesses that may be displaced by the Project and, in the light of such knowledge of local non-residential housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS it is necessary that the Governing Body take appropriate official action respecting the relocation program and the Redevelopment Plan for the Project in conformity with the contracts for financial assistance between the Local Public Agency and the United States of America, acting by and through the Secretary of Housing and Urban Development; and

WHEREAS the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal activities and undertaking with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin; and

WHEREAS in order for the Local Public Agency to implement and effectuate the amended Redevelopment Plan, the assistance of both the Department of Housing and Urban Development and the City of Charlotte is required; namely, of the Department of Housing and Urban Development by lending funds needed to defray the gross cost of the Project, and upon completion of the Project and repayment of said loan, by contributing two-thirds (2/3) of the net cost of the Project; and of the City of Charlotte making certain local grants-in-aid (as specified by Title I of the Housing Act of 1949, as amended) or cash grants-in-aid as hereinafter provided in a total amount equal to at least one-third (1/3) of the net cost of the Project:

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

1. That it is hereby found and determined that the urban-renewal area comprising the Project is a blighted area and qualifies as an eligible area under North Carolina Urban Redevelopment Law of 1951, as amended, N. C. G. S. 160-454 through 160-474.2.
2. That the amended Redevelopment Plan for the Project, having been duly reviewed and considered, is hereby approved, and the City Clerk be and is hereby directed to file said copy of the amended Redevelopment Plan with the minutes of this meeting.
3. That it is hereby found and determined that where clearance is proposed that the objectives of the amended Redevelopment Plan cannot be achieved through rehabilitation of portions of the urban renewal area comprising the Project.
4. That it is hereby found and determined that the amended Redevelopment Plan for the Project conforms to the general plan of the Locality.
5. That it is hereby found and determined that the financial aid provided and to be provided pursuant to the contracts for Federal financial assistance pertaining to the Project is necessary to enable the Project to be undertaken in accordance with the amended Redevelopment Plan for the area comprising the Project.
6. That the redevelopment of the urban renewal area for predominantly non-residential uses is necessary for the proper development of the community.
7. That it is hereby found and determined that the amended Redevelopment Plan for the urban renewal area comprising the Project will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the renewal of the area by private enterprise.
8. That it is hereby found and determined that the amended Redevelopment Plan for the urban renewal area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.
9. That it is hereby found and determined that the Program for the proper relocation of businesses displaced in carrying out the amended Redevelopment Plan in decent, safe, and sanitary locations in conformity with acceptable standards is feasible and can

be reasonably and timely effected to permit the proper prosecution and completion of the Plan; and that such locations available or to be made available to such displaced businesses, are not generally less desirable in regard to public utilities and public and commercial facilities than the locations of the displaced businesses in the area comprising the Project, are available at rents or prices within the financial means of the displaced businesses.

10. That, in order to implement and facilitate the effectuation of the amended Redevelopment Plan hereby approved, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out the Redevelopment Plan, (b) requests the various officials, departments, boards, and agencies of the Locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the amended Redevelopment Plan, and (c) stands ready to consider to take appropriate action upon proposals and measures designed to effectuate the amended Redevelopment Plan.

11. That in order to assist the Local Public Agency in the undertaking of the Project and the effectuation of the amended Redevelopment Plan, the City of Charlotte agrees to make grants-in-aid or to provide cash payments from sources other than taxes levied by the City in a total amount equal to at least one-third (1/3) of the net cost of the Project, which are estimated on the basis of surveys and plans heretofore made by the Local Public Agency to be required in the total amount of \$885,381. Such grants-in-aid shall consist of items including but not limited to such items as demolition and removal work, site improvements, such as, streets, storm drainage, sanitary sewers, water distribution, street lights-engineering, alarm boxes, street signs and signals, street trees, and site grading, and supporting facilities.

12. That additional financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, is necessary to enable the land in the area comprising the Project to be renewed in accordance with the amended Redevelopment Plan for the Project, and accordingly, the proposed Project and the annual increment are approved and the Local Public Agency is authorized to file an application for financial assistance under Title I.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of March 1972, the reference having been made in Minute Book 56, and recorded in full in Resolutions Book 8, at Pages 84-87.

Ruth Armstrong
City Clerk

March 13, 1972
Resolutions Book 8 - Page 88

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, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 13th day of March, 1972, 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:

Henry W. Underhill, Jr.
City Attorney

Read, approved and adopted by City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of March, 1972, the reference having been made in Minute Book 56, and recorded in full in Resolutions Book 8, at Page 88.

Ruth Armstrong, City Clerk

TAXPAYERS AND REFUNDS REQUESTED

NAME	AMOUNT OF REFUND REQUESTED	REASON
Rain Flow of Charlotte, Inc.	\$ 45.00	Clerical error
General Personnel Service, Ltd.	50.00	Illegal levy
Bullington Associates, Inc.	<u>50.00</u>	Illegal levy
	\$ 145.00	



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A RESOLUTION TO AMEND THE RESOLUTION ADOPTED BY CITY COUNCIL ON MAY 24, 1971, AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO WHITEFORD S. BLAKENEY AND WIFE, HENRIETTA R., LOCATED AT 3545 SHARON ROAD IN THE CITY OF CHARLOTTE.

WHEREAS, on the 24th day of May, 1971, City Council authorized condemnation proceedings to be instituted against the property of Whiteford S. Blakeney and wife, Henrietta R. Blakeney, located at 3545 Sharon Road in the City of Charlotte to acquire land for right of way purposes and a permanent construction easement for the Sharon Lane Widening Project; and

WHEREAS, said resolution authorizing condemnation proceedings failed to state that the City of Charlotte also needed to acquire a temporary construction easement to be utilized during the construction of this Project; and

WHEREAS, said resolution also failed to state the purpose of the permanent construction easement required in connection with this Project.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in a regularly assembled session this 13th day of March, 1972, that the resolution adopted on May 24, 1971, authorizing the institution of condemnation proceedings against the property belonging to Whiteford S. Blakeney and wife, Henrietta R. Blakeney, 3545 Sharon Lane in the City of Charlotte be amended in the following manner:

That the first paragraph of said resolution shall read:

"...for right of way purposes for the widening of Sharon Lane, for a permanent construction easement to construct and maintain a fill or slope along Sharon Lane to provide lateral support for the road and to increase the safety of the road, and for a temporary construction easement to be utilized during the construction of the Project, all as shown on the map attached hereto and incorporated herein."

Approved as to form:

Henry W. Chesbille Jr.
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 13th day of March, 1972, the reference having been made in Minute Book 56, page , and recorded in full in Resolutions Book 8, page 89.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina this 14th day of March, 1972.

Ruth Armstrong

March 13, 1972
Resolutions Book 8 - Page 90

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO THE HEIRS OF HANNAH ABRAMS, LOCATED AT 1601 PARKWOOD AVENUE IN THE CITY OF CHARLOTTE FOR THE BELMONT NEIGHBORHOOD IMPROVEMENT PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to the Heirs of Hannah Abrams, located at 1601 Parkwood Avenue in the City of Charlotte, Mecklenburg County for right of way purposes for the widening of Parkwood Avenue, and for a temporary construction easement approximately 14 feet at its widest point along the southernly boundary of said property to be utilized during the construction of the Belmont Neighborhood Improvement 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 owners 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, being the Charter of the City of Charlotte, as amended by Chapter 216, 1967 Session Laws of North Carolina, and further amended by Chapter 384, 1969 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property belonging to the Heirs of Hannah Abrams, located at 1601 Parkwood Avenue in the City of Charlotte, Mecklenburg County, 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 \$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. Underhill Jr.
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 13th day of March, 1972, the reference having been made in Minute Book 56, page _____, and recorded in full in Resolutions Book 8, page 90.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina this 14th day of March, 1972.

Ruth Armstrong, City Clerk