

September 13, 1976
Resolutions Book 12 - Page 33

The City Council of the City of Charlotte, North Carolina, met in regular session at the City Hall in Charlotte, North Carolina, the regular place of meeting at 3 o'clock P.M., on September 13, 1976.

Present: Mayor John M. Belk, presiding, and Councilmembers Betty Chafin, Louis M. Davis, Harvey B. Gantt, Pat Locke, James B. Whittington, Neil C. Williams, and Joe D. Withrow

Absent: None

* * * * *

The Mayor announced that this was the date and hour fixed by the City Council for the public hearing upon the orders entitled:

"ORDER AUTHORIZING \$11,675,000 SANITARY SEWER BONDS"

and

"ORDER AUTHORIZING \$4,825,000 WATER BONDS",

and that the Council would immediately hear any and all citizens and taxpayers who might desire to protest against the issuance of said bonds.

No citizen or taxpayer of the City appeared, either in person or by attorney, to protest against the issuance of any of said bonds, and the City Clerk announced that no protest in writing signed by any citizen or taxpayer had been presented.

Thereupon, upon motion of Councilmember Whittington,
seconded by Councilmember Withrow and carried, the order
introduced and passed on first reading on August 23, 1976, entitled:
"ORDER AUTHORIZING \$11,675,000 SANITARY SEWER BONDS", was read a
second time and placed upon its adoption. The vote upon the
adoption of said order was:

Ayes: Councilmembers Chafin, Davis, Gantt, Locke, Whittington,
Williams and Withrow.

Noes: None.

The Mayor then announced that the order entitled:
"ORDER AUTHORIZING \$11,675,000 SANITARY SEWER BONDS" had been
adopted.

Thereupon, upon motion of Councilmember Whittington,
seconded by Councilmember Withrow and carried, the order
introduced and passed on first reading on August 23, 1976, entitled:
"ORDER AUTHORIZING \$4,825,000 WATER BONDS", was read a second time
and placed upon its adoption. The vote upon the adoption of said
order was:

Ayes: Councilmembers Chafin, Davis, Gantt, Locke, Whittington,
Williamd and Withrow.

Noes: None.

The Mayor then announced that the order entitled: "ORDER
AUTHORIZING \$4,825,000 WATER BONDS" had been adopted.

The Clerk was thereupon directed to publish said orders
in The Charlotte Observer once, and to publish at the foot of each
said orders the appended note as required by The Local Government
Bond Act, as amended.

Thereupon Councilmember Locke introduced the
following resolution which was read:

RESOLUTION CALLING A SPECIAL
BOND REFERENDUM

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

Section 1. A special bond referendum is hereby called

to be held in the City of Charlotte on Tuesday, November 2, 1976, between 6:30 A.M. and 7:30 P.M., at which there shall be submitted to the qualified voters of the City of Charlotte the questions set forth in the Notice of Special Bond Referendum included in Section 3 of this resolution.

Section 2. For said referendum, (i) the regular registration books for elections in Mecklenburg County shall be used, and the registration books, process or records shall be open for the registration of voters and for public inspection in the manner, under the conditions and at the times and places set forth in the Notice of Special Bond Referendum hereinafter provided for, (ii) the registrars, judges and other officers of elections appointed by the Mecklenburg County Board of Elections shall be the election officers for such referendum, and (iii) the precincts and voting places shall be those fixed by said County Board of Elections as provided in said Notice of Special Bond Referendum, subject to change as provided by law.

Section 3. The Clerk shall cause a notice to be published in The Charlotte Observer once at least fourteen days before October 4, 1976 (being the last day in which persons may register for said referendum) and once again not less than seven days before such day, such notice to read substantially as follows:

NOTICE OF SPECIAL BOND REFERENDUM
to be held in the
CITY OF CHARLOTTE, NORTH CAROLINA
on November 2, 1976

A special bond referendum will be held on Tuesday, November 2, 1976, between 6:30 A.M. and 7:30 P.M., at which there will be submitted to the qualified voters of the City of Charlotte the following questions:

1. Shall the order adopted on September 13, 1976, authorizing not exceeding \$11,675,000 Sanitary Sewer Bonds of the City of Charlotte, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging, extending and improving the sanitary sewer system of said City, including the acquisition of existing private sewer systems, the construction of sewer trunks and sewage collection lines and the acquisition

of necessary land and rights of way, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

- 2. Shall the order adopted on September 13, 1976, authorizing not exceeding \$4,825,000 Water Bonds of the City of Charlotte, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging, extending and improving the waterworks system of said City, including the construction and installation of water mains and lines and the acquisition of necessary land and rights of way, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?

Each of the questions hereinabove set forth contains a statement of the purpose for which the bonds are authorized by the order referred to in such question.

If said bonds are issued taxes in an amount sufficient to pay the principal and interest thereof will be levied upon all taxable property in the City of Charlotte.

For said referendum the regular registration books for elections in the County of Mecklenburg will be used and the registration books, process or records will be open for the registration of qualified persons and the acceptance of registration applications at the office of the Mecklenburg County Board of Elections, 710 East 4th Street, Charlotte, North Carolina, from Monday to Friday, inclusive, of each week, between the hours of 9 A.M. and 5 P.M.. The registrars will not attend the voting places except on the date of the referendum.

The last day on which qualified voters who have moved residence from one precinct, ward or election district to another may transfer registration is Monday, October 4, 1976.

Qualified voters who are not certain whether they are registered should contact the County Board of Elections at the office of the Board mentioned above.

The registration books will be open to public inspection by any registered voter of the City between 9 A.M. and 5 P.M., from Monday to Friday, inclusive, of each week at said office of the County Board of Elections, and such days are Challenge Days.

PRECINCTVOTING PLACE

Precinct #10	St. Andrews Presbyterian Church 2201 Springdale Avenue (Fellowship Building)
Precinct #11	Mt. Moriah Primitive Baptist Church 747 West Trade Street (Fellowship Hall)
Precinct #12	Clinton Chapel A.M.E. Zion Church 1901 Rozzells Ferry Road
Precinct #13	First Ward School 401 East Ninth Street (Multi-purpose Room)
Precinct #14	Hawthorne Jr. High School 1400 Louise Avenue
Precinct #15	Kilgo Methodist Church 2101 Belvedere Avenue (Scout Hut)
Precinct #16	East Stonewall A.M.E. Zion Church 1729 Griers Grove Road
Precinct #17	Fireman's Hall 2601 East 7th Street (Main building - side entrance)
Precinct #18	Eastover School 500 Cherokee Road (Auditorium)
Precinct #19	Myers Park High School 2400 Colony Road (Students Lounge)
Precinct #20	Avondale Presbyterian Church 2821 Park Road (Fellowship Hall - enter from side of Church)
Precinct #21	Sedgefield Jr. High School 2700 Dorchester Place (Multi-purpose Room - enter from side off circle on Sedgefield Road)
Precinct #22	Wilmore School 428 West Boulevard (Auditorium)
Precinct #23	Ashley Park School 3128 Belfast Drive (Cafeteria)
Precinct #24	Enderly Park School 1318 Clay Street (Cafeteria - enter from rear off Parkway Drive)
Precinct #25	West Charlotte High School 2219 Senior Drive (Lobby)
Precinct #26	St. Matthews Community Church 3030 Allen Road, South (Fellowship Hall)
Precinct #27	Tryon Hills School 2600 Grimes Street (Cafeteria)

PRECINCT

VOTING PLACE

<u>PRECINCT</u>	<u>VOTING PLACE</u>
Precinct #28	New Covenant A.R. Presby. Church 2541 Elkwood Circle (Fellowship Hall - rear of Church)
Precinct #29	Merry Oaks School 3508 Draper Avenue (Cafeteria)
Precinct #30	Plaza Road School 3501 The Plaza (Multi-purpose Room)
Precinct #31	Barringer School 2701 Walton Road (Multi-purpose Room)
Precinct #32	Myers Park Presbyterian Church 1052 Providence Road (Youth Building - park next to Bank across Providence Road)
Precinct #33	Eastway Jr. High School 3333 Biscayne Drive (Multi-purpose room - enter from rear off Norland Road)
Precinct #34	Oakhurst School 4511 Monroe Road (Multi-purpose Room)
Precinct #35	Cotswold School 300 Greenwich Road (Multi-purpose Room)
Precinct #36	Providence Baptist Church 4921 Randolph Road (Gym - rear of Church)
Precinct #37	Pinewood School 815 Seneca Place (Cafeteria)
Precinct #38	Collinswood School 4000 Applegate Road (Cafeteria)
Precinct #39	Amay James School 2414 Lester Street
Precinct #40	Thomasboro School 538 Bradford Drive (Gym)
Precinct #41	Chadwick Methodist Church 132 S. Cromer Street (Fellowship Hall)
Precinct #42	Hidden Valley School 5100 Snow White Lane (Multi-purpose Room)
Precinct #43	Grace Baptist Church 5232 The Plaza (Fellowship Hall)
Precinct #44	Shamrock Garden Elem. School 3301 Country Club Drive (Multi-purpose Room)
Precinct #45	Windsor Park School 3900 Sudbury Road
Precinct #46	Chantilly Baptist Church 2429 N. Independence Blvd.
Precinct #47	Trinity Presbyterian Church 3115 Providence Road (Scout Hut)

PRECINCT	VOTING PLACE
Precinct #48	Providence United Methodist Church 2810 Providence Road (Fellowship Hall)
Precinct #49	Park Road Elem. School 3701 Haven Drive (Auditorium)
Precinct #50	Smith Jr. High School 400 Tyvola Road (Multi-purpose Room)
Precinct #51	Sedgefield Elem. School 700 Marsh Road (Cafeteria)
Precinct #52	St. Mark United Methodist Church 917 Clanton Road
Precinct #53	Harding High School 2001 Alleghany Street (Auditorium Lobby)
Precinct #54	Oaklawn Elem. School 1810 Oaklawn Avenue (Multi-purpose Room)
Precinct #55	Lincoln Heights School 1900 Newcastle Street (Multi-purpose Room)
Precinct #56	Druid Hills School 2801 Lucena Street (Cafeteria)
Precinct #57	Park Road Moravian Church 6301 Park Road
Precinct #58	Starmount School 1600 Brookdale Avenue (Cafeteria)
Precinct #59	Montclair School 5801 Farmbrook Drive (Cafeteria)
Precinct #60	Briarwood School 1001 Wilann Drive (Multi-purpose Room)
Precinct #61	Shamrock Drive Baptist Church 4301 Shamrock Drive (Fellowship Hall - right side)
Precinct #62	Albemarle Road Elem. School 7800 Riding Trail Road (Foyer)
Precinct #63	Idlewild School 7101 Idlewild Road (Multi-purpose room - next to parking lot)
Precinct #64	East Mecklenburg High School 6800 Monroe Road (Gym - to rear of school)
Precinct #65	Sardis Presbyterian Church 6100 Sardis Road (Education Bldg. - rear of Church)
Precinct #66	Rama Road School 1035 Rama Road (Multi-purpose Room)
Precinct #67	Lansdowne School 6400 Prett Court (Multi-purpose Room)
Precinct #68	St. Stephen United Methodist Church 6800 Sardis Road (Youth Room - end of Church next to main parking lot)
Precinct #69	Olde Providence School 3800 Rea Road

PRECINCT

VOTING PLACE

Precinct #70	Carmel Road Jr. High School 4608 Camilla Drive (Library)
Precinct #71	St. Gabriel Catholic School 3028 Providence Road (Cafeteria - downstairs in building at extreme rear of complex)
Precinct #72	Carmel Presbyterian Church 2048 Carmel Road (Hut)
Precinct #73	Sharon Elementary School 4801 Sharon Road (gym)
Precinct #74	Alexander Graham Jr. High 1800 Runnymede Lane
Precinct #75	Sharon Baptist Church 6411 Sharon Road (Modular Unit - Sunday School Bldg.)
Precinct #76	Huntingtowne Farms Elem. School 2520 Starbrook Drive (Multi-purpose Room)
Precinct #77	Nations Ford School 8300 Nations Ford Road
Precinct #78	W. H. Belk Presbyterian Church 7410 Nations Ford Road (Fellowship Hall)

By order of the City Council of the City of Charlotte.

Ruth Armstrong
City Clerk

Louis D. Stubbs
Chairman of Mecklenburg
County Board of Elections

September 13, 1976
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Section 4. That the form of the questions as same will appear in the ballot strips for the voting machines to be used at said referendum shall be substantially as follows:

YES 1. Shall the order adopted on September 13, 1976, authorizing not exceeding \$11, 675,000 Sanitary Sewer Bonds of the City of Charlotte, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging, extending and improving the sanitary sewer system of said City, including the acquisition of existing private sewer systems, the construction of sewer trunks and sewage collection lines and the acquisition of necessary land and rights of way, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?
 NO

YES 2. Shall the order adopted on September 13, 1976, authorizing not exceeding \$4,825,000 Water Bonds of the City of Charlotte, North Carolina, for the purpose of providing funds, with any other available funds, for enlarging, extending and improving the waterworks system of said City, including the construction and installation of water mains and lines and the acquisition of necessary land and rights of way, and authorizing the levy of taxes in an amount sufficient to pay the principal of and the interest on said bonds, be approved?
 NO

Section 5. That the City Clerk is hereby directed to certify immediately a copy of this resolution to said Mecklenburg County Board of Elections.

Thereupon, upon motion of Councilmember Locke, seconded by Councilmember Whittington, the foregoing resolution entitled: "RESOLUTION CALLING A SPECIAL BOND REFERENDUM" was passed by the following vote:

Ayes: Councilmembers Chafin, Davis, Gantt, Locke, Whittington, Williams and Withrow.

Noes: None

* * * * *

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing has been carefully copied from the actually recorded minutes of the City Council of said City at a regular meeting held September 13, 1976,

the record having been made in Minute Book 64, beginning at page 96 and ending at page 97, and is a true copy of so much of said proceedings as relates in any way to the authorization of bonds of said City, and the calling of a special bond referendum.

WITNESS my hand and the corporate seal of said City,
this 15th day of September, 1976.

(SEAL)

Ruth Armstrong

City Clerk

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A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO LETTY M. STONEMAN AND HUSBAND, H. KEITH STONEMAN, JR.; ANGUS M. McDONALD AND WIFE, MARGARET McDONALD; MEBANE M. REED AND HUSBAND, ROBERT B. REED, JR.; MARTHA M. GLENN AND HUSBAND, JAMES H. GLENN, JR.; FRANCES M. VAUGHN AND HUSBAND, STUART F. VAUGHN; ANN M. BAKER AND HUSBAND, EDWARD L. BAKER; MRS. FRANCES L. McDONALD (WIDOW); WACHOVIA BANK AND TRUST COMPANY, N.A., TRUSTEE, LOCATED AT 940 ARROWOOD ROAD (AT I-77) IN THE CITY OF CHARLOTTE FOR THE ANNEXATION AREA I (11) SANITARY SEWER TRUNKS PROJECT.

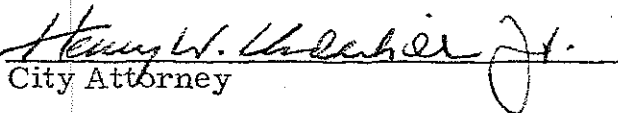
WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Letty M. Stoneman and husband, H. Keith Stoneman, Jr.; Angus M. McDonald and wife, Margaret McDonald; Mebane M. Reed and husband, Robert B. Reed, Jr.; Martha M. Glenn and husband, James H. Glenn, Jr.; Frances M. Vaughn and husband, Stuart F. Vaughn; Ann M. Baker and husband, Edward L. Baker; Mrs. Frances L. McDonald (Widow); and Wachovia Bank and Trust Company, N.A., Trustee, located at 940 Arrowood Road (at I-77) in the City of Charlotte for a perpetual easement for a sanitary sewer in connection with the Annexation Area I (11) Sanitary Sewer Trunks 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, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of Letty M. Stoneman and husband, H. Keith Stoneman, Jr.; Angus M. McDonald and wife, Margaret McDonald; Mebane M. Reed and husband, Robert B. Reed, Jr.; Martha M. Glenn and husband, James H. Glenn, Jr.; Frances M. Vaughn and husband, Stuart F. Vaughn; Ann M. Baker and husband, Edward L. Baker; Mrs. Frances L. McDonald (Widow); and Wachovia Bank and Trust Company, N.A., Trustee, located at 940 Arrowood Road (at I-77) 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 \$950.00, 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.

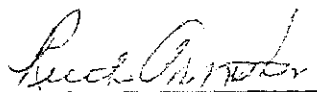
Approved as to form:


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 September, 1976, and the reference having been made in Minute Book 64, page _____, and recorded in full in Resolutions Book 12, page 44.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of September, 1976.


Ruth Armstrong, City Clerk

September 13, 1976
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RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE
GREENVILLE URBAN RENEWAL PROJECT NO. N.C. R-78

WHEREAS, the City of Charlotte has undertaken the execution of Project No. N.C. R-78, the same being an Urban Redevelopment Project, to be executed in accordance with the provisions of Article 22 of Chapter 160A of the General Statutes of North Carolina; and

WHEREAS the Urban Renewal Law as set out in said Article and Chapter provides for the acquisition, preparation, sale, sound replanning, and re-development of property within a redevelopment area, as defined by said law; and

WHEREAS, such area has been established in accordance with the requirements of such law and the said Project No. N.C. R-78 approved by the Governing Body of the City of Charlotte; and

WHEREAS, such law specifically provides for the exercise of power of Eminent Domain in order that the purposes of the law as set out in said Article 22 of Chapter 160A be achieved and accomplished, such purposes being in the public interest and designed to promote the health, safety and welfare of the inhabitants of this community and locality; and

WHEREAS, the City of Charlotte and Southern Asbestos Company own all of the property adjoining the tract to be condemned which tract is described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS there may be parties unknown to the City of Charlotte who might have or claim an interest or might hereafter have or claim an interest in and to the property described in Exhibit "A" attached hereto; and

WHEREAS, the City of Charlotte has made due and diligent search but has been unable to locate all parties who may have or claim an interest or might hereafter have or claim an interest; and

WHEREAS, the acquisition of every interest, if any, possessed by unknown parties is essential to the achievement of the plans and accomplishments of the purposes of the Redevelopment Law as the same relates thereto; and

WHEREAS, it therefore appears that it will be necessary for the City of Charlotte, North Carolina to institute condemnation proceedings under the provisions of the North Carolina Law of Eminent Domain and the exercise of powers thereunder in order to acquire the interests, if any, of said unknown parties.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Council approves and hereby orders the institution of

condemnation proceedings in its proper corporate name for the purposes of acquiring whatever interests, if any are possessed by unknown parties in the property described in Exhibit "A" attached hereto and made a part hereof.

BE IT FURTHER RESOLVED THAT the condemnation of any part or portion of the property described in Exhibit "A" attached hereto is hereby authorized by the City Council of the City of Charlotte.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of September, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at page 45.

Ruth Armstrong, City Clerk

September 13, 1976
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EXHIBIT "A"

BEGINNING at the point of intersection of the north right of way line of 12th Street and the west right of way line of Kendrick Street; thence along the west right of way line of Kendrick Street, N 27-46-31 E 395.91 feet to the point of intersection of said west right of way line of Kendrick Street with the south property line of Parcel 2, Block 43 as shown on plat entitled Land Acquisition and Boundary Map designed R.P. MAP NO. 2, Greenville Urban Renewal Area, Project No. N.C. R-78 prepared by Eric Hill Associates, Inc., said map being revised May, 1974; thence along the south property line of Parcel 2, Block 43, S 39-18-55 E 21.71 feet to the point of intersection of said south property line of Parcel 2, Block 43 with the east right of way line of an unnamed Street; thence along the east right of way line of the unnamed street, S 27-46-31 W 182.20 feet to the point of intersection of said east right of way line of the unnamed Street with the west right of way line of Kendrick Street; thence along the west right of way line of Kendrick Street N 69-46-31 E 154.00 feet to a point on the said west right of way line of Kendrick Street; thence along the west right of way line of Kendrick Street N 43-00-21 E 54.02 feet to the point of intersection of said west right of way line of Kendrick Street with the west right of way line of the Northwest Expressway; thence along the west right of way line of the Northwest Expressway, S 31-55-31 E 6.78 feet to a point on the said west right of way line of the Northwest Expressway; thence along the west right of way line of the Northwest Expressway, S 55-39-25 W 19.96 feet to a point on the said west right of way line of the Northwest Expressway; thence along the west right of way line of the Northwest Expressway S 32-42-26 E 55.56 feet to the point of intersection of said west right of way line of the Northwest Expressway with the east right of way line of Kendrick Street; thence along the east right of way line of Kendrick Street N 74-43-29 W 28.28 feet to a point on the east right of way line of Kendrick Street; thence along the east right of way line of Kendrick Street S 69-46-31 W 201.00 feet to a point on the said east right of way line of Kendrick Street; thence along the east right of way line of Kendrick Street, S 27-46-31 W 166.50 feet to the point of intersection of said east right of way line of Kendrick Street with the north right of way line of 12th Street; thence along the north right of way line of 12th Street, N 66-13-33 W 20.05 feet to the point of beginning and containing 13,411 square feet as shown on plat dated January 9, 1974 prepared by Wilbur Smith and Associates, Inc. - Design.

RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CHARLOTTE, FOR CONDEMNATION ACTION IN THE
GREENVILLE URBAN RENEWAL PROJECT NO. N.C.R-78

WHEREAS, the City of Charlotte has undertaken the execution of Project No. N.C. R-78, the same being an Urban Redevelopment Project, to be executed in accordance with the provisions of Article 22 of Chapter 160A, as amended, of the General Statutes of North Carolina; and

WHEREAS the Urban Renewal Law as set out in said Article and Chapter provides for the acquisition, preparation, sale, sound replanning, and redevelopment of property within a redevelopment area, as defined by said law; and

WHEREAS such area has been established in accordance with the requirements of such Law and the said Project No. N.C. R-78 approved by the Governing Body of the City of Charlotte; and

WHEREAS such law specifically provides for the exercise of power of Eminent Domain in order that the purposes of the law as set out in said Article 22 of Chapter 160A, as amended, to be achieved and accomplished, such purposes being in the public interest and designed to promote the health, safety and welfare of the inhabitants of this community and locality; and

WHEREAS the City of Charlotte has, under the applicable laws and regulations relating to such procedure, acquired all of the property described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, due to the locating and relocating of streets, roads, alleys, and sidewalks, as shown on map prepared by Eric Hill Associates, Inc. , Project No. N.C. R-78, dated September, 1969, revised July, 1970, July, 1973 and May, 1974, and due to minor discrepancies existing between the record title descriptions of the parcels and the descriptions of said parcels as shown on the Eric Hill Associates, Inc. map, there may be overlaps, or gaps or gores by record or occupancy in which parties unknown to the City of Charlotte might have or claim an interest or might hereafter have or claim an interest; and

WHEREAS, the City of Charlotte has made due and diligent search but has been unable to locate said unknown parties in order to acquire their interests, if any; and

WHEREAS, the acquisition of every interest, if any, possessed by unknown parties is essential to the achievement of the plans and accomplishments of the purposes of the Redevelopment Law as the same relates thereto; and

WHEREAS, it therefore appears that it will be necessary for the City of Charlotte to institute condemnation proceedings under the provisions of the North Carolina Law of Eminent Domain and the exercise of powers thereunder in order to acquire the interests, if any, of said unknown parties.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Council approves and hereby orders the institution of condemnation proceedings in its proper corporate name for the purposes of acquiring whatever interests, if any are possessed by unknown parties in the property described in Exhibit "A" attached hereto and made a part hereof.

BE IT FURTHER RESOLVED THAT the condemnation of any part or portion of the property described in Exhibit "A" attached hereto is hereby authorized by the City Council of the City of Charlotte.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of September, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 47.

Ruth Armstrong, City Clerk

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BEING a portion of the real estate shown on that certain Land Acquisition and Boundary Map designed R.P. MAP NO. 2, Greenville Urban Renewal Area, Project N.C. R-78 prepared for the Redevelopment Commission of the City of Charlotte by Eric Hill Associates, Inc., said map bearing completion date of September, 1969 and bearing revision dates of July, 1970, July, 1973 and May, 1974, a copy of said map being attached hereto and made a part hereof, which portion hereby condemned is more particularly described as follows: Being all of the real estate within the R-78 Project Boundaries lying to the south of the southernmost rights of way lines of the Interstate Highway No. 77 and the Northwest Expressway Roadway Projects including the access and exit ways to and from said projects.

BUT THERE IS EXPRESSLY EXCEPTED FROM THE ABOVE DESCRIBED LAND BEING CONDEMNED IN THIS SPECIAL PROCEEDING any portion of the rights of ways of the Interstate Highway No. 77 and the Northwest Expressway Roadway Projects as shown on said map including any portion of the access and exit ways to and from said Projects.

AND THERE IS FURTHER EXPRESSLY EXCEPTED FROM THE REAL ESTATE HEREIN CONDEMNED THE FOLLOWING DESCRIBED PARCELS AS SHOWN AND DEPICTED ON THE ABOVE REFERENCED MAP:

1. Parcel 1 in Block 37.
2. So much of Parcel 1 of Block 38 as was conveyed to Seaboard Coast Line Railroad Company by deed of the City of Charlotte dated February 11, 1974 and recorded in Book 3655 at Page 282 of the Mecklenburg Registry.
3. Parcels 1, 4, 13, 14 and 16 in Block 39.
4. Parcels 4 and 5 in Block 43
5. Parcel 1 in Block 40
6. So much of Blocks 39, 40 and 41 as were conveyed to Duke Power Company by deed of the City of Charlotte dated February 4, 1976 and recorded in Book 3819 at Page 950 of the Mecklenburg Registry.
7. All of the land lying within the right of way of the Seaboard Air Line Railroad as shown on said map with the exception of so much of said right of way as may have been acquired by the City of Charlotte under Judgment of Confirmation dated March 8, 1974 entered in Special Proceeding 73 - 902 which proceeding was styled "The City of Charlotte, a municipal corporation, acting by and through its Urban Redevelopment Department vs. Seaboard Coastline Railroad Company, et al," said Judgment of Confirmation being recorded in Book 3658 at Page 757 of the Mecklenburg County, North Carolina Public Registry, all of the land described in said Judgment of Confirmation being expressly included in the real estate herein being condemned.
8. All of the land lying within the right of way of the Southern Railroad as shown on said map.
9. All of the land lying within the following described street rights of way: That portion of 12th Street which is contiguous to Parcel 5 in Block 43, said portion lying between the westerly right of way line of Kendrick Street (now or formerly) and the easterly right of way line of Maxwell Street; Maxwell Street; Johnson Street; Hamilton Street and Seaboard Street.

EXHIBIT "A" - page 2

BEING a portion of the real estate shown on that certain Land Acquisition and Boundary Map designated R.P. Map No. 2, Greenville Urban Renewal Area, Project N.C. R-78 prepared for the Redevelopment Commission of the City of Charlotte by Eric Hill Associates, Inc., said map bearing completion date of September, 1969 and bearing revision dates of July, 1970, July, 1973, and May, 1974, a copy of said map being attached hereto and made a part hereof, which portion of said real estate herein condemned is more particularly described and bounded as follows: BEGINNING at the point of intersection of the westerly right of way line of the Southern Railroad right of way with the northerly right of way line of the Northwest Expressway and running thence from said point of beginning along the westerly right of way line of the Southern Railroad in a general northeasterly direction to the point of intersection of the westerly right of way line of said Railroad with the westerly right of way line of McCall Street (now or formerly); thence in a general northerly direction along the westerly right of way line of McCall Street to the point of intersection of said right of way line of McCall Street with the southerly right of way line of Oaklawn Avenue; thence in a general easterly direction following the southerly right of way line of Oaklawn Avenue to the point of intersection of the southerly right of way line of Oaklawn Avenue with the westerly right of way line of Statesville Avenue; thence in a general southerly direction following the westerly right of way line of Statesville Avenue to a point which is the corner formed by the intersection of the westerly right of way line of Statesville Avenue with the northerly right of way line of Liddell Street (now or formerly), said point being the southeasterly corner of Parcel 15 in Block 33 as shown on the map aforesaid; thence continuing along the westerly margin of Statesville Avenue and in a straight line to a point on the southerly margin of Liddell Street which point is the northeasterly corner on Liddell Street of Parcel 1 in Block 34 as shown on map aforesaid, said point being also the intersection of the southerly margin of Liddell Street with the westerly margin of Graham Street; thence in a general southerly or southwesterly direction along the westerly margin of Graham Street to the point of intersection of the westerly margin of Graham Street with the northerly margin of the Graham Street Ramp leading from the Northwest Expressway; thence in a general westerly direction and following the northerly rights of way lines of the Graham Street Ramp and the Northwest Expressway as same are shown on the aforesaid map to the point of intersection of the westerly right of way line of the Southern Railroad with the northerly right of way line of the Northwest Expressway, said point being the point or place of Beginning.

BUT THERE IS EXPRESSLY EXCEPTED FROM THE ABOVE DESCRIBED LAND BEING CONDEMNED HEREIN the parcel of real estate which was conveyed to Brandon United Presbyterian Church, U.S.A. by deed of the City of Charlotte dated March 25, 1976 and recorded in Book 3831 at Page 0826 of the Mecklenburg Registry.

AND THERE IS FURTHER EXPRESSLY EXCEPTED FROM THE ABOVE DESCRIBED LAND BEING CONDEMNED HEREIN so much thereof as is contained within the rights of way of the following described streets: Northwest Expressway, Graham Street Ramp, Graham Street, Oaklawn Avenue and Statesville Avenue.

AND THERE IS FURTHER EXPRESSLY EXCEPTED FROM THE ABOVE DESCRIBED LAND BEING CONDEMNED HEREIN so much thereof as is contained within the right of way of the Southern Railroad.

AND THERE IS FURTHER EXPRESSLY EXCEPTED FROM THE ABOVE DESCRIBED LAND BEING CONDEMNED HEREIN Parcel 11 in Block 34 as shown on the above referenced map.

BEING a portion of the real estate shown on that certain Land Acquisition and Boundary Map designated R.P. Map No. 2, Greenville Urban Renewal Area, Project N.C. R-78 prepared for the Redevelopment Commission of the City of Charlotte by Eric Hill Associates, Inc., said map bearing completion date of September, 1969 and bearing revision dates of July, 1970, July, 1973, and May, 1974, a copy of said map being attached hereto and made a part hereof, which portion of said real estate herein condemned is more particularly described and bounded as follows: BEGINNING at the point of intersection of the westerly right of way line of the Southern Railroad right of way with the northerly right of way line of the Northwest Expressway and running thence from said point of beginning along the westerly right of way line of the Southern Railroad in a general northeasterly direction to the point of intersection of the westerly right of way line of said Railroad with the westerly right of way line of McCall Street (now or formerly); thence in a general northerly direction along the westerly right of way line of McCall Street to the point of intersection of said right of way line of McCall Street with the southerly right of way line of Oaklawn Avenue; thence in a general westerly direction and along the southerly right of way line of Oaklawn Avenue to the point of intersection of the southerly right of way of Oaklawn Avenue with the westerly right of way line of Pharr Street (now or formerly), thence in a general southwesterly direction along the westerly right of way line of Pharr Street to the point of intersection of the westerly right of way line of Pharr Street with the northerly right of way line of the Northwest Expressway; thence in a general southeasterly direction and following the northerly right of way line of the Northwest Expressway and the northerly rights of way lines of the access and exit ways therefrom to the point of intersection of the northerly margin of the Northwest Expressway with the westerly margin of the Southern Railroad right of way, said point being the point or place of beginning.

BUT THERE IS EXPRESSLY EXCEPTED FROM THE ABOVE DESCRIBED LAND BEING HEREIN CONDEMNED the portions of the following described rights of way contained within the perimeter boundaries hereinabove described:

1. Right of way of Oaklawn Avenue.
2. Right of way of the Northwest Expressway, including the rights of way of the access ways thereto and the exit ways therefrom.

EXHIBIT "A" - page 4

BEING a portion of the real estate shown on that certain Land Acquisition and Boundary Map designated R.P. Map No. 2, Greenville Urban Renewal Area, Project N. C. R-78 prepared for the Redevelopment Commission of the City of Charlotte by Eric Hill Associates, Inc., said map bearing completion date of September, 1969 and bearing revision dates of July, 1970, July, 1973 and May, 1974, a copy of said map being attached hereto and made a part hereof, which portion of said real estate herein condemned is more particularly described and bounded as follows: BEGINNING at a point at the intersection of the westerly right of way line of Pharr Street (now or formerly) with the northerly right of way line of the Northwest Expressway and running thence from said beginning point and following the westerly right of way line of Pharr Street in a general northeasterly direction to the point of intersection of the westerly right of way line of Pharr Street with the southerly right of way line of Oaklawn Avenue; thence in a general westerly direction and following the southerly right of way line of Oaklawn Avenue to the point of intersection of the southerly right of way line of Oaklawn Avenue with the easterly or northeasterly right of way line of Interstate Highway No. 77; thence along the easterly or northeasterly rights of way lines of Interstate Highway No. 77 and the Northwest Expressway and the rights of way lines of the access ways thereto and exit ways therefrom to the point of intersection of the northerly or northeasterly margin of the Northwest Expressway with the westerly margin of Pharr Street, the point or place of BEGINNING.

BUT THERE IS EXPRESSLY EXCEPTED FROM THE ABOVE DESCRIBED LAND BEING HEREIN CONDEMNED the real estate which was conveyed to Charlotte Progress Association for Economic Development by deed dated February 26, 1973 and recorded in Book 3531, at Page 547, of the Mecklenburg County, North Carolina, Public Registry.

AND THERE IS FURTHER EXPRESSLY EXCEPTED FROM THE above described land being herein condemned so much thereof as lies within the right of way of Oaklawn Avenue and the Northwest Expressway and Interstate Highway No. 77, including the rights of way of the access ways thereto and the exit ways therefrom.

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 September, 1976, 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. L. ... Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of September, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 52.

Ruth Armstrong
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Glasgow South, Inc.	\$ 65.00	Clerical Error
D. H. Burch Marketing, Inc.	37.50	Clerical Error
Robinson Builders, Inc.	<u>90.00</u>	Clerical Error
	\$192.50 =====	

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AUTHORIZING THE MAYOR TO EXECUTE A LETTER CONTRACT WITH THE NORTH CAROLINA ARTS COUNCIL FOR AN "ARTS IN THE PARK" PILOT PROGRAM.

WHEREAS, the City of Charlotte has been designated by the North Carolina Arts Council as the grantee in the amount of \$2,500 to carry out a cooperative arts programming pilot project between the Mint Museum of Arts, Inc. and the Charlotte Arts and Science Council entitled "Arts in the Park"; and

WHEREAS, the City of Charlotte has provided a matching contribution in the amount of \$2,500 as a part of the 1975-76 Annual Budget for the City of Charlotte, and such funds are available.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session duly assembled, that:

The Mayor is hereby authorized to execute a letter contract with the North Carolina Arts Council to undertake the "Arts in the Park" pilot program.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Date: Sept. 3, 1976

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of September, 1976, the reference having been made in Minute Book 64, and is recorded in Resolutions Book 12, at Page 53.

Ruth Armstrong
City Clerk

September 13, 1976
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RESOLUTION

Resolution authorizing the filing of an application with the Department of Transportation, United States of America, for a grant under the Urban Mass Transportation Act of 1964, as amended.

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects;

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs;

WHEREAS, it is required by the U.S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services:

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

1. That David A. Burkhalter is authorized to execute and file an application on behalf of the City of Charlotte with the U.S. Department of Transportation, to aid in the financing of eligible FY-77 operating expenses of Charlotte's intra-city mass transit system under Section 5 of the Urban Mass Transportation Act of 1964, as amended November 26, 1974. The Charlotte Transit System, presently owned by the City of Charlotte, is under a management contract with City Coach Lines, Inc. effective December 1, 1974, through November 30, 1976.
2. That David A. Burkhalter is authorized to execute and file with such application an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That Michael D. Kidd, Transit Planner, is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application or the project.

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- 4. That David A. Burkhalter is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
- 5. That, upon approval of this grant by the U.S. Department of Transportation, Urban Mass Transportation Administration, Mayor John M. Belk (or in his absence the Mayor Pro-tem) is hereby authorized to sign and comply with the terms of grant contracts for this project (UMTA Section 5 for FY-77) on behalf of the City of Charlotte.

CERTIFICATE

The undersigned duly qualified and acting City Clerk of the City of Charlotte, North Carolina, certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the City Council of Charlotte, North Carolina, held on September 13, 1976.

(City Seal)

Ruth Armstrong

 Ruth Armstrong
 City Clerk

 Date

Approved as to form:

Henry W. Underhill Jr.

 City Attorney

STATE OF NORTH CAROLINA - COUNTY OF MECKLENBURG
RESOLUTION CALLING FOR A PUBLIC HEARING ON
AMENDMENT NO. 1, REDEVELOPMENT PLAN FOR
SOUTHSIDE PARK TARGET AREA

WHEREAS, under the authority of Article 22 of Chapter 160A of the General Statutes of North Carolina and particularly Section 160A-513 of the General Statutes, the City of Charlotte has prepared an Amendment to the Redevelopment Plan for Southside Park Target Area, Charlotte, North Carolina; and

WHEREAS, the Redevelopment Plan for the Southside Park Target Area has been approved by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, G.S. 160A-513(h) requires that the City Council of the City of Charlotte hold a public hearing upon the amended Redevelopment Plan.

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

1. That on Monday, October 4, 1976, at 3:00 p.m., in the Council Chamber of the City Hall, the City Council shall hold a public hearing on the Amendment to the Redevelopment Plan, Southside Park Target Area.

2. That a description of area specified in the Redevelopment Plan (1) by boundaries and (2) by City block, street and house numbers is as follows:

That certain area in the City of Charlotte, County of Mecklenburg, State of North Carolina, described as follows:

BEGINNING at the intersection of the northeastern right-of-way line of Remount Road and the main track of the Southern Railroad; thence southwest along said track approximately 3,850 feet to the southwestern right-of-way line of Clanton Road; thence northwest along the southwestern right-of-way of Clanton Road approximately 2,440 feet to a point; thence southwest approximately 15 feet to a point; thence continuing northwest along the southwestern right-of-way line of Clanton Road approximately 330 feet to a point; thence northeast across Clanton Road and continuing along the southeastern right-of-way of Interstate Highway 77 and line extended across Remount Road approximately 5,205 feet to the northeastern

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right-of-way line of Remount Road; thence northwest along the northeastern right-of-way line of Remount Road approximately 355 feet to the southeastern right-of-way line of Interstate Highway 77; thence northeast along the southeastern right-of-way line of Interstate Highway 77 approximately 65 feet; thence east approximately 20 feet; thence northeast approximately 400 feet to the southwestern right-of-way line of West Tremont Avenue; thence east across West Tremont and continuing along the northern right-of-way line of said avenue approximately 2,265 feet to the eastern right-of-way line of South Tryon Street; thence south and southwest along the eastern right-of-way line of South Tryon Street approximately 2,270 feet to the northeastern right-of-way line of Remount Road; thence southeast along the northeastern right-of-way line of Remount Road approximately 1,280 feet to the main track of the Southern Railroad, which is the point of BEGINNING.

The Target Area can be more particularly described as follows:

Beginning at the intersection of the northeastern right-of-way line of Remount Road and the main track of the Southern Railroad; thence southwest along said track approximately 3,850 feet to the southwestern right-of-way of Clanton Road; thence northwest along Clanton Road; thence 100 block, 100 Clanton Road through 110 Clanton Road; 200 block, 200 Clanton Road; 300 block, 300 Clanton Road through 308 Clanton Road; 400 block Clanton Road; 500 block Clanton Road; thence northeast across Clanton Road and continuing along the southeastern right-of-way line of Interstate Highway 77 and line extends across Remount Road to the northeastern right-of-way line of Remount Road; thence 700 block Remount Road to the southeastern right-of-way line of Interstate Highway 77; thence northeast along the southeastern right-of-way line of Interstate Highway 77 approximately 65 feet; thence east approximately 20 feet; thence northeast approximately 400 feet to the southwestern right-of-way line of West Tremont Avenue, thence east across West Tremont Avenue and continuing along the northern right-of-way line of West Tremont Avenue; 700 block West Tremont Avenue; thence 600 block West Tremont Avenue; thence 500 block West Tremont Avenue; thence 400 block, 421-401 West Tremont Avenue; thence to the eastern right-of-way line of South Tryon Street; thence south and southwest along the eastern right-of-way line of South Tryon Street; 2100 block, 2100 South Tryon Street through 2138 South Tryon Street; 2200 block, 2200 South Tryon Street through 2220 South Tryon Street; 2300 block, 2300 South Tryon Street through 2316 South Tryon Street; 2400 block, 2400 South Tryon Street through 2438 South Tryon Street; 2500 block, 2500 South Tryon Street through 2536 South Tryon Street; thence to the northeastern right-of-way line of Remount Road; thence southeast along the northeastern right-of-way line of Remount Road; 300 block, 313 Remount Road through 301 Remount Road; 200 block, 215 Remount Road through 201 Remount Road; 100 block, 141 Remount Road through 115 Remount Road; thence to the main

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track of the Southern Railroad, which is the point of BEGINNING. It is intended that all property located within the boundary description above, whether located on a named or unnamed street, alley, lane or court, vacant or improved, be included within the Target Area, whether or not cited in this block, street and house number description.

3. The Redevelopment Plan for Southside Park Target Area 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 Director of the Community Development Department of the City of Charlotte, Suite 501, 301 South McDowell Street, Charlotte, North Carolina, 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, September 13, 1976.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of September, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 56.

Ruth Armstrong
City Clerk

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STATE OF NORTH CAROLINA - COUNTY OF MECKLENBURG
RESOLUTION CALLING FOR A PUBLIC HEARING ON
AMENDMENT NO. 1, REDEVELOPMENT PLAN FOR
GRIER HEIGHTS REDEVELOPMENT AREA

WHEREAS, under the authority of Article 22 of Chapter 160A of the General Statutes of North Carolina and particularly Section 160A-513 of the General Statutes, the City of Charlotte has prepared an amendment to the Redevelopment Plan for Grier Heights Redevelopment Area, Charlotte, North Carolina; and

WHEREAS, the Redevelopment Plan for the Grier Heights Redevelopment Area has been approved by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, G. S. 160A-513(h) requires that the City Council of the City of Charlotte hold a public hearing upon the amended Redevelopment Plan.

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

1. That on Monday, October 4, 1976, at 3:00 p.m. in the City Council Chamber of the City Hall, the City Council shall hold a public hearing on the amendment to the Redevelopment Plan for Grier Heights Redevelopment Area.

2. That a description of the area specified in the Redevelopment Plan (1) by boundaries and (2) by City block, street, and house numbers is as follows:

That certain area in the City of Charlotte, County of Mecklenburg, State of North Carolina, described as follows:

"BEGINNING at the intersection of the northern right-of-way line of Monroe Road and the center line of the Seaboard Coast-line Railroad track; thence southeast along the center line of said track approximately 6,360 feet to the southeastern right-of-way line of McAlway Road; thence southwest along the southeastern right-of-way line of McAlway Road and line extended across McAlway Road, approximately 1,620 feet to the southeastern right-of-way line of Beal Street; thence southwest along the southeastern right-of-way line of Beal Street, approximately 2,220 feet to the western

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Heights Target Area - Page 2)

right-of-way line of Ellington Street; thence continuing southwest along the extension of the southeastern right-of-way line of Beal Street and generally along the rear lot lines of parcels fronting on Billingsley Road, a distance of approximately 1,540 feet to a point; thence northwest continuing along the rear lot lines of parcels fronting on Billingsley Road, a distance of approximately 780 feet to a point; thence north along the easterly property line of parcel owned by the Mecklenburg County ABC Board, a distance of approximately 261 feet to the intersection with the southerly right-of-way line of Billingsley Road; thence west along the southerly right-of-way line of Billingsley Road and line extended across Randolph Road, a distance of approximately 740 feet to the western right-of-way line of Randolph Road; thence north and northwest along the western right-of-way line of Randolph Road, approximately 3,550 feet to the center line of Briar Creek; thence northeast along the center line of Briar Creek, approximately 2,240 feet to the northern right-of-way line of Monroe Road; thence east along the northern right-of-way line of Monroe Road, approximately 560 feet to the point of BEGINNING."

The Project Area can be more particularly described as follows:

"BEGINNING at the intersection of Monroe Road and the centerline of the Seaboard Coastline Railroad track; thence southeast along the centerline of the Seaboard Coastline Railroad track to its intersection with McAlway Road; thence McAlway Road, 1200 block, 1100 block, 1109 McAlway Road through 1123 McAlway Road; 1000 block, 1001 McAlway Road through 1055 McAlway Road; thence Beal Street, 900 block, 901 Beal Street through 937 Beal Street; 800 block, 801 Beal Street through 825 Beal Street; 700 block, Beal Street; 600 block, Beal Street; 500 block, 501 Beal Street through 533 Beal Street; thence continuing southwest along the extension of Beal Street and generally along the rear lot lines of the following parcels fronting on Billingsley Road; 500 block, from Ellington Street through 504 Billingsley Road; 400 block, 434 Billingsley Road through 400 Billingsley Road; 300 block, 326 Billingsley Road through 306 Billingsley Road; 200 block, through 218 Billingsley Road; thence north along the easterly property line of the Mecklenburg County ABC Board to Billingsley Road; thence west along Billingsley Road 100 block,

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Heights Target Area - Page 3)

100 Billingsley Road; thence Randolph Road, 3400 block through 2900 block ; thence northeast along the centerline of Briar Creek to its intersection with Monroe Road; thence Monroe Road, 2700 block, 2718 Monroe Road through 2720 Monroe Road; 2800 block, Monroe Road to the point of BEGINNING. It is intended that all property located within the boundary description above, whether located on a named or unnamed street, alley, lane or court, vacant or improved, be included within the project area, whether or not cited in this block, street, and house number description."

3. The Redevelopment Plan for Grier Heights Redevelopment Area 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 Director of the Community Development Department of the City of Charlotte, Suite 510, 301 South McDowell Street, Charlotte, North Carolina, 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, September 13, 1976.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of September, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 59.

Ruth Armstrong
City Clerk

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STATE OF NORTH CAROLINA - COUNTY OF MECKLENBURG
RESOLUTION CALLING FOR A PUBLIC HEARING ON
AMENDMENT NO. 1 - REDEVELOPMENT PLAN
FOR WEST MOREHEAD TARGET AREA

WHEREAS, pursuant to Title I of the Housing and Community Development Act of 1974 (P. L. 93-383) and Article 22 of Chapter 160A of the General Statutes of North Carolina and particularly Section 160A-513 of the General Statutes, the City of Charlotte has prepared an amendment to the Redevelopment Plan for West Morehead Target Area, Charlotte, North Carolina; and

WHEREAS, the Redevelopment Plan for the West Morehead Target Area have been approved by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, G. S. 160A-513(h) requires that the City Council of the City of Charlotte hold a public hearing upon the amended Redevelopment Plan.

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

1. That on Monday, October 4, 1976, at 3:00 p.m. in the Council Chamber of the City Hall, the City Council shall hold a public hearing on the amendment to the Redevelopment Plan, West Morehead Target Area.

2. That a description of area specified in the Redevelopment Plan (1) by boundaries and (2) by City block, street, and house number is as follows:

That certain area in the City of Charlotte, County of Mecklenburg, State of North Carolina, described as follows:

BEGINNING at the intersection of the southwestern right-of-way line of West Park Drive and the northwestern right-of-way line of Southwood Avenue; thence northeast along the northwestern right-of-way line of Southwood Avenue, approximately 860 feet to the southwestern right-of-way line of West Summit Avenue; thence northwest along the southwestern right-of-way line of West Summit Avenue, approximately 500 feet to the northwestern right-of-way line of South Mint Street; thence northeast along the northwestern right-of-way line of South Mint Street, approximately 1,635 feet to the southwestern right-of-way line of West Palmer Street; thence

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Morehead Target Area - Page 2)

northwest along the southwestern right-of-way line of West Palmer Street, approximately 1,185 feet to the southern right-of-way line of West Independence Boulevard; thence north across West Independence Boulevard, approximately 100 feet to the northern right-of-way line of said Boulevard; thence east along the northern right-of-way line of West Independence Boulevard, approximately 90 feet to the northwestern right-of-way line of South Cedar Street; thence northeast along the northwestern right-of-way line of South Cedar Street, approximately 1,860 feet to the southwestern right-of-way line of the Piedmont and Northern Railroad; thence southeast along said Railroad right-of-way line, approximately 700 feet to the southeastern right-of-way line of the Southern Railroad; thence southwest along said Southern Railroad right-of-way line, approximately 600 feet to the northeastern right-of-way line of West Hill Street; thence southeast along the northeastern right-of-way line of West Hill Street, approximately 275 feet to the northwestern right-of-way line of South Graham Street; thence northeast along the northwestern right-of-way line of South Graham Street, approximately 580 feet to the northeastern right-of-way line of West Stonewall Street; thence southeast along the northeastern right-of-way line of West Stonewall Street, approximately 610 feet to the southeastern right-of-way line of South Mint Street; thence southwest along the southeastern right-of-way line of South Mint Street, approximately 530 feet to the northeastern right-of-way line of West Hill Street; thence southeast along the northeastern right-of-way line of West Hill Street and line extended across South Poplar Street, approximately 370 feet to the southeastern right-of-way line of South Poplar Street; thence southwest along the southeastern right-of-way line of South Poplar Street, approximately 335 feet to a property line; thence southeast along a side property line of a property fronting on South Poplar Street, approximately 80 feet to a property corner; thence southwest along the rear property line of said property, approximately 70 feet to a property corner; thence southeast along rear property lines of properties fronting on West Vance Street and line extended across South Church Street, approximately 235 feet to the southeastern right-of-way line of South Church Street; thence southwest along the southeastern right-of-way line of South Church Street, approximately 740 feet to the northeastern right-of-way line of West Independence Boulevard; thence southeast along the northeastern right-of-way line of West Independence Boulevard, approximately 785 feet to the southeastern right-of-way line of South Tryon Street; thence south-

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Amendment to the Redevelopment Plan for West
Morehead Target Area - Page 3)

west along the southeastern right-of-way line of South Tryon Street, approximately 1,700 feet to the eastern right-of-way line of Camden Road; thence southwest across Camden Road and continuing along the southeastern right-of-way line of South Tryon Street, approximately 750 feet to the southwestern right-of-way line of West Park Avenue; thence northwest along the southwestern right-of-way line of West Park Avenue, approximately 850 feet to the point of BEGINNING.

The Redevelopment Area Boundary can be more particularly described as follows:

BEGINNING at the intersection of the southwestern right-of-way line of West Park Drive and the northwestern right-of-way line of Southwood Avenue; thence northeast along the northwestern right-of-way line of Southwood Avenue, approximately 860 feet, 1500 block, 1541-1501 Southwood Avenue; thence to the southwestern right-of-way line of West Summit Avenue; thence northwest along the southwestern right-of-way line of West Summit Avenue, approximately 500 feet, 300 block, West Summit Avenue; thence to the northwestern line of South Mint Street; thence northeast along the northwestern right-of-way line of South Mint Street, approximately 1,635 feet, 1400 block, 1445-1401 South Mint Street; 1300 block, 1339-1301 South Mint Street; 1200 block, 1201 South Mint Street; thence to the southwestern right-of-way line of West Palmer Street; thence northwest along the southwestern right-of-way line of West Palmer Street, approximately 1,185 feet, 400 block, 408-420 West Palmer Street; 500 block, 520 West Palmer Street; 600 block, West Palmer Street, 700 block, West Palmer Street; thence to the southern right-of-way line of West Independence Boulevard; thence north across West Independence Boulevard, approximately 100 feet to the northern right-of-way line of said Boulevard; thence east along the northern right-of-way line of West Independence Boulevard, approximately 90 feet to the northwestern right-of-way line of South Cedar Street; thence northeast along the northwestern right-of-way line of South Cedar Street, approximately 1,860 feet, 1000 block, 1029-1025 South Cedar Street; 900 block, South Cedar Street; 800 block, 803-801 South Cedar Street; 700 block, 712 South Cedar Street; 600 block, 625 South Cedar Street; thence to the southwestern right-of-way line of the Piedmont and Northern Railroad; thence southeast along said Railroad right-of-way line, approximately 700 feet to the south-

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eastern right-of-way line of Southern Railroad; thence southwest along said Southern Railroad right-of-way line, approximately 600 feet to the northeastern right-of-way line of West Hill Street; thence southeast along the northeastern right-of-way line of West Hill Street, approximately 275 feet, 300 block, West Hill Street; thence to the northwestern right-of-way line of South Graham Street; thence northeast along the northwestern right-of-way line of South Graham Street approximately 580 feet, 700 block, 700 South Graham Street; 600 block, 638 South Graham Street; thence to the northeastern right-of-way line of West Stonewall Street; thence southeast along the northeastern right-of-way line of West Stonewall Street, approximately 610 feet, 400 block, West Stonewall Street; thence to the southeastern right-of-way line of South Mint Street; thence southwest along the southeastern right-of-way line of South Mint Street, approximately 530 feet, 700 block, 704-700 South Mint Street; thence to the northeastern right-of-way line of West Hill Street; thence southeast along the northeastern right-of-way line of West Hill Street and line extended across South Poplar Street, approximately 370 feet, 300 block, West Hill Street; thence to the southeastern right-of-way line of South Poplar Street; thence southwest along the southeastern right-of-way line of South Poplar Street, approximately 335 feet to a property line, 800 block, 806 South Poplar Street; thence southeast along a side property line of a property fronting on South Poplar Street, approximately 80 feet to a property corner; thence southwest along the rear property line of said property, approximately 70 feet to a property corner; thence southeast along the rear property lines of properties fronting on West Vance Street and line extending across South Church Street, approximately 235 feet, 200 block, boundary line at rear of 218A-210 West Vance Street; thence to the southeastern right-of-way line of South Church Street; thence southwest along the southeastern right-of-way line of South Church Street, approximately 740 feet, 800 block, 822 South Church Street; 900 block, South Church Street; 1000 block, 1024 South Church Street; thence to the northeastern right-of-way line of West Independence Boulevard; thence southeast along the northeastern right-of-way line of West Independence Boulevard, approximately 785 feet, 200 block, West Independence Boulevard; 100 block, West Independence Boulevard; thence to the southeastern right-of-way line of South Tryon Street, approximately 1,700 feet, 1100 block, 1120 South Tryon Street; 1200 block, 1200-1220 South Tryon Street; 1300 block, 1304-1330 South Tryon

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Street; 1400 block, 1400-1440 South Tryon Street; thence to the eastern right-of-way line of Camden Road; thence southwest across Camden Road and continuing along the southeastern right-of-way line of South Tryon Street, approximately 750 feet, 1500 block, 1500-1550 South Tryon Street; thence to the southwestern right-of-way line of West Park Avenue; thence northwest along the southwestern right-of-way line of West Park Avenue, approximately 850 feet, 200 block, 206-258 West Park Avenue; to the point of BEGINNING.

3. The Redevelopment Plan for West Morehead Target Area 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 Director of the Community Development Department of the City of Charlotte, Suite 510, 301 South McDowell Street, Charlotte, North Carolina, 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, September 13, 1976.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of September, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 62-66.

Ruth Armstrong
City Clerk

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE CALLING FOR A JOINT PUBLIC HEARING TO BE HELD BY THE COUNCIL AND THE CHARLOTTE-MECKLENBURG HISTORIC PROPERTIES COMMISSION ON THE QUESTION OF THE DESIGNATIONS OF THE "BERRYHILL HOUSE", THE "OVERCARSH HOUSE" AND THE "MORRISON HOUSE" AS HISTORIC PROPERTIES

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has made investigations and reports on the historic, architectural, education and cultural significance of the buildings described below; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has recommended that the City Council adopt an ordinance designating the buildings described below as historic properties pursuant to Part 3B, Article 19 of Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has determined that the buildings described below meet the criteria for inclusion on the National Register of Historic Places established by the National Historic Preservation Act of 1966, Public Law 89-655, 16 U.S.C.A., Section 470(a), as amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that the City Council and the Charlotte-Mecklenburg Historic Properties Commission will hold joint public hearings in the Council Chamber on the second floor of City Hall, 600 East Trade Street at 3:00 p.m., on the 4th day of October, 1976, at which time interested parties will have an opportunity to be heard on the question of the designation of the following buildings as historic properties:

- 2 -

The Berryhill House, located at 324 West Ninth Street in Charlotte, North Carolina, and situated on a tract of property being Lot 3, Block 31, as recorded in Mecklenburg County Tax Book 78; and

The Overcarsh House, located at 326 West Eighth Street in Charlotte, North Carolina, and situated on a tract of property being Lot 6, Block 36, as recorded in Mecklenburg County Tax Book 78; and

The Morrison House, located at 226 West Tenth Street in Charlotte, North Carolina, and situated on a tract of property being Lot 1, Block 46, as recorded in Mecklenburg County Tax Book 78.

BE IT FURTHER RESOLVED that written notice of said public hearing will be mailed to all property owners and occupants of the buildings described above, and that additional notice of said public hearing be given by publication in a local newspaper of general circulation, all notices to conform to applicable law.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of September, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 67-68.

Ruth Armstrong
City Clerk

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A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT
AGREEMENT WITH SOUTHERN RAILWAY SYSTEM - IRWIN CREEK OUTFALL
516-76-097 - E-2321

BE IT RESOLVED by the City Council of the City of Charlotte, that the Mayor and City Clerk are hereby authorized to execute an Encroachment Agreement with the Southern Railway System to construct and maintain a 54 inch reinforced concrete sewer pipe line crossing upon the right of way and beneath the railroad track. Said 54 inch RCP sewer line to be housed in a 10 gauge 90 inch diameter tunnel liner and being located approximately 370 feet northerly along Southern Railway's crossline from Mile Post 2 at Charlotte, North Carolina. The City is to pay Fifty dollars (\$50.00) to the railroad for administrative cost.

Approved as to form:

Henry W. Clendenen Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk for 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 a regular session convened on the 13th day of September, 1976 the reference having been made in Minute Book 64, page _____, and recorded in full in Resolutions Book 12, page 69.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 21st day of September, 1976.

City Clerk