

RESOLUTION CLOSING A PORTION OF  
CRESTBROOK DRIVE IN THE CITY OF  
CHARLOTTE, MECKLENBURG COUNTY  
NORTH CAROLINA.

WHEREAS, the Charlotte City Council has proposed to close a portion of Crestbrook Drive in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close a portion of Crestbrook Drive, which calls for a public hearing on the question; and

WHEREAS, the City Clerk of the City of Charlotte sent a copy of the Resolution of Intent to Close said portion of the street by registered or certified mail to all owners of property adjoining the portion of the street, and the City Engineer prominently posted a notice of the closing and public hearing in at least two places along this portion of Crestbrook Drive, all as required by N. C. G. S. 160A-299; and

WHEREAS, said public hearing was held on the 22nd day of August, 1977; and

WHEREAS, City Council has determined that the closing of said portion of Crestbrook Drive is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, at its regularly assembled meeting of August 22, 1977, that the Council hereby orders the closing of a portion of Crestbrook Drive in the City of Charlotte, Mecklenburg County, North Carolina, as described below.

AREA "A"

Beginning at the westernmost property corner of the Alfred A. and wife Linda P. Grant property as described in Deed Book 3623-367 and running thence N. 40-16-40 W., 23.48 feet to a point; thence in a southeasterly direction with the arc of a circular curve to the left having a radius of 40.0 feet an arc distance of 25.47 feet to a point; thence S. 51-55-26 W., 7.84 feet to the point or place of beginning and containing approximately 58 square feet.

AREA "B"

Beginning at the southernmost property corner of the Hobart R. and wife JoAnn H. Wood property as described in Deed Book 3423-367 and running thence N. 51-55-26 E., 9.77 feet to a point; thence in a southerly direction with the arc of a circular curve to the left having a radius of 40.0 feet an arc distance of 28.54 feet to a point; thence N. 40-16-40 W., 26.56 feet to the point or place of beginning and containing approximately 82 square feet.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

Approved as to form:

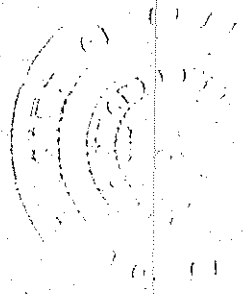
Henry W. Chisholm Jr.  
City Attorney

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 22nd day of August, 1977, and the reference having been made in Minute Book 66, page         , and recorded in full in Resolutions Book 12, page 477-478.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of August, 1977.

Ruth Armstrong  
Ruth Armstrong, City Clerk



RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE, NORTH CAROLINA  
AUTHORIZING YOUTH HOMES, INC. TO  
CONTINUE TO HAVE POSSESSION AND USE  
OF ALL PROPERTY PURCHASED FOR THE  
GROUP HOMES PROGRAM WITH FUNDS PRO-  
VIDED BY COMMUNITY DEVELOPMENT PROGRAM  
SOCIAL SERVICE CONTRACTS CDD-SS-7 AND  
CDD-SS-29.

WHEREAS, the City of Charlotte submitted applications and received approval from the United States of America for the execution of a comprehensive Community Development Program for certain areas for FY 76 and FY 77 pursuant to the Housing and Community Development Act of 1974; and

WHEREAS, the Group Homes Program was identified in said applications as an activity directly related to the "Provision of Public Services for Children and Youth"; and

WHEREAS, the Department of Housing and Urban Development authorized the expenditure of Community Development Block Grant Funds for the Group Homes Program for FY 76 and FY 77 on September 12, 1975 and July 15, 1976 respectively; and

WHEREAS, the City Council of the City of Charlotte approved a "Contract for Technical or Professional Services" No. CDD-SS-7 on November 3, 1975 between the City of Charlotte and Mecklenburg County, subsequently executed by both parties, to plan and implement a Group Homes Program during FY 76 through a subcontract with Youth Homes, Inc.; and

WHEREAS, the City Council of the City of Charlotte approved a "Contract for Technical or Professional Services" No. CDD-SS-29 on November 8, 1976 between the City of Charlotte and Youth Homes, Inc., subsequently executed by both parties, to plan and implement a Group Homes Program during FY 77; and

WHEREAS, funds provided by Contract No. CDD-SS-7 were used to purchase property and equipment for the Group Homes Program; and

WHEREAS, Section 28 of "Exhibit A, General Provisions" to Contract No. CDD-SS-7 stipulates that property and equipment acquired with funds provided by said contract shall belong to the City of Charlotte and subject to the property control procedures and regulations of the City of Charlotte; and

WHEREAS, the City of Charlotte will not provide funds under contract to Youth Homes, Inc. to operate the Group Homes Program after June 30, 1977; and

WHEREAS, Youth Homes, Inc. will operate the Group Homes Program during FY 78 with funds provided by the Law Enforcement Assistance Administration to Mecklenburg County for that program; and

WHEREAS, Youth Homes, Inc. cannot continue to operate the Group Homes Program after June 30, 1977 without the use of the property and equipment purchased with funds provided by Contract No. CDD-SS-7.

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

That Youth Homes, Inc. continue to have possession and use of all property and equipment purchased for the Group Homes Program with monies made available by Contract No. CDD-SS-7 between the City of Charlotte and Mecklenburg County subject to the following provisions:

1. The property and equipment shall be used exclusively for the continued operation of the Group Homes Program according to the basic intent and purposes for which that program was conceived and maintained as stated in the "SCOPE OF SERVICES" of the aforementioned contracts except that neither the youth served nor their parents or guardians need be residents of a Community Development Area for the youth to be eligible to receive services.
2. Youth Homes, Inc. shall continue to offer the services made available by the Group Homes Program to youth, otherwise eligible, who are residents of a Community Development Area or whose parents or guardians are residents of a Community Development Area.
3. The property and equipment shall continue to belong to the City of Charlotte and subject to the control procedures and regulations of the City of Charlotte and shall be properly and adequately maintained by Youth Homes, Inc. at no cost to the City of Charlotte.
4. Youth Homes, Inc. shall maintain accurate and up-to-date records concerning the use and maintenance of said property and equipment and, at any time during normal business hours and as often as the City of Charlotte shall desire, will make those records available for examination and will permit the City of Charlotte, the Department of Housing and Urban Development and/or representatives of the Comptroller General to audit, examine and make excerpts or transcriptions from such records and make audits of all other data relating to those records.

5. Youth Homes, Inc. shall indemnify and save harmless the City of Charlotte, its officials and employees from all claims, loss, damage, injury, liability, cost and expenses of any kind or nature (including attorney's fees) caused by or resulting directly or indirectly from the possession and use of the aforementioned property and equipment.
6. The property and equipment shall be made available to the Community Development Department of the City of Charlotte when that property and equipment is not being used for the purpose for which it was purchased, or upon refusal of Youth Homes, Inc. to accept any additional condition concerning the possession and use of said property and equipment that may be imposed by either the City of Charlotte or the Department of Housing and Urban Development at any time, and the City of Charlotte may, at its option, reclaim possession of its property and equipment acquired with funds provided by Community Development Program Social Services Contracts CDD-SS-7 and CDD-SS-29 upon thirty (30) days' written notice to the users of such property and equipment.

That the POSSESSION AND CONTINUED USE by Youth Homes, Inc., of all property and equipment purchased for the Group Homes Program with monies made available by the aforementioned contracts, after the date of adoption of this resolution by the City Council of the City of Charlotte, GIVES NOTICE in and of itself that Youth Homes, Inc. has agreed to and will abide by the aforementioned provisions concerning the possession and use of said property and equipment.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of August, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 12, at Page 479-481.

Ruth Armstrong  
City Clerk

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
ADOPTING THE 1977 CHARLOTTE-MECKLENBURG THOROUGHFARE  
PLAN.

THAT WHEREAS, the City of Charlotte, County of Mecklenburg and Planning and Research Branch, North Carolina Department of Transportation did prepare a thoroughfare plan for the urban area; and

WHEREAS, the City of Charlotte and the Board of Transportation are directed by North Carolina General Statute 136-66.2 to reach an agreement for a street system that will serve present and anticipated volumes of vehicular traffic in and around the Charlotte Urbanized Area; and

WHEREAS, it is recognized that the proper movement of traffic within and through Charlotte is a highly desirable element of the Comprehensive Plan for the orderly growth and development of the urban area; and

WHEREAS, after full study of the plan the City Council feels it to be in the best interests of the City to adopt the said plan and recommend its adoption to the North Carolina Department of Transportation:

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

The Thoroughfare Plan as shown on a map entitled Charlotte-Mecklenburg Area Thoroughfare Plan, dated April 4, 1977, and prepared by the City of Charlotte, County of Mecklenburg and the Planning and Research Branch, North Carolina Department of Transportation be approved and adopted as a guide in the development of the street and highway system in the Charlotte urbanized area and the same is hereby recommended to the North Carolina Board of Transportation for its subsequent adoption, excluding Radcliffe Avenue and that portion of Sharon Road extending from Queens Road East to Wendover Road, and that Sharon Amity Road be extended through to Dillard Drive and from there to the Newell-Hickory Grove Road.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 22nd day of August, 1977, the reference having been made in Minute Book 66, and recorded in full in Resolution Book 12, Page 482.

Ruth Armstrong  
Ruth Armstrong, City Clerk

RESOLUTION

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session duly assembled, that it hereby reaffirms its position on upgrading Highway 51 and urges the North Carolina Department of Transportation to proceed with the project; and

BE IT FURTHER RESOLVED that the North Carolina Department of Transportation is hereby urged and requested to design the project in such a manner so that the Towns of Matthews and Pineville will be bypassed; and

BE IT FURTHER RESOLVED that the City Council commends the Department of Transportation for the progress made on this project to date.

This 22nd day of August, 1977.

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 22nd day of August, 1977, the reference having been made in Minute Book 66, page         , and recorded in full in Resolutions Book 12, page 483.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of August, 1977.

Ruth Armstrong  
City Clerk

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-78 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.
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, Public Transit Specialist, is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application or the project.



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, Charlotte's Mayor (or in the Mayor's absence Mayor Pro-tem) is hereby authorized to sign and comply with the terms of grant contracts for this project (UMTA Section 5 for FY-78) 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 August 22, 1977.

(City Seal)

*Ruth Armstrong*

Ruth Armstrong  
City Clerk

*8/25/77*

Date

Approved as to form:

*Henry W. Underhill Jr.*  
City Attorney

A RESOLUTION ACCEPTING A STATE GRANT OFFER OF FINANCIAL ASSISTANCE:  
STEP 2 DESIGN FOR  
THE METRO CHARLOTTE "201" WASTEWATER FACILITIES STUDY

(McAlpine Wastewater Treatment Plant Improvements;  
Big Sugar Creek, Toby Creek, and Matthews Outfalls)

WHEREAS, the North Carolina Department of Natural and Economic Resources - Division of Environmental Management is authorized to offer grants provided by the North Carolina Clean Water Bond Act of 1971 to assist local governments in financing wastewater facilities studies as required by the Environmental Protection Agency, and

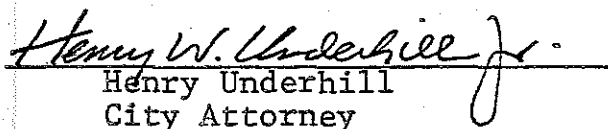
WHEREAS, the City of Charlotte has applied for grant assistance for Step 2 design of the Metro Charlotte "201" projects, and

WHEREAS, the Division of Environmental Management has made a grant offer for the subject projects in the amount of \$122,325;

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

That the offer for grant assistance be accepted and that all assurances contained therein be met.

APPROVED AS TO FORM:

  
Henry Underhill  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of August, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 12, at Page 486.

Ruth Armstrong  
City Clerk

RESOLUTION AUTHORIZING THE SUBMISSION  
OF STEP III GRANT REQUESTS FOR WASTEWATER  
FACILITIES IN THE METRO CHARLOTTE "201" AREA

(McAlpine Wastewater Treatment Plant Improvements;  
Big Sugar Creek, Toby Creek, and Matthews Outfalls)

WHEREAS, the North Carolina Clean Water Bond Act of 1971 has authorized the making of grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, and

WHEREAS, Resolution 74-31 of the North Carolina Board of Water and Air Resources established a policy for approving State grants from the Pollution Control Account of the Clean Water Fund for Step grants for wastewater treatment works projects, and

WHEREAS, Title II of the Federal Water Pollution Control Act Amendments of 1972 (P. L. 92-500 U.S.C. 1251 et. seg.) authorized the award of Federal Construction Grants for waste treatment works, and

WHEREAS, the City of Charlotte intends to request State and Federal grant assistance to aid in the Step III construction of certain projects as set forth in the "Section 201 Facilities Plan;"

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

That the City of Charlotte will arrange financing for all remaining costs of the project if approved for State and Federal grant awards.

That the City of Charlotte will adopt and place into effect on or before completion of the project a schedule of fees and charges which will provide adequate funds for proper operation, maintenance and administration of the system.

That the City of Charlotte will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Mr. David A. Burkhalter, City Manager of the City of Charlotte, is authorized to execute and file a Step III application on behalf of the City of Charlotte with the Environmental Protection Agency and the State of North Carolina for grants to aid in the design of the projects described above.

That Mr. David A. Burkhalter, City Manager of the City of Charlotte, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate

(continued)

(2)

Federal or State agencies may request in connection with such applications or the project; to make the assurances as contained above, and to execute such other documents as may be required in connection with the applications.

That the City of Charlotte has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto; and hereby authorize the above designated representative to execute an affidavit so stating.

Adopted this the 22nd day of August, 1977, at Charlotte, North Carolina.

John M. Belk  
John M. Belk, Mayor

APPROVED AS TO FORM:

Henry W. Underhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of August, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 12, at Page 487-488.

Ruth Armstrong  
City Clerk

August 22, 1977  
Resolutions Book 12 - Page 489

RESOLUTION DECLARING THE INTENT TO CLOSE  
A PORTION OF NORTH KINGS DRIVE AND A PORTION  
OF A STREET OR ALLEYWAY SOMETIMES KNOWN AS  
SUSSMAN STREET, LOCATED IN THE CITY OF  
CHARLOTTE AND CALLING A PUBLIC HEARING ON  
THE QUESTION.

WHEREAS, Central Piedmont Community College has filed a Petition requesting that the City Council close and abandon a portion of North Kings Drive and a portion of a street or alleyway sometimes known as Sussman Street, in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the portion of North Kings Drive petitioned to be closed lies between Elizabeth Avenue and East Fourth Street and is shown on a drawing on file in the office of the City Clerk for the City of Charlotte; and

WHEREAS, the portion of the street or alleyway sometimes known as Sussman Street is located on the northwesterly margin of North Kings Drive and is shown on a drawing on file in the office of the City Clerk for the City of Charlotte; and


WHEREAS, the procedure for closing streets as outlined in Section 160A-299 of the North Carolina General Statutes requires that Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statute further requiring that the resolution shall be published once a week for four successive weeks prior to the hearing, and a copy be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records; and a notice of the closing and public hearing shall be prominently posted in at least two places along said street.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of the City of Charlotte, at its regularly scheduled session of August 22, 1977, that it intends to close the portion of North Kings Drive and the portion of that street or alleyway sometimes known as Sussman Street as hereinbefore described, and hereby calls a public hearing on the question to be held at 3:00 P.M., on Monday, the 26th day of September, 1977, in the Council Chamber of the City Hall. The City Clerk is hereby directed to publish a copy of this resolution in the "Charlotte News" once a week for four successive weeks next preceding the date fixed here for such hearing, as required by G.S. 160A-299; and further, the Petitioner is directed to send by registered or certified mail a copy of this resolution to all owners of property adjoining the streets as shown on the county tax records, as required by G.S. 160A-299. The Petitioner is hereby directed to prominently post a notice of the closing and public hearing in at least two places along the said portions of the streets, as required by G.S. 160A-299.

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 22nd day of August, 1977, the reference having been made in Minute Book 66, and recorded in full in Resolutions Book 12, at Page 489.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of August, 1977.

  
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Ruth Armstrong, City Clerk

RESOLUTION DECLARING AN INTENT TO CLOSE PORTION OF  
EAST 10TH STREET  
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA,  
AND CALLING A PUBLIC HEARING ON THE QUESTION

WHEREAS, the Community Development Department of the City of Charlotte, by and through its Director, has requested the City to vacate and close that certain portion of East 8th Street, in the City of Charlotte, Mecklenburg County, North Carolina, as same is shown on Boundary Survey entitled "Parcel 1", First Ward Urban Renewal Area, N.C. R-79 prepared by Wilbur Smith and Associates, Inc. - Design dated November 11, 1976, a copy of which is available for inspection in the Office of the City Clerk in the City Hall at Charlotte, North Carolina; said portion of said street being more particularly described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the procedure for closing streets and public alleys as outlined in Chapter 160A, Section 299 of the General Statutes of North Carolina requires that Council first adopt a resolution declaring its intent to close the street or public alley and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for four successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street or public alley as shown on the County tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said streets or public alley; and

WHEREAS, the City of Charlotte is desirous of complying with the Petitioner's request.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of the City of Charlotte, at its regularly scheduled session of August 22, 1977, that it intends to close that certain portion of East 10th Street in the City of Charlotte, Mecklenburg County, North Carolina, as same is shown on Boundary Survey entitled "Parcel 1", First Ward Urban Renewal Area, N.C. R-79 prepared by Wilbur Smith and Associates, Inc. - Design, dated November 11, 1976, a copy of which is available for inspection in the Office of the City Clerk in the City Hall of Charlotte, North Carolina, said portion of said street being more particularly described in Exhibit "A" hereto attached and made a part hereof, and hereby calls a public hearing on the question to be held at 3:00 P.M. on Monday, the 26th day of September, 1977, in the Council Chamber of the City Hall. The City Clerk is hereby directed to publish a copy of this resolution in The Charlotte News once a week for four successive weeks next preceding the date fixed here for such hearing as required by the provisions of Chapter 160A, Section 299 of the General Statutes of North Carolina; and further, the Petitioner is directed to send by registered or certified mail a copy of this resolution to all owners of property adjoining the said portion of the street or public alley as shown on the County tax records as required by said Statute. The Petitioner is hereby directed to prominently post a notice of the closing and public hearing in at least two places along the said portion of the street or public alley, as required by said Statute.

C E R T I F I C A T I O N

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 22nd day of August, 1977, and reference having been made in Minute Book 66, beginning at Page     , and ending at Page     , and is recorded in full in Resolution Book 12.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of August, 1977.

*Ruth Armstrong*  
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City Clerk of the City of Charlotte

FIRST WARD URBAN RENEWAL AREA

PROJECT NO. N.C. R-79

PARCEL 1

A parcel of land in Charlotte Township, Mecklenburg County, State of North Carolina, being the existing right-of-way for East Tenth Street between Caldwell Street and Davidson Street, located in First Ward Urban Renewal Area, Project No. 79, shown as Parcel 1 on a plat prepared by Wilbur Smith and Associates, Inc., dated November 11, 1976 and more particularly described as follows:

Beginning at the intersection of the existing south right-of-way line of Caldwell Street and the existing east right-of-way line of East Tenth Street, thence S 42°43'04" E, 382.81 feet along existing east right-of-way of East Tenth Street to its point of intersection with the existing north right-of-way line of Davidson Street; thence S 50°15'45" W, 30.04 feet across East Tenth Street to the point of intersection of existing north right-of-way line of Davidson Street and existing west right-of-way line of East Tenth Street; thence N 42°43'04" W, 382.81 feet along existing west right-of-way line of East Tenth Street to its point of intersection with the existing south right-of-way line of Caldwell Street; thence N 50°15'45" E, 30.04 feet across East Tenth Street to the point of beginning and containing 11,484 square feet.

Rec'd. By: <u>Qz</u>
NOV 15 1976
Original To: _____
Copies To: _____

A RESOLUTION PROVIDING FOR PUBLIC  
HEARINGS ON PETITIONS FOR ZONING CHANGES

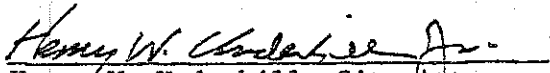
WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 77-30, 77-39 through 77-49, 77-51 and 77-52 are on record in the Office of the City Clerk, and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that public hearings will be held in the Board Meeting Room on the Fourth Floor of the Education Center at 701 East Second Street beginning at 2:30 P. M. on Monday, the 19th day of September, 1977 on petitions for zoning changes numbered 77-30, 77-39 through 77-49, 77-51 and 77-52.

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

APPROVED AS TO FORM:

  
Henry W. Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of August, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 12, at Page 492.

Ruth Armstrong  
City Clerk



RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE  
FIRST WARD URBAN RENEWAL PROJECT NO. N.C. R-79

WHEREAS, the City of Charlotte has undertaken the execution of Project No. N.C. R-79, 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 laws; and

WHEREAS, such area has been established in accordance with the requirements of such law and the said Project No. N.C. R-79 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 regulation, 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, First Ward Urban Renewal Area, Project No. N.C. R-79 dated September, 1970, revised May, 1972 and due to minor discrepancies existing between the record title descriptions of the parcels and the descriptions of said parcels as shown on said 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, is 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 all or 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 22nd day of August, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 12, at Page 493.

Ruth Armstrong, City Clerk

TRACT 1:

BEGINNING at the point formed by the intersection of the northerly or northeasterly margin of East 9th Street and the easterly or southeasterly margin of North Caldwell Street and runs thence with the easterly or southeasterly margin of North Caldwell Street in a northeasterly direction approximately 400 feet to a point in the southerly or southwesterly margin of East 10th Street and continuing thence across East 10th Street and with the easterly or southeasterly margin of North Caldwell Street approximately 30 feet to a point, said point marking the intersection of the easterly or southeasterly margin of North Caldwell Street and the northerly or northeasterly margin of East 10th Street and continuing thence with the easterly or southeasterly margin of North Caldwell Street approximately 380 feet to a point in the southerly or southwesterly margin of East 11th Street; running thence with the southerly or southwesterly margin of East 11th Street in a southeasterly direction approximately 380 feet to a point in the westerly or northwesterly margin of North Davidson Street and running thence with said margin of North Davidson Street in a southwesterly direction approximately 385 feet to a point in the northerly or northeasterly margin of East 10th Street and continuing across said street approximately 30 feet to a point, said point marking the intersection of the southerly or southwesterly margin of East 10th Street and the westerly or northwesterly margin of North Davidson Street; and thence continuing with the westerly or northwesterly margin of North Davidson Street in a southwesterly direction approximately 400 feet to a point in the northerly or northeasterly margin of East 9th Street and running thence with the northerly or northeasterly margin of East 9th Street in a northwesterly direction approximately 385 feet to the point or place of beginning; being Blocks 15 and 16 as shown on Property Map of the First Ward Urban Renewal Area, Project N. C. R-79 prepared by Eric Hill Associates, Inc. dated September, 1970 and revised May, 1972; and further consisting of all of the property except as stated below in those certain two blocks bounded by North Caldwell Street, East 11th Street, North Davidson Street and East 9th Street, Charlotte, Mecklenburg County, North Carolina.

HOWEVER, there is excepted from the foregoing two blocks that certain portion of East 10th Street located between North Caldwell Street and North Davidson Street.

TRACT 2:

BEGINNING at the point of intersection of the easterly or southeasterly margin of North Davidson Street and the northerly or northeasterly margin of East 10th Street and running thence from said beginning point in a northeasterly direction with easterly or southeasterly margin of North Davidson Street approximately 400 feet to a point in the southerly or southwesterly margin of East 11th Street and running thence with the southerly or southwesterly margin of East 11th Street in a southeasterly direction approximately 400 feet to a point in the westerly or northwesterly margin of North Alexander Street and running thence with said margin in a southwesterly direction approximately 385 feet to a point in the northerly or northeasterly margin of East 10th Street and running thence with said margin in a northwesterly direction approximately 396 feet to the point or place of beginning; being Block 20 as shown on Property Map of the First Ward Urban Renewal Area, Project N. C. R-79 prepared by Eric Hill Associates, Inc. dated September, 1970 and revised May, 1972; and further constituting all of the property in that certain block bounded by North Davidson Street, East 11th Street, North Alexander Street and East 10th Street, Charlotte, Mecklenburg County, North Carolina.

TRACT 3:

Beginning at the point formed by the intersection of the easterly or southeasterly margin of North McDowell Street and the northerly or northeasterly margin of East 5th Street and running thence from said beginning point with the easterly margin of North McDowell Street <sup>in a northeasterly direction</sup> approximately 313 feet to a point in the southerly or southwesterly margin of East 6th Street (extended) and running thence with the southerly or southwesterly margin of East 6th Street in a southeasterly direction approximately 260 feet to a point in the westerly or northwesterly margin of 5th Street Extension and continuing with the southerly or southwesterly margin of East 6th Street (extended) across 5th Street Extension approximately 60 feet to a point; and continuing with the southerly or southwesterly margin of East 6th Street (extended) approximately 106 feet to a point in the westerly or northwesterly margin of the Northwest Expressway; thence with the westerly or northwesterly margin of the Northwest Expressway in a southwesterly direction approximately 133.5 feet to a point in the northerly or northeasterly margin of East 5th Street and running thence with the northerly or northeasterly margin of East 5th Street approximately 178 feet to a point in the easterly or southeasterly margin of 5th Street Extension; and continuing with the northerly or northeasterly margin of East 5th Street across 5th Street Extension and a 20-foot alley to a point and continuing with the northerly or northeasterly margin of East 5th Street approximately 147 feet to a point in the easterly or southeasterly margin of North McDowell Street, the point or place of Beginning; being Blocks 47 and 48 as shown on Property Map of the First Ward Urban Renewal Area, Project N. C. R-79 prepared by Eric Hill Associates, Inc. dated September, 1970 and revised May, 1972; and further constituting all of the property in that certain block (or portion of block) bounded by North McDowell Street, East 6th Street (extended), the Northwest Expressway and East 5th Street, Charlotte, Mecklenburg County, North Carolina.

August 22, 1977  
Resolutions Book 12 - Page 495

"RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE  
GRIER HEIGHTS COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS the City of Charlotte has undertaken the execution of the Grier Heights Community Development Target Area, 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 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 Grier Heights Community Development Target Area 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 purpose of the law as set out in said Article 22 of Chapter 160A 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, endeavored to establish a fair market value on properties within the area, and has in good faith through its proper agents endeavored to negotiate for the acquisition of properties within the fair market value thereof, the City of Charlotte recognizing in such negotiations that it needed to acquire said property in accordance with the said redevelopment plan previously approved; and

WHEREAS the City of Charlotte, after such fair negotiations, has of this date been unable to acquire such properties as hereinafter set out and this acquisition of such properties being essential to the achievement of the plans and accomplishment of the purpose 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.

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 with respect to the following properties:

<u>Block No.</u>	<u>Parcel No.</u>	<u>Owner</u>	<u>Fair Market Value</u>
7	17	Willie J. Cuthbertson	\$10,300

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of August, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 12, at Page 495.

Ruth Armstrong  
City Clerk

"RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE  
WEST MOREHEAD COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS the City of Charlotte has undertaken the execution of the West Morehead Community Development Target Area, 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 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 West Morehead Community Development Target Area 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 purpose of the law as set out in said Article 22 of Chapter 160A 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, endeavored to establish a fair market value on properties within the area, and has in good faith through its proper agents endeavored to negotiate for the acquisition of properties within the fair market value thereof, the City of Charlotte recognizing in such negotiations that it needed to acquire said property in accordance with the said redevelopment plan previously approved; and

WHEREAS the City of Charlotte, after such fair negotiations, has of this date been unable to acquire such properties as hereinafter set out and this acquisition of such properties being essential to the achievement of the plans and accomplishment of the purpose 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.

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 with respect to the following properties:

<u>Block No.</u>	<u>Parcel No.</u>	<u>Owner</u>	<u>Fair Market Value</u>
38	1	Eugene Proctor	\$26,000
40	8	Richard Guiney	6,200
43	1	Ulysses McCain	7,000

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of August, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 12, at Page 496.

Ruth Armstrong  
City Clerk

Extracts from minutes of meeting of the City Council of the City of Charlotte, North Carolina  
held on the 22nd day of August, 1977.

RESOLUTION

Be it resolved by the City Council of the City of Charlotte, North Carolina in regular meeting assembled that the Mayor of said City be, and he hereby is, authorized to enter into an agreement with the SEABOARD COAST LINE RAILROAD COMPANY, and to sign same on behalf of said City whereby said Railroad Company demises and leases unto said City certain land owned by said Railroad Company at Charlotte, North Carolina, as particularly described in said agreement, which agreement is dated July 5, 1977, a copy of which agreement is filed with the City Council.

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 22nd day of August, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 12, at Page 497.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of August, 1977.

*Ruth Armstrong*  
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Ruth Armstrong, City Clerk

