

February 14, 1977

Resolutions Book 12 - Page 195

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 a Central Transfer Point Improvement project under Section 5 of the Urban Mass Transportation Act of 1964, as amended through February 5, 1976. This project has been included in Charlotte's 1977 Transportation Improvement Program.
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 the 14th of

February, 1977

(City Seal)

Ruth Armstrong
Ruth Armstrong
City Clerk

2-17-77
Date

Approved as to form:

Henry W. Woodruff
City Attorney

February 14, 1977
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A RESOLUTION AUTHORIZING MR. DAVID A. BURKHALTER, CITY MANAGER, TO FILE APPLICATIONS REQUESTING STATE GRANT ASSISTANCE FOR WATER WORKS IMPROVEMENTS.

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, The City of Charlotte has need for and intends to construct water supply distribution system projects, and

WHEREAS, The City of Charlotte intends to request State grant assistance for the following project:-

WATER DISTRIBUTION AND FEEDER MAINS WITHIN PROPOSED ANNEXATION AREAS

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 projects, if approved for State grant awards.

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

That Mr. David A. Burkhalter is hereby authorized to execute and file an application on behalf of the City of Charlotte with the State of North Carolina for grants to aid in the construction of the projects described above.

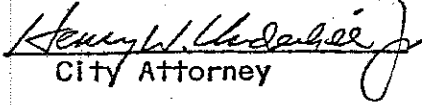
That Mr. David A. Burkhalter is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such applications or the projects; to make the assurances as contained above; and to execute such other documents as may be required in connection with the applications, grant offers, or grant awards.

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 projects and to Federal and State grants and loans pertaining thereto; and hereby authorizes the above designated representative to execute an affidavit so stating.

That the City of Charlotte agrees to 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 projects.

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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 14th day of February, 1977, the reference having been made in Minute Book 65, Page _____, and recorded in full in Resolutions Book 12, Page 197-198.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of February, 1977.


Ruth Armstrong
City Clerk

A RESOLUTION AUTHORIZING MR. DAVID A. BURKHALTER, CITY MANAGER, TO FILE APPLICATIONS REQUESTING STATE GRANT ASSISTANCE FOR WATER WORKS IMPROVEMENTS.

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, The City of Charlotte has need for and intends to construct water supply distribution system projects, and

WHEREAS, The City of Charlotte intends to request State grant assistance for the following project:

ADDITION TO HOSKINS WATER TREATMENT PLANT

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 projects, if approved for State grant awards.

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

That Mr. David A. Burkhalter is hereby authorized to execute and file an application on behalf of the City of Charlotte with the State of North Carolina for grants to aid in the construction of the projects described above.

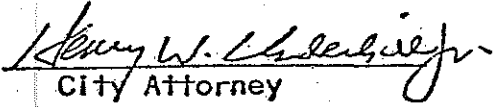
That Mr. David A. Burkhalter is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such applications or the projects; to make the assurances as contained above; and to execute such other documents as may be required in connection with the applications, grant offers, or grant awards.

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 projects and to Federal and State grants and loans pertaining thereto; and hereby authorizes the above designated representative to execute an affidavit so stating.

That the City of Charlotte agrees to 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 projects.

February 14, 1977
Resolutions Book 12 - Page 200


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 14th day of February, 1977, the reference having been made in Minute Book 65, Page _____, and recorded in full in Resolutions Book 12, Page 199-200.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of February, 1977.



Ruth Armstrong
City Clerk

February 14, 1977
Resolutions Book 12 - Page 201

A RESOLUTION TO AMEND THE RESOLUTION ADOPTED BY CITY COUNCIL ON JULY 26, 1976, AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO WILLIAM H. PROTZ AND WIFE, LUCILLE L. PROTZ AND A LEASEHOLD INTEREST LOCATED OFF HIGHWAY 29 NORTH IN THE COUNTY OF MECKLENBURG FOR THE MALLARD CREEK WASTEWATER TREATMENT PLANT SITE.

WHEREAS, on the 26th day of July, 1976, City Council authorized condemnation proceedings to be instituted against the property of William H. Protz and wife, Lucille L. Protz and a leasehold interest, located off Highway 29 North in the County of Mecklenburg to acquire land on which to construct Mallard Creek Wastewater Treatment Plant, a part of the sewage collection and disposal system; and

WHEREAS, since the resolution was adopted on July 26, 1976 the City has found it necessary to acquire additional property, and to acquire certain rights of way for a road and for sewer lines across the remainder of this property, and for these reasons it was necessary that the property taken be reappraised to determine the value of all the property now taken.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in a regularly assembled session this 14th day of February, 1977, that the resolution adopted on July 26, 1976, authorizing the institution of condemnation proceedings against the property belonging to William H. Protz and wife, Lucille L. Protz and a leasehold interest located off Highway 29 North in the County of Mecklenburg, shall be amended in the following manner.

That paragraph 4 is deleted in its entirety and substituted in lieu thereof the following:

"BE IT FURTHER RESOLVED that \$112,142.00, 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."

Except as hereby amended, said resolution shall remain as originally adopted.

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 14th day of February, 1977, and the reference having been made in Minute Book 65, page , and recorded in full in Resolutions Book 12, page 201.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 17th day of February, 1977.

Ruth Armstrong
Ruth Armstrong, City Clerk

"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
FOR CONDEMNATION ACTION IN THE FOURTH WARD URBAN RENEWAL AREA"

WHEREAS the City of Charlotte has undertaken the execution of the Fourth Ward Urban Renewal 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 Fourth Ward Urban Renewal 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 herein-after 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 that 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>
26	16	James Loo	\$18,000

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of February, 1977, the reference having been made in Minute Book 65, and is recorded in full in Resolutions Book 12, at Page 202.

Ruth Armstrong, City Clerk

February 14, 1977
Resolutions Book 12 - Page 203

"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	3	Arthur E. Grier, Jr., Successor Trustee	\$16,000

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 14th day of February, 1977, the reference having been made in Minute Book 65, and is recorded in full in Resolutions Book 12, at Page 203.

Ruth Armstrong, City Clerk