

January 31, 1977
Resolutions Book 12 - Page 184

A RESOLUTION PROVIDING FOR PUBLIC
HEARING ON PETITIONS FOR ZONING CHANGES

WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 77-5 and 77-6 are on record in the Office of the City Clerk, and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that public hearings will be held in the Council Chamber on the Second Floor of the Charlotte City Hall beginning at 2:30 o'clock P. M. on Monday, the 28th day of February, 1977 on petitions for zoning changes numbered 77-5 and 77-6.

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

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 31st of January, 1977, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 184.

Ruth Armstrong
City Clerk

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

WHEREAS, the Trustees for Estes Express Lines Employees Retirement Plan (hereinafter referred to as Estes) has filed a petition with the City of Charlotte requesting the closing of that portion of North College Street as described hereinafter; and

WHEREAS, Estes is presently the owner of the property lying on both sides of that said portion of North College Street; and

WHEREAS, such portion of North College Street has never been open for public use and is not necessary for the purpose of ingress or egress to or from any other property adjacent thereto; and

WHEREAS, that portion of North College Street that is to be closed is described as follows:

BEGINNING at a point formed by the intersection of the Northerly right of way line of East 29th Street with the Westerly right of way line of North College Street, N. 46-49-00 E. 348.91 feet to a point on the Southerly right of way line of East 30th Street; thence with the said right of way line of East 30th Street, S. 24-49-12 E. 42.14 feet to a point on the Easterly right of way line of North College Street; thence with the Easterly right of way line of North College Street, S. 46-49-00 W. 334.14 feet to a point; and thence N. 45-19-24 W. 40.02 feet to the point and place of BEGINNING, according to plat of Reece F. McRorie, R. S., dated December 7, 1976.

WHEREAS, the procedure for closing streets is outlined in North Carolina General Statutes, Section 160(a)-299, requires that Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; this statute further requires that the resolution shall be published once a week for four (4) successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners in 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 (2) places along said street; and

WHEREAS, the City of Charlotte is desirous to close such portion of North College Street as requested by Estes.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE, at its regularly scheduled session of January 31, 1977, that it intends to close that certain portion of North College Street lying between East 29th Street and East 30th Street, as more particularly described hereinabove, and hereby calls for a public hearing on the question to be held at 2:30 p.m. on Monday, the 23th day of February, 1977, in the Council Chamber of the City Hall, or at such other place as the City Council may be holding its regularly scheduled Session on that date.

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The City Clerk is hereby directed to publish a copy of this resolution in the The Charlotte News once a week for four (4) consecutive weeks next preceding the date fixed here for such hearing, as required by North Carolina General Statute 160(a)-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 said portion of the street as shown on the county tax records as required by said G.S. 160(a)-299. The Petitioner is hereby directed to prominently post a notice of the closing and public hearing in at least two places along said portion of the street, as also required by G.S. 160(a)-299.

The above resolution, duly adopted at a regularly scheduled meeting of the Charlotte City Council on the 31st day of January, 1977.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 31st day of January, 1977, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 185-186.

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>
39	11	Howard T. Hancock	\$ 7,400

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 31st day of January, 1977, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 187.

Ruth Armstrong, City Clerk

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 31st day of January, 19 77, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested", be refunded the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 31st day of January, 1977, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 188.

Ruth Armstrong, City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Willard Lead Products and Willard Realty Company	\$2,606.49 =====	Illegal Levy