

May 9, 1977
Resolutions Book 12 - Page 368

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO ENTER INTO A TRUST AGREEMENT WITH CERTAIN TRUSTEES NAMED THEREIN TO ACT AS THE CITY'S AGENT TO DISPOSE OF AN UNDIVIDED INTEREST IN REALTY ACQUIRED UNDER THE WILL OF THE LATE JOSEPH F. CANNON, AND TO EXECUTE A BILL OF SALE, WARRANTY DEED AND ASSIGNMENT OF ITS INTEREST TO SAID TRUSTEES.

WHEREAS, under the Will of the late Joseph F. Cannon, the City of Charlotte acquired certain stock in Imperial Cotton Mills, a Georgia corporation; and

WHEREAS, Imperial Cotton Mills has been dissolved and is in the process of being liquidated, and the stock has been converted to realty; and

WHEREAS, because the real property in question is in different locations, some outside the state, none of the permitted methods of disposition allowed under N.C.G.S. 160A-266 were practical, and the City of Charlotte requested special legislation from the General Assembly to dispose of the property by private negotiation under the procedure set forth in N.C.G.S. 160A-267; and

WHEREAS, this special legislation was authorized by the General Assembly and was enacted as Chapter 0134 of the 1977 North Carolina Session Laws on the 19th day of April, 1977; and

WHEREAS, all of the liquidating shareholders have entered into a Trust Agreement authorizing the Trustees to dispose of the real property and make disposition of the accumulated assets, and have conveyed their undivided interests in the property to the Trustees by a Bill of Sale, Warranty Deed and Assignment.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that Mayor John M. Belk is authorized to enter into said Trust Agreement between the City and the Trustees named therein, and to convey by Bill of Sale, Warranty Deed and Assignment Charlotte's 51/2970th share of property of Imperial Cotton Mills.

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, in regular session convened on the 9th day of May, 1977, the reference having been made in Minute Book 65, page _____, and recorded in full in Resolutions Book 12, page 368.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of May, 1977.

Ruth Armstrong
City Clerk

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RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE THAT PORTION OF KINGS DRIVE LOCATED BETWEEN PARK DRIVE AND ELIZABETH AVENUE IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, the City of Charlotte is in the process of completing a certain street project known as the Kings Drive Relocation; and

WHEREAS, the City Engineer recommends the portion of right of way dedicated as Kings Drive lying between Elizabeth Avenue and Park Drive be abandoned and closed as the City has no further use for it; and

WHEREAS, the said portion of Kings Drive recommended to be closed is shown on a map entitled "Right of Way to be Closed - Existing Kings Drive", and is more particularly described by metes and bounds in a document entitled "Exhibit B", both of which are available for inspection in the Office of the City Clerk, City Hall, Charlotte, North Carolina.

WHEREAS, the procedure for closing streets as outlined in North Carolina General Statutes, Section 160A-299, 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 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 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; and

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WHEREAS, the City of Charlotte is desirous to close said portion of Kings Drive as recommended by the City Engineer.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of the City of Charlotte, at its regularly scheduled session of May 9, 1977, that it intends to close that certain portion of Kings Drive lying between Elizabeth Avenue and Park Drive, said portion of the street being more particularly described on a map and by a metes and bounds description available for inspection in the City Clerk's Office, and hereby calls a public hearing on the question to be held at 3:00 p.m., on Monday, the 6th day of June, 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, said City Clerk 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 as shown on the county tax records, as required by G. S. 160A-299. The City Engineer 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, as required by G. S. 160A-299.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of May, 1977, the reference having been made in Minute Book 65, and is recorded in full in Resolutions Book 12, at page 370-371.

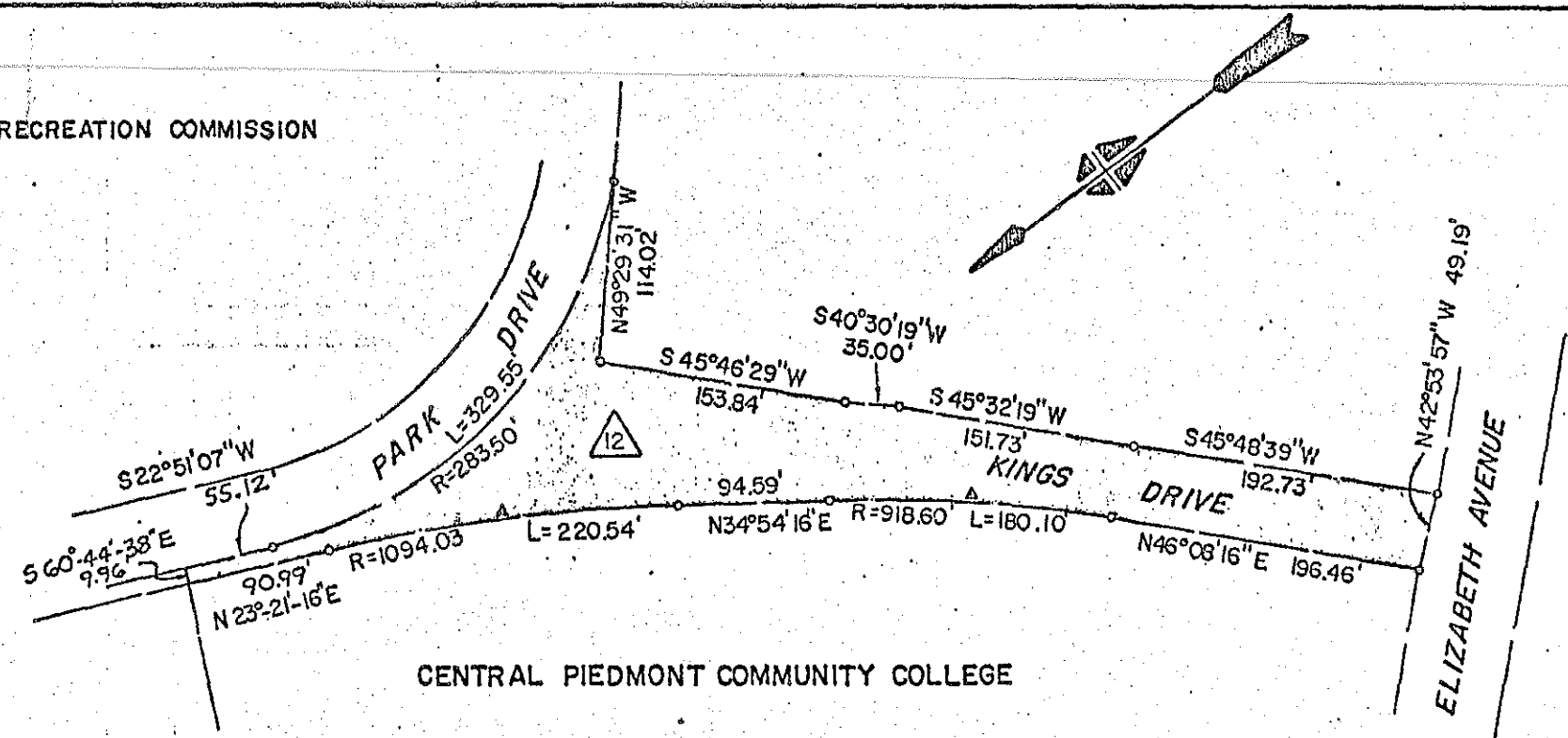
Ruth Armstrong
City Clerk

KINGS DRIVE

ELIZABETH AVENUE TO PARK DRIVE

BEGINNING AT A POINT WHERE THE PROPOSED EASTERLY RIGHT-OF-WAY MARGIN OF ELIZABETH AVENUE INTERSECTS WITH THE PRESENT NORTHERLY RIGHT-OF-WAY MARGIN OF KINGS DRIVE, SAID POINT BEING ALSO LOCATED APPROXIMATELY 966 FEET MEASURED IN A NORTHWESTERLY DIRECTION ALONG THE PRESENT EASTERLY RIGHT-OF-WAY MARGIN OF ELIZABETH AVENUE FROM INDEPENDENCE BOULEVARD AND RUNNING THENCE IN A NORTHEASTERLY DIRECTION FOLLOWING ALONG SAID PRESENT NORTHERLY RIGHT-OF-WAY OF KINGS DRIVE IN FIVE (5) COURSES AS FOLLOWS: (1) N46-08-16E 196.46 FEET TO A POINT OF CURVATURE; (2) THENCE WITH AN ARC OF A CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 918.60 FEET AN ARC DISTANCE OF 180.10 FEET TO A POINT OF TANGENCY; (3) N34-54-16E 94.59 FEET TO A POINT OF CURVATURE; (4) THENCE WITH AN ARC OF A CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 1094.03 FEET AN ARC DISTANCE OF 220.54 FEET TO A POINT OF TANGENCY; (5) N23-21-16E 90.99 FEET TO A POINT IN THE SOUTHERLY PROPERTY LINE OF THE CHARLOTTE PARK AND RECREATION COMMISSION PROPERTY; THENCE IN A SOUTHEASTERLY DIRECTION FOLLOWING ALONG SAID SOUTHERLY PROPERTY LINE OF THE CHARLOTTE PARK AND RECREATION COMMISSION (IF EXTENDED) S60-44-38E 9.96 FEET TO A POINT IN THE PROPOSED NORTHERLY OR NORTHWESTERLY RIGHT-OF-WAY MARGIN OF PARK DRIVE; THENCE IN A SOUTHWESTERLY DIRECTION FOLLOWING ALONG SAID PROPOSED NORTHERLY OR NORTHWESTERLY RIGHT-OF-WAY MARGIN OF PARK DR. S22-51-07W 55.12 FEET TO A POINT OF CURVATURE; THENCE WITH AN ARC OF A CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 283.50 FEET AN ARC DISTANCE OF 329.55 FEET TO A POINT OF TANGENCY IN THE PRESENT SOUTHERLY RIGHT-OF-WAY MARGIN OF PARK DRIVE; THENCE IN A NORTHWESTERLY DIRECTION FOLLOWING ALONG SAID PRESENT SOUTHERLY RIGHT-OF-WAY MARGIN OF PARK DRIVE N49-29-31W 114.02 FEET TO A POINT, SAID POINT BEING WHERE THE PRESENT SOUTHERLY RIGHT-OF-WAY MARGIN OF PARK DRIVE INTERSECTS WITH THE PRESENT SOUTHERLY RIGHT-OF-WAY OF KINGS DRIVE; THENCE IN A SOUTHWESTERLY DIRECTION FOLLOWING ALONG THE PRESENT SOUTHERLY RIGHT-OF-WAY MARGIN OF KINGS DRIVE IN FOUR (4) COURSES AS FOLLOWS: (1) S45-46-29W 153.84 FEET TO A POINT; (2) S40-30-19W 35.00 FEET TO A POINT; (3) S45-32-19W 151.73 FEET TO A POINT; (4) S45-48-39W 192.73 FEET TO A POINT IN THE PRESENT EASTERLY RIGHT-OF-WAY MARGIN OF ELIZABETH AVENUE; THENCE IN A NORTHWESTERLY DIRECTION CROSSING KINGS DRIVE N42-53-57W 49.19 FEET TO THE POINT OR PLACE OF BEGINNING, AND CONTAINING APPROXIMATELY 41,824 SQUARE FEET ALL AS SHOWN ON MAP MADE BY RALPH WHITEHEAD AND ASSOCIATES MAY 14, 1974, WHICH REFERENCE IS HEREBY MADE. DESCRIPTION ABOVE BEING THAT PORTION OF KINGS DRIVE THAT LIES BETWEEN ELIZABETH AVENUE AND PARK DRIVE FOR THE PERMANENT CLOSING AND ABANDONMENT OF RIGHT-OF-WAY.

RECREATION COMMISSION



CENTRAL PIEDMONT COMMUNITY COLLEGE

TOTAL AREA 41,823.51 sq. ft. 0.960 ac.

NOTE: PROPERTY CORNERS SHOWN CIRCLED WERE LOCATED BY ACTUAL SURVEY. BEARINGS ARE BASED ON NORTH CAROLINA COORDINATE SYSTEM.

THIS PLAT WAS PREPARED UNDER MY SUPERVISION.

Stephen A. Gilbert, P.E.
N.C. REG. ENGINEER NO. 6233

REVISED 7-25-74 S.A.G.

RALPH WHITEHEAD & ASSOCIATES		
CONSULTING ENGINEERS		CHARLOTTE, N.C.
CITY OF CHARLOTTE PROJECT NO.		
PROPOSED R/W		
KINGS DRIVE RELOCATION		RW 55
R/W TO BE CLOSED		
EXISTING KINGS DRIVE		
DRAWN BY _____	DATE _____	DWG. NO.
CHECKED BY S.A.G. _____	DATE 5-14-74	1202.66-P
SCALE 1"=100'	SHEET 12	OF 21

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 9th day of May, 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. Clendell Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of May, 1977, the reference having been made in Minute Book 65, and is recorded in full in Resolutions Book 12, at Page 374.

Ruth Armstrong
City Clerk

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TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Jane E. Kuykendall	\$ 6.69	Clerical Error
Wm. Hahn Southpark	21.23	Clerical Error
Rosalie Hagen Merritt	5.46	Clerical Error
Elmer J. Robinson & wife, Nancy L.	16.24	Clerical Error
Amoco Automotive	37.08	Illegal Levy
Wm. Hahn Southpark	20.35	Clerical Error
D. L. Peterson Trust	38.50	Clerical Error
J. Murray Fadeal	32.43	Clerical Error
Doris Jones Liles	15.93	Clerical Error
James Miller, Jr.	7.09	Clerical Error
Mary Lee Taylor	9.33	Clerical Error
Wer Industrial Corporation	23.21	Clerical Error
Commercial Leasing Corp.	300.56	Clerical Error
Commercial Leasing Corp.	<u>368.88</u>	Clerical Error
	\$902.98	
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