

October 30, 1978  
Resolutions Book 13 - Page 473

"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE APPROVING SALE OF A FIVE-UNIT MULTI-FAMILY STRUCTURE AND LOT TO HOME FINDING, INC. IN THE THIRD WARD COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS, on the 13th day of October, 1978, the City of Charlotte received from Home Finding, Inc., a non-profit corporation organized under the Laws of North Carolina, a proposal to purchase by negotiation a parcel of property and to rehabilitate the five-unit multi-family structure located thereon, identified as Block No. 16, Parcel No. 1, on a map entitled "Map Showing Property of City of Charlotte, Third Ward Community Development, Charlotte, North Carolina," prepared by R. Dennis Smith, N. C. Registered Surveyor, dated June 7, 1978; and

WHEREAS, a fair market value of \$13,500 has been established for the structure and lot, which is not less than the fair market value agreed upon by a committee of three professional real estate appraisers currently practicing in the State and which price has been agreed upon by the City and developer; and

WHEREAS, the proposed developer has submitted a Purchase Contract, a Redeveloper's Statement for Public Disclosure and Redeveloper's Statement of Qualifications and Financial Responsibility, and a Good Faith Deposit in the amount of \$1,350, representing 10% of the price of the structure and lot; and

WHEREAS, Section 160A-514(d) of the North Carolina Urban Redevelopment Law, as amended, requires that the sale of all urban renewal land shall be subject to the approval of the Governing Body of the Municipality.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte does hereby approve the sale by negotiation of a five-unit multi-family structure and lot referred to above to Home Finding, Inc., at a price of \$13,500, in the Third Ward Community Development Target Area for the rehabilitation of the structure pursuant to Residential Property Rehabilitation Standards of the Plan, all in accordance with the Redevelopment Plan for the Area, dated January, 1976.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of October, 1978, the reference having been made in Minute Book 69, and is recorded in full in Resolutions Book 13, at page 473.

Ruth Armstrong  
City Clerk

RESOLUTION OF THE CHARLOTTE CITY COUNCIL AUTHORIZING THE CITY-COUNTY PURCHASING DIRECTOR TO WAIVE THE REQUIREMENT FOR PERFORMANCE BONDS FOR CONTRACTS INVOLVING THE PURCHASE OF APPARATUS, SUPPLIES, MATERIALS AND EQUIPMENT.

WHEREAS, N. C. G. S. 143-129 authorizes a governing body to waive performance bonds or other like deposit in the case of contracts for the purchase of apparatus, supplies, material and equipment; and

WHEREAS, a number of other cities and the State of North Carolina have waived the performance bond requirement for purchases of this type; and

WHEREAS, waiving the performance bond requirement should result in cost savings on purchases of apparatus, supplies, materials and equipment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session duly assembled, that it does hereby authorize the City-County Purchasing Director to waive the requirement for performance bonds or other like deposit in the case of contracts for the purchase of apparatus, supplies, materials and equipment.

This 30th day of October, 1978.

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 30th day of October, 1978, the reference having been made in Minute Book 69, page         , and recorded in full in Resolutions Book 13, page 474.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 1st day of November, 1978.

Ruth Armstrong  
Ruth Armstrong, City Clerk

"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>
*25	32	Fred G. Stephens, Jr.	\$ 100
*25	33	Fred G. Stephens, Jr.	150

\*Partial Take of Land Only

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of October, 1978, the reference having been made in Minute Book 69, and is recorded in full in Resolutions Book 13, at page 475.

Ruth Armstrong, City Clerk

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE A  
PORTION OF LISSOM LANE LOCATED BETWEEN PLYMOUTH STREET  
AND RIGHT OF WAY OF SOUTHERN RAILWAY COMPANY IN THE  
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, Ralph O. Johnson, Jr. and wife, Miriam W. Johnson have filed a Petition to close a portion of Lissom Lane in the City of Charlotte; and

WHEREAS, a portion of Lissom Lane petitioned to be closed lies East of Plymouth Street and West of the Right of Way of Southern Railway Company, as shown on a map marked "Exhibit A", and is more particularly described by metes and bounds in a document marked "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 and alleys 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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of Monday  
October 30, 1978, that it intends to close a portion of Lissom Lane lying between Plymouth Street and the Right of Way of Southern Railway Company, said street portion being more particularly described on a map and by a metes and bound 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 4th day of December, 1978, at City Hall, Council Chambers. The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for four successive weeks next preceding the date fixed here for such hearing, as required by N.C.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 said street portion as shown on the county tax records. The petitioner is also directed to prominently post a notice of the closing and public hearing in at least two places along said portion of Lissom Lane.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of October, 1978, the reference having been made in Minute Book 69, and is recorded in full in Resolutions Book 13, at page 476.

Ruth Armstrong  
City Clerk

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

WHEREAS, Central Piedmont Community College has petitioned the City Council of the City of Charlotte to close and abandon a portion of North Kings Drive located in the City of Charlotte; and

WHEREAS, the portion of said street to be closed is more particularly described as follows:

Beginning at a point in the southeasterly margin of North Kings Drive in the City of Charlotte, North Carolina, said point of Beginning being located S. 47-25-30 W. 215.39 feet from the intersection of the southwesterly margin of Elizabeth Avenue and the southeasterly margin of North Kings Drive; and runs from said point of Beginning N. 42-32-00 W. 40.03 feet to a point in the northwesterly margin of North Kings Drive; thence with the northwesterly margin of North Kings Drive N. 47-28-00 E. 100 feet to a point; thence S. 42-32-00 E. 39.96 feet to a point in the southeasterly margin of North Kings Drive; thence with the southeasterly margin of North Kings Drive S. 47-25-30 W. 100 feet to the point or place of Beginning, and being a portion of North Kings Drive containing .092 acres as shown on a survey prepared by R. B. Pharr and Associates dated May 18, 1978 and revised July 24, 1978.

RESERVING, HOWEVER, unto the City of Charlotte a right of way twenty (20) feet in width for the water line located on the property as shown on the aforesaid survey, a right of way fifteen (15) feet in width for the sanitary sewer line shown on said survey and a right of way fifteen (15) feet in width for the storm drain as shown on said survey.

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 October 30, 1978, that it intends to close the portion of North Kings Drive as hereinbefore described, and hereby calls a public hearing on the question to be held at 3:00 P.M. on Monday, the 4th day of December, 1978, in the Council Chamber of the City Hall. The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times 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 Central Piedmont Community College is directed to send by registered or certified mail a copy of this resolution to all owners of property adjoining the street 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 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 30th day of October, 1978, the reference having been made in Minute Book 69, and is recorded in full in Resolutions Book 13, at Page 477.

Ruth Armstrong, City Clerk

"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
APPROVING SALE OF LAND TO CHARLOTTE NEPHROLOGY ASSOCIATES  
IN BROOKLYN REDEVELOPMENT PROJECT NO. N. C. R-43"

WHEREAS, on the 2nd day of October, 1978, the City of Charlotte received from Charlotte Nephrology Associates a proposal to purchase and develop 162,017 square feet of land known as Parcel No. 6, as designated on a plat entitled "Brooklyn Urban Renewal Area, Redevelopment Section No. 4, N. C. R-43, Parcel No. 6", completed August 2, 1973, prepared by Wilbur Smith and Associates, Inc., Consulting Engineers, with a kidney center, which is in accordance with the Redevelopment Plan for the Project, dated January, 1966, amended January, 1971; and

WHEREAS, the proposed developer has submitted a Purchase Contract, Redeveloper's Statement for Public Disclosure and Redeveloper's Statement of Qualifications and Financial Responsibility, and a Good Faith Deposit in the amount of \$32,000.00, representing 10% of the total bid price for the land; and

WHEREAS, Section 160A-514(d) of the North Carolina Urban Redevelopment Law, as amended, requires that the sale of all urban redevelopment land shall be subject to the approval of the Governing Body of the Municipality.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte does hereby approve the sale to Charlotte Nephrology Associates of 162,017 square feet of land in Parcel No. 6 in the Brooklyn Urban Renewal Area, Project No. N. C. R-43, the sales price of which shall be \$311,098.00, to be developed as a kidney center, which is in accordance with the Redevelopment Plan for the Project, dated January, 1966, amended January, 1971.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of October, 1978, the reference having been made in Minute Book 69, and is recorded in full in Resolutions Book 13, at page 478.

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 30th day of October, 19 78, 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  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of October, 1978, the reference having been made in Minute Book 69, and is recorded in full in Resolutions Book 13, at page 479.

Ruth Armstrong  
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

NAME	AMOUNT OF REFUND REQUESTED	REASON
Brady Distributing Company	\$ 120.00	Illegal Levy

October 30, 1978  
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A RESOLUTION PROVIDING FOR PUBLIC  
HEARINGS ON PETITIONS FOR ZONING CHANGES

WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 78-55 through 78-58 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 8:00 o'clock P. M. on Monday, the 20th day of November, 1978, on petitions for zoning changes numbered 78-55 through 78-58.

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 30th day of October, 1978, the reference having been made in Minute Book 69, and is recorded in full in Resolutions Book 13, at page 480.

Ruth Armstrong  
City Clerk



A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AUTHORIZING  
THE ADVERTISEMENT FOR LEASE OF CERTAIN PROPERTY OWNED BY THE CITY  
LOCATED AT DOUGLAS MUNICIPAL AIRPORT

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WHEREAS, the City has received an offer to lease certain parcels of property located at Douglas Municipal Airport; and

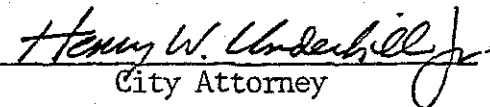
WHEREAS, said lease of the property owned by the City of Charlotte at Douglas Municipal Airport will exceed a period of ten (10) years, it is necessary to advertise said lease in accordance with North Carolina General Statutes 160A-266, 160A-269 and 160A-272; and

WHEREAS, the City Council has determined that the property proposed to be leased will not be needed by the City for the term of the lease for any other purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte in regular session duly assembled, that the City Manager is hereby authorized to advertise for lease the referred property at Douglas Municipal Airport, said lease exceeding ten (10) years in duration at an estimated annual base rental of \$12,865.00 and for other valuable considerations, all in accordance with the specifications on file in the City Clerk's Office and the Airport Manager's Office; and that the City Manager is authorized to advertise that if no upset bid is made within the period required by N.C.G.S. 160A-269, the City Council shall authorize the lease at its next regular meeting following the required period; and

BE IT FURTHER RESOLVED that said advertisement for lease shall be published in a newspaper of general circulation in accordance with the provisions of North Carolina General Statutes 160A-269 and 160A-272.

Approved as to form:

  
City Attorney

CITY COUNCIL OF THE  
CITY OF CHARLOTTE

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Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 30th day of October, 1978, the reference having been made in Minute Book 69, and is recorded in full in Resolutions Book 13, at page 481.

Ruth Armstrong  
City Clerk