

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE SUPPORTING THE ESTABLISHMENT OF A FOREIGN TRADE ZONE WITHIN THE CITY OF CHARLOTTE

WHEREAS the Department of Commerce of the State of North Carolina has provided the leadership in establishing a foreign trade zone within the State of North Carolina to better serve the business community; and

WHEREAS the Greater Charlotte Chamber of Commerce has actively sought to locate a foreign trade zone within the Charlotte area; and (has provided leadership to that end.)

WHEREAS the local business community has shown its support of a foreign trade zone in the form of no less than 26 letters of interest to use such a facility; and

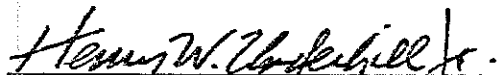
WHEREAS the Charlotte Foreign Trade Zone, Inc., a non-profit corporation has been established in order to obtain a grant of authority from the Foreign Trade Zones Board for operating a facility under the foreign trade zone procedures of the Foreign Trade Zones Act, 19USC81; Foreign Trade Zones Regulations, 15CFR Part 400; and Customs Regulations on Foreign Trade Zones, 19CFR Part 146; and

WHEREAS the City of Charlotte qualifies for consideration of a foreign trade zone permit by nature of its designation as a port of entry by the United States Customs Office.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte in regular session duly assembled, that the City supports the establishment of a foreign trade zone within the Charlotte-Mecklenburg area as a means of providing further employment opportunities to the citizens of the City and to better serve the business community.

Resolved, this the 13th day of August, 1979.

Approved as to form:


By: Henry W. Underhill, Jr.

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 13th day of August, 1979, the reference having been made in the minutes of the Meeting in Minute Book 71, and recorded in full in Resolutions Book 14.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of August, 1979

Ruth Armstrong, City Clerk

RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CHARLOTTE, NORTH CAROLINA,
RELATING TO RETENTION OF LAND IN THE
GREENVILLE URBAN RENEWAL AREA, PROJECT NO. N.C. R-78

WHEREAS, the City of Charlotte, Charlotte, North Carolina, (hereinafter called "City") in furtherance of the objectives of the North Carolina Urban Redevelopment Law, N.C. G.S. 160A-500 et. seq., has undertaken a program for the clearance and reconstruction or rehabilitation of slum and blighted areas and in this connection is engaged in carrying out an Urban Renewal Project known as the Greenville Urban Renewal Area, Project No. N.C. R-78, (hereinafter called "Project") in an area (hereinafter called "Project Area") located in the City of Charlotte, Charlotte, North Carolina; and

WHEREAS, as of the date of the adoption of this Resolution, there has been prepared and approved by the City, a Redevelopment Plan (which also comprises the Urban Renewal Plan for the Project) approved by the City on October 13, 1969, and as subsequently amended and approved by the City (which Plan, as so amended, and as it may hereafter be further amended from time to time pursuant to law, and as so constituted from time to time, is, unless otherwise indicated by the context, hereinafter called "Redevelopment Plan"); and a copy of the Redevelopment Plan, as constituted on the date of this Resolution in the form of Land Controls and Restrictions, has been recorded among the land records for the place in which the Project Area is situated, namely, in the office of the Register of Deeds for the County of Mecklenburg and State of North Carolina in Book 3904 at Page 0432, Mecklenburg County Records; and

WHEREAS, in order to enable the City to achieve the objectives of the Redevelopment Plan and particularly to make the land in the Project Area available for use as a public park for and in accordance with the uses specified in the Redevelopment Plan as amended, both the Federal Government and the City have undertaken to provide and have provided substantial aid and assistance to the City through a Contract for Loan and Capital Grant dated August 5, 1971, and all amendments thereto, with specific reference being made to amendments dated August 17, 1972, June 22, 1973 and December 20, 1973; in the case of the Federal Government and a Cooperation Agreement dated August 31, 1970, and all amendments thereto, with specific reference being made to amendment dated June 15, 1971, in the case of the City.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte as follows:

(1) Subject to all the terms, covenants and conditions of this Resolution and the said Contract for Loan and Capital Grant and the Cooperation Agreement, all as amended, the City will retain the following described Property in the Project Area:

BEGINNING at a point in the northerly ROW margin of Hamilton Street (50' ROW), said point being located N56-25-46W, 16.24 feet from a point where the westerly ROW margin of Polk Street (50' ROW), if extended intersects with the northerly ROW margin of Hamilton Street, if extended and runs thence with the northerly ROW margin of Hamilton Street N56-25-46W, 603.54 feet to a point; thence continuing with the northerly ROW margin of Hamilton Street with an arc of a circular curve to the left, having a radius of 158.40 feet an arc distance of 24.09 feet to a point in the westerly ROW margin of I-77, thence with the westerly ROW margin of I-77 in thirteen (13) courses as follows: (1) N31-07-16E, 9.78 feet (2) N59-21-28W, 42.61 feet (3) N42-44-50E, 78.83 feet (4) N67-48-33W, 16.02 feet (5) N26-59-41W, 31.35 feet (6) N45-36-56W, 15.90 feet (7) S42-44-50W, 80.00 feet (8) S74-56-30W, 40.60 feet (9) S47-08-17W, 150.00 feet (10) N58-45-08W, 63.25 feet (11) N44-10-35W, 71.70 feet (12) N40-48-02W, 115.39 feet (13) N6-01-04E, 101.25 feet to a point; thence in an easterly direction following the boundary line of the City of Charlotte in six (6) courses as follows: (1) S60-27-30E, 118.93 feet (2) N42-41-10E, 99.84 feet (3) N42-39-10E, 94.78 (4) S72-00-10E, 160.06 feet (5) N81-58-00E, 75.35 feet (6) N1-48-03E, 135.00 feet to a point in the southerly ROW margin of Spring Street (50' ROW),; thence with the southerly ROW margin of Spring Street N82-00-36E, 34.49 feet to a point; thence in a southerly and easterly direction following along the boundary line of the City of Charlotte in three (3) courses as follows: (1) S1-46-41W, 135.06 feet (2) N82-02-37E, 160.03 feet (3) N2-08-05E, 135.30 feet to a point in the southerly ROW margin of Spring Street (50' ROW); thence with the southerly ROW margin of Spring Street in three (3) courses as follows: (1) N82-00-36E, 69.71 feet (2) with an arc of a circular curve to the right, having a radius of 204.18 feet an arc distance of 167.98 feet (3) S50-51-08E, 150.93 feet to a point; thence S5-18-04E, 545.49 feet to a point in the westerly ROW margin of Polk Street; thence with the westerly ROW margin of Polk Street, S45-25-08W 160.30 feet to a point; thence with an arc of a circular curve to the right, having a radius of 20.00 feet an arc distance of 27.28 feet to the POINT OR PLACE OF BEGINNING containing 10.140 acres.

for use as a Public Park in accordance with the Redevelopment Plan as amended, and for which it shall pay to the Greenville Urban Renewal Project No. N. C. R-78 Temporary Loan Payment Fund Transfer, the amount of Forty-Six Thousand Three Hundred & Seventy Eight Dollars & 33/100 (46,378.33) which has been determined to be the fair market value of the property for said use, hereinafter called "Retention Price". The appropriate officials of the City are hereby authorized, answered and directed to pay the Retention Price herein specified to the said Project Temporary Loan Repayment Fund pursuant to the requirements of the Contract for Loan and Capital Grant, as amended. The City shall not commence to use the said Property for the intended purpose until the Retention Price has been deposited to the credit of the said Project Temporary Loan Repayment Fund.

(2) Construction Required. The City has redeveloped the property by the construction of a Public Park (hereinafter called the "Improvements") and all plans and specifications and all work by the City or its successors and assigns with respect to such redevelopment of the Property and the construction and making of other improvements thereon are in conformity with the Redevelopment Plan, and all applicable State and Local Laws.

(3) Time for Construction. The City has completed the Redevelopment of the Property.

(4) Restrictions on Land Use. The City agrees for itself, its successors and assigns, and every successor in interest to the Property or any part thereof and the Deed, if any, shall contain covenants on the part of the City for itself, and successors and assigns, that the City, and such successors and assigns, shall:

(a) Devote the Property to and only to and in accordance with the uses specified in the Redevelopment Plan, as amended, and as the same may be hereafter amended, is amended from time to time;

(b) Comply with the Land Controls and Restrictions affecting the subject property, a copy of which is recorded in Book 3675 at Page 0813 of the Mecklenburg County, North Carolina Public Registry.

(c) Not discriminate upon the basis of sex, race, color, creed, or national origin in the sale, lease, or rental or in the use or occupancy of the Property or any improvements erected or to be erected thereon, or any part thereof.

(5) Effect of Covenants, Period of Duration. It is intended and resolved that the conditions and covenants provided in Section 4 thereof shall be covenants running with the land and that they shall, in any event, and without regard to technical classification or design, legal or otherwise, and except only as otherwise specifically provided in this Resolution, be, to the fullest extent permitted by law and equity, binding for the benefit and in favor of, and enforceable by, the City, its successors and assigns, and the United States (in the case of the covenant provided in subdivision (b) of Section 4 of this Resolution), against the City, its successors and assigns, and every successor in interest to the Property or any part

thereof or any interest therein, and any party in possession or occupancy of the Property or any part thereof. It is further intended and resolved that the conditions and covenants provided (a) in subdivision (a) of Section 4 of this Resolution shall remain in effect until December 31, 1989 (at which time such condition and covenant shall terminate), and (b) in subdivision (b) of such Section 4 shall remain in effect without limitation as to time.

(6) Enforceability by City and United States. In amplification, and not in restriction, of the provisions of Section 5 of this Resolution, it is intended and resolved that the City shall be deemed a beneficiary of the conditions and covenants provided in Section 4 herein, and the United States shall be deemed a beneficiary of the covenant provided in subdivision (b) of Section 4, both for and in their or its own right and also for the purposes of protecting the interest of the community and the other parties, public or private, in whose favor or for whose benefit such conditions and covenants have been provided. Such conditions and covenants shall run in favor of the City and the United States for the entire period during which such conditions and covenants shall be in force, without regard to whether the City or the United States is or has been an owner of any land or interest therein to, or in favor of, which such conditions and covenants relate. The City shall have the right, in the event of any breach of any such conditions or covenants, and the United States shall have the right, in the event of any breach of the covenant provided in said subdivision (b) of Section 4, to exercise all the rights and remedies, and to maintain any actions or suits at law or in equity or other proper proceedings to enforce the curing of such breach of condition or covenant, to which it or any other beneficiaries of such condition or covenant may be entitled.

(7) Representation as to Redevelopment. The City represents and agrees that its retention of the Property has been for the purpose of redevelopment of the Property in accordance with the Redevelopment Plan and the Resolution.

(8) Conflict of Interest. No member, official, or employee of the City shall have any personal interest, direct or indirect, in the Resolution, nor shall any such member, official, or employee participate in any decision relating to the Resolution which affects his personal interests or the interests of any corporation, partnership or association in which he is, directly or indirectly, interested. No member, official or employee of the City shall be personally liable in the event of any default or breach by the City on any obligations under the terms of the Resolution.

(9) Prohibition Against Transfer of Property and Assignment. The City will not, prior to the proper completion of the Improvements, make or create, or suffer to be made or created, (a) any total or partial sale, conveyance, or lease of the Property, or any part thereof or interest therein, or (b) any assignment of the Resolution, or any part thereof, or (c) any agreement to do any of the foregoing.

(10) Equal Employment Opportunity. The City, for itself, and its successors and assigns, agrees that it will include the following provisions of this Section 10 in every contract or purchase order which may hereafter be entered into between the City and any party (hereinafter in this Section called "Contractor") for or in connection with the construction of the Improvements, or any part thereof, provided for in this Resolution unless such contract or purchase order is exempted by rules,

regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967:

Equal Employment Opportunity. During the performance of this contract, the Contractor agrees with the City as follows:

- (a) The Contractor will not discriminate against any employee or applicant for employment because of race, religion, sex, color, or national origin. The Contractor will take affirmative action to insure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment; notice to be provided by the City setting forth the provisions of this nondiscrimination clause.
- (b) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
- (c) The Contractor will send to each labor union or representative of workers with which the Contractor has a collective bargaining agreement or other contract or understanding, a notice, to be provided, advising the labor union or worker's representative of the Contractor's commitments under Section 202 of Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (d) The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

- (e) The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967, and by the rules, regulations, and orders of the Secretary of Labor or the Secretary of Housing and Urban Development pursuant thereto, and will permit access to the Contractor's books, records, and accounts by the City, the Secretary of Housing and Urban Development, and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- (f) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- (g) The Contractor will include the provisions of Paragraphs (a) through (g) of this Section in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any construction contract, subcontract, or purchase order as the City or the Department of Housing and Urban Development may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the City or the Department of Housing and Urban Development, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

(11) The proper officers of the City are hereby authorized, empowered and directed to cause a properly certified copy of this Resolution to be recorded among the land records in the office of the Register of Deeds of Mecklenburg County, and to furnish the Department of Housing and Urban Development with appropriate notification of the adoption of this Resolution and the recording information.

(12) Delays Beyond Control of Parties. For the purposes of the Resolution, neither the City nor any successor shall be considered in breach of or in default under its obligations with respect to the preparation of the Property for redevelopment, or the beginning and completion of construction of the Improvements, or progress in respect thereto, in the event of enforced delay in the performance of such obligations due to unforeseeable causes beyond its control and without its fault or negligence, including, but not restricted to, acts of God, acts of the public enemy, acts of the Government, acts of the other party, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather, or delays of subcontractors due to such causes; it being the purpose and intent of this provision that, in the event of the occurrence of any such enforced delay, the time or times for performance of the obligations of the City with respect to construction of the Improvements, as the case may be, shall be extended for the period of the enforced delay.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of August, 1979, the reference having been made in Minute Book 71, and is recorded in full in Resolutions Book 14, at Page 367 through 373.

Ruth Armstrong
City Clerk

A RESOLUTION AUTHORIZING THE CITY OF CHARLOTTE
TO ACCEPT STATE FINANCIAL ASSISTANCE
FOR WASTEWATER FACILITIES PROJECT

WHEREAS, the North Carolina Department of Natural Resources and Community Development is authorized to offer grants provided by the North Carolina Clean Water Bond Act of 1977 to assist local governments in financing the construction of wastewater facilities, and

WHEREAS, the City of Charlotte has applied for grant assistance for the:

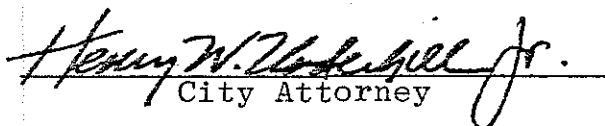
Doby Creek Outfall

WHEREAS, the Department of Natural Resources and Community Development has made a grant offer for the subject project in the amount of \$171,875;

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

That Mr. David A. Burkhalter, City Manager, is hereby authorized to execute all documentation necessary to accept the grant offer of \$171,875; to make necessary assurances as may be required; to submit grant amendments; and to execute such other documentation as may be requested in connection with accepting the grant offer.

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of August, 1979, the reference having been made in Minute Book 71, and is recorded in full in Resolutions Book 14, at Page 374.

Ruth Armstrong
City Clerk

A RESOLUTION ACCEPTING A STATE GRANT INCREASE
FOR THE METRO CHARLOTTE 201 WASTEWATER FACILITIES STUDY

WHEREAS, the North Carolina Department of Natural Resources and Community Development is authorized to offer grants provided by the North Carolina Clean Water Bond Act of 1977 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 a grant increase to cover the cost of the Metro Charlotte Phase I re-evaluation of alternatives for upgrading the Sugar Creek and Irwin Creek Wastewater Treatment Plants; and

WHEREAS, the Division of Environmental Management has made an additional offer for the subject project in the amount of \$12,876;

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

That Mr. David A. Burkhalter, City Manager, is hereby authorized to execute all documentation necessary to accept this grant increase of \$12,876; to make necessary assurances as may be required; to submit grant amendments; and to execute such other documentation as may be requested in connection with accepting this grant increase.

APPROVED AS TO FORM:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of August, 1979, the reference having been made in Minute Book 71, and is recorded in full in Resolutions Book 14, at Page 375.

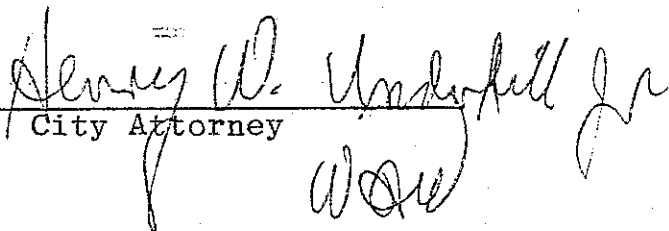
Ruth Armstrong
City Clerk

RESOLUTION AMENDING THE PAY PLAN
OF THE
CITY OF CHARLOTTE

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Pay Plan heretofore adopted by the City Council to be effective October 1, 1960, as subsequently amended, is hereby further amended by the addition of Class No. 2084, Energy Program Coordinator, pay range 24, pay steps A through F inclusive.

BE IT FURTHER RESOLVED that this resolution shall become effective on the date of its adoption.

Approved as to Form:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of August, 1979, the reference having been made in Minute Book 71, and is recorded in full in Resolutions Book 14, Page 376.

Ruth Armstrong
City Clerk

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AMENDING
7 JUNE 1976 AND 20 JUNE 1977 RESOLUTIONS PERTAINING TO THE
ESTABLISHMENT OF THE CHARLOTTE HISTORIC DISTRICT COMMISSION.

WHEREAS, on 7 June 1976 the City Council adopted a resolution establishing an initial Charlotte Historic District Commission to be comprised of five members and a 20 June 1977 resolution amending the 7 June 1976 resolution to allow the Charlotte-Mecklenburg Planning Commission to have one of its two appointees be a member of the Charlotte-Mecklenburg Planning Commission and the second of its appointees to be a person recommended to serve on the Historic District Commission; and

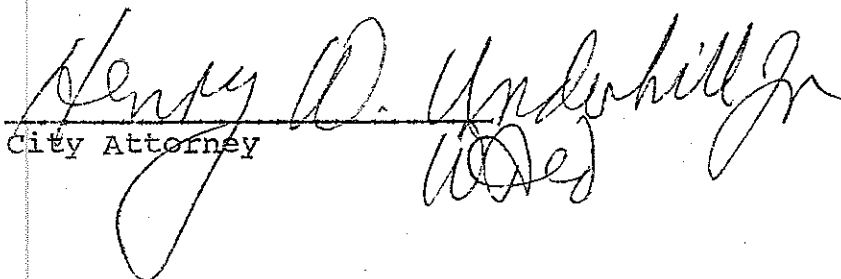
WHEREAS, the Charlotte Historic District Commission recommends that the commission be enlarged from five members to six members and that the additional sixth member have demonstrated visual sensitivity and knowledge in historical development in order to provide that expertise to the Charlotte Historic District Commission; and,

WHEREAS, the City Council is desirous of amending the 7 June 1976 and 20 June 1977 resolutions so as to enlarge the Charlotte Historic District Commission by the addition of one member with visual sensitivity and knowledge in historical development; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that the 7 June 1976 and the 20 June 1977 resolutions are hereby amended by adding the provision that there shall be a sixth person appointed to the Charlotte Historic District Commission and that the new position on the Charlotte Historic District Commission shall be filled by a person that has demonstrated visual sensitivity and knowledge in historical development; and

Except as specifically amended herein, the terms and conditions of the 7 June 1976 and the 20 June 1977 resolutions shall remain in full force and effect.

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 13th day of August, 1979, the reference having been made in Minute Book 71, Page , and recorded in full in Resolutions Book 14, pages 378-379.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of August, 1979.

Ruth Armstrong, City Clerk

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AMENDING
7 JUNE 1976 AND 20 JUNE 1977 RESOLUTIONS PERTAINING TO THE
ESTABLISHMENT OF THE CHARLOTTE HISTORIC DISTRICT COMMISSION.

WHEREAS, on 7 June 1976 the City Council adopted a resolution establishing an initial Charlotte Historic District Commission to be comprised of five members, and a 20 June 1977 resolution amending the 7 June 1976 resolution to allow the Charlotte-Mecklenburg Planning Commission to have one of its two appointees be a member of the Charlotte-Mecklenburg Planning Commission and the second of its appointees to be a person recommended to serve on the Historic District Commission; and

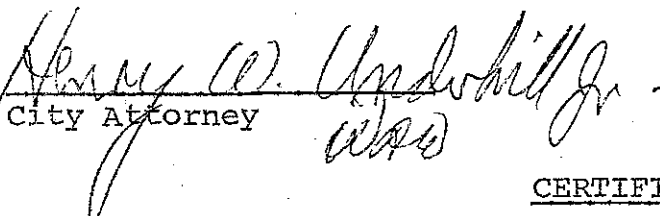
WHEREAS, the said 1976 resolution provided in part that one of the members of the Historic District Commission shall be a member of the Charlotte-Mecklenburg Historic Properties Commission; and,

WHEREAS, City Council is desirous of amending the 7 June 1976 and 20 June 1977 resolutions so as to permit the Historic Properties Commission to recommend to the Council one member to serve on the Historic District Commission who may or may not be serving as a member of the Historic Properties Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that the resolutions of 7 June 1976 and 20 June 1977 are hereby amended by deleting the requirement that one person serving as a member of the Historic District Commission shall be a member of the Charlotte-Mecklenburg Properties Commission, and by providing in lieu thereof that the Charlotte-Mecklenburg Historic Properties Commission shall recommend to the City Council one person to serve as a member of the Historic District Commission.

Except as specifically amended herein, the terms and conditions of the 7 June 1976 and 20 June 1977 resolutions shall remain in full force and effect.

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 13th day of August, 1979, the reference having been made in Minute Book 71, page _____, and recorded in full in Resolutions Book 14, pages 379-380.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of August, 1979.

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>
33	3	Inez D. Ashton	\$ 400
33	13	Charles S. Moore	12,500
45	2	Helen S. Shaia	10,750
48	6	Milton Ruben, Trustee	12,600
48	8	J.L. Keerans Heirs	10,500
51	5	Mamie B. Hart	12,800

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of August, 1979, the reference having been made in Minute Book 71, and is recorded in full in Resolutions Book 14, at Pages 381 through 382.

Ruth Armstrong
City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO DONALD R. POTEAT, LOCATED AT 4500 TANTILLA CIRCLE IN THE COUNTY OF MECKLENBURG FOR THE CAMPBELL CREEK OUTFALL - PHASE III PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Donald R. Poteat located at 4500 Tantilla Circle in the County of Mecklenburg for a perpetual easement for a sanitary sewer plus a temporary construction easement in connection with the Campbell Creek Outfall - Phase III Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of Donald R. Poteat located at 4500 Tantilla Circle in the County of Mecklenburg, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$1,700.00, 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.

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 13th day of August, 1979, and the references having been made in Minute Book 71, page , and recorded in full in Resolutions Book 14, page 383.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of August, 1979.

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 13th day of August, 1979, 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

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Brady Olin Carriker, Sr.	\$ 6.42	Illegal Levy
Lucy Jackson Reid	5.61	Clerical Error
William O. Self	12.50	Clerical Error
William O. Self	12.50	Clerical Error
William O. Self	12.50	Clerical Error
Issac Morrow	21.66	Illegal Levy
	<hr/>	
	\$ 71.19	

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of August, 1979, the reference having been made in Minute Book 71, and is recorded in full in Resolutions Book 14, at Pages 384 through 385.

Ruth Armstrong
City Clerk

RESOLUTION DECLARING AN INTENT TO CLOSE A PORTION OF
EXISTING (OLD) TYVOLA ROAD LOCATED IN THE CITY OF
CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA AND
CALLING A PUBLIC HEARING ON THE QUESTION.

WHEREAS, William R. Hill and wife, Sandra S. Hill have filed a Petition to close a portion of existing (Old) Tyvola Road in the City of Charlotte

WHEREAS the City of Charlotte has relocated Tyvola Road;

WHEREAS the portion of existing Tyvola Road petitioned to be closed lies in Charlotte Township and is more particularly described as follow:

BEGINNING at the northeasterly corner of Lot 1, Block 21, as shown in Map Book 7, Page 707 in the Mecklenburg Public Registry, said point being in the Southerly right of way of the Old Tyvola Road roadbed and running N-35-50-10-E 64 feet across said roadbed to the northerly right of way of Old Tyvola Road; thence in a northwesterly direction along the latter right of way 35 feet to a point in the southerly right of way of relocated Tyvola Road; thence N-61-10-34-W 99.86 feet along said right of way; thence along the latter right of way with a 200 foot radius 28.97 feet; thence S-35-50-10-W 28.72 feet; thence in a southeasterly direction along the southerly right of way of Old Tyvola Road two courses: on a 200 foot radius 34.29 feet; on a 571.31 foot radius 131.82 feet to the beginning point.

WHEREAS the procedure for closing streets as outlined in the North Carolina General Statutes 160A-299 requires that the Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; and further requires that the resolution be published once a week for four (4) consecutive week prior to a hearing and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along the said portion of the street;

NOW, THEREFORE, be it resolved and declared by the Charlotte City Council at its regular scheduled session of the 13th day of August, 1979 that it intends to close a portion of exisiting (Old) Tyvola Road in Charlotte Township which lies at the intersection of Farmbrook Drive and Tyvola Road and being more particularly described hereinabove and hereby calls a public hearing on the question to be held at 3:00 P. .M. on Monday, the 10th day of September, 1979 in the Council Chamber of City Hall. The City Clerk is hereby directed to publish in the Mecklenburg Times a copy of this resolution once a week for four (4) consecutive weeks next preceeding the date fixed herein for such hearing as required by North Carolina General Statute 160A-299; and further said Clerk is required to send by certified mail a copy of the resolution to all owners of property adjoining the said street as shown on the county tax records as required by North Carolina General Statutes 160A-299. The City Engineer is hereby directed to promptly post a notice of the closing and public hearing in at least two (2) places along said street as required by North Carolina General Statutes 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 13th day of August, 1979, and the reference having been made in Minute Book 71, Page , and recorded in full in Resolution Book 14, Pages 386 - 387.

WITNESS MY HAND and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of August, 1979.

RUTH ARMSTRONG

RESOLUTION DECLARING AN INTENT TO ABANDON AND
CLOSE GLENARDEN STREET LOCATED BETWEEN GLENN
STREET AND CAROTHERS STREET IN THE CITY OF
CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, L. E. Pinkerton has filed a Petition to close
Glenarden Street in the City of Charlotte; and

WHEREAS, Glenarden Street, petitioned to be closed, lies
between Glenn Street and Carothers Street as shown on map marked
Exhibit "A: and 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; and

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;

NOW, THEREFORE, BE IT RESOLVED by the City Counsel of the
City of Charlotte, at its regularly scheduled session of the August 13th,
1979 that it intends to close Glenarden Street lying between Glenn
Street and Carothers 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 o'clock p.m. on Monday, the
10th day of September 1979, at City Hall in the Council Chambers.
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 pre-
ceding 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 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 Glenarden
Street.

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 13th day of August, 1979, and the reference having been made in Minute Book 71, Page , and recorded in full in Resolution Book 14, Pages 388 - 389.

WITNESS MY HAND and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of August, 1979.

RUTH ARMSTRONG

"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
APPROVING SALE OF LAND TO THE CHARLOTTE-MECKLENBURG BOARD
OF EDUCATION IN THE FIRST WARD NEIGHBORHOOD STRATEGY AREA"

WHEREAS, on the 22nd day of May, 1979, the City of Charlotte received from the Charlotte-Mecklenburg Board of Education a proposal to purchase and develop 126,629 square feet of land known as Block 5, Parcel No. 1, as designated on a map entitled "Map Showing Property of City of Charlotte, Block 5, Parcel 1, First Ward Neighborhood Strategy Area, Charlotte, North Carolina," prepared by R. Dennis Smith, N. C. Registered Surveyor, dated February 5, 1979; and

WHEREAS, a fair market value of \$25,325.80 has been established for the land, and which price has been agreed upon by the City and the developer; and

WHEREAS, the proposed developer, Charlotte-Mecklenburg Board of Education, has submitted a Purchase Contract; 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 to the Charlotte-Mecklenburg Board of Education of 126,629 square feet of land in Block 5, Parcel No. 1, in First Ward Neighborhood Strategy Area at a price of \$25,325.80, to be developed for faculty parking, playground area, and be suitably landscaped, which is in accordance with the Redevelopment Plan for the Project, dated March, 1978.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 13th day of August, 1979, the reference having been made in Minute Book 71, and is recorded in full in Resolutions Book 14, at Page 390.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
ALLOWING RETIREMENT CREDIT FOR DAVID ALEXANDER BURKHALTER.

WHEREAS, G.S. 128-26 (a) as amended by House Bill 1268 provides that a participating employer may allow prior service credit to any of its employees on account of: their earlier service to the aforesaid employer: or, their earlier service to any other employer as the term employer is defined in G.S. 128-21 (11): or, their earlier service to any state, territory, or other governmental subdivision of the United States other than this State; and

WHEREAS, the City Council wishes to allow prior service credit to David A. Burkhalter (AL-75855) for his service as City Manager in other cities.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session duly assembled, that:

1. The City of Charlotte hereby elects to allow credit to David A. Burkhalter (AL-75855) for service rendered to the City of Elizabethton, Tennessee from September 1, 1952 to August 31, 1956, the City of Johnson City, Tennessee from September 1, 1956 to April 30, 1966, and the City of Springfield, Missouri from May 1, 1966 to May 7, 1971.
2. The City of Charlotte agrees to pay the cost for the allowance of said extra credit.

This the 13th day of August, 1979.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk fo 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 13th day of August, 1979, the reference having been made in Minute Book 71, page _____, and recorded in full in Resolutions Book 14, page 391.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of August, 1979.

Ruth Armstrong
Ruth Armstrong, City Clerk