

August 13, 1984  
Resolution Book 20 - Page 195

RESOLUTION APPROVING AND AUTHORIZING THE ENTERING INTO OF AN AGREEMENT RELATING TO THE ISSUANCE BY THE CITY OF ITS NOTE IN THE PRINCIPAL AMOUNT OF \$500,000 AND THE ISSUANCE BY THE CITY OF THE \$500,000 CITY NOTE (301 EAST SEVENTH STREET PROJECT), AUTHORIZING THE LOAN OF THE PROCEEDS OF THE CITY NOTE TO 301 EAST SEVENTH STREET LIMITED PARTNERSHIP, AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF THE NOTE PURCHASE AGREEMENT, THE LOAN AGREEMENT, THE ASSIGNMENT AND APPROVING THE FORM OF DEED OF TRUST AND SECURITY AGREEMENT, ASSIGNMENT OF LEASES AND ENDORSEMENT OF COMPANY NOTE AND AUTHORIZING EXECUTION AND DELIVERY OF CLOSING CERTIFICATES, ALL IN CONNECTION WITH FINANCING AN UPTOWN REDEVELOPMENT PROJECT.

BE IT RESOLVED by the City Council (the "Council") of the City of Charlotte (the "City"):

Section 1. The Memorandum of Agreement relating to the financing of the rehabilitation of the building known as 301 East Seventh Street (the "Project") for 301 EAST SEVENTH STREET LIMITED PARTNERSHIP (the "Company") in the Uptown Redevelopment Project Area 3, City of Charlotte, Mecklenburg County, North Carolina, is hereby approved in the form presented at this meeting and attached hereto as Exhibit A, and the Mayor or the Mayor pro tem of the Council and the Clerk or the Assistant Clerk of the City are hereby authorized to execute and deliver in any number of signed counterparts such Memorandum of Agreement for and on behalf of the City, and the City is hereby authorized to issue, subject to the terms and in accordance with North Carolina General Statutes 160A-500-526, not exceeding \$500,000 of a promissory note (the "City Note") to pay all or a portion of the cost of the Project. Such City Note shall be designated the "City of Charlotte Promissory Note (301 East Seventh Street Project)" and the City Note shall be substantially in the form and denomination and have the terms and provisions of that which has been presented to the City at this meeting, and the Mayor or Mayor pro tem are hereby authorized to execute and deliver the City Note for and on behalf of the City in substantially such form with such changes therein, additions thereto and omissions therefrom as those executing the City Note shall approve, their execution and delivery thereof constituting the conclusive approval of the City of any changes therein, additions thereto and omissions therefrom.

Section 2. The City Note shall be issued pursuant to the Note Purchase Agreement, dated as of August 13, 1984 (the "Note Purchase Agreement"), among the City, the Company and Branch Banking and Trust Company ("Branch"), in the form of that which has been presented to the Council at this meeting. The terms and conditions on which Branch has agreed to purchase the City Note, as set forth therein, are hereby approved and accepted, and the City hereby confirms its agreement to sell the City Note to Branch at the purchase price and otherwise upon the terms and conditions set forth in the Note Purchase Agreement; and the Mayor and Mayor pro tem are hereby authorized to execute and deliver the Note Purchase Agreement, in any number of signed counterparts, for and on behalf of the City in substantially such form with such changes therein, additions thereto and omissions therefrom as those executing the Note Purchase Agreement shall approve, their execution and delivery thereof constituting the conclusive approval by the City of any changes therein or additions thereto or omissions therefrom, and the same are hereby further authorized to deliver the City Note to Branch upon evidence satisfactory to counsel for the City of payment therefor.

Section 3. For the purpose of providing funds for paying the cost of the renovation, construction, rehabilitation and equipping of the Project, the loan of the proceeds of the City Note to the Company, on the terms and conditions contained in the Loan Agreement described hereinafter, is hereby authorized and approved.

Section 4. The loan of the proceeds of the sale of the City Note shall be made pursuant to the Loan Agreement dated as of August 13, 1984 (the "Loan Agreement") among the City and the Company in the form of that which has been presented to the Council at this meeting. The terms and conditions on which the Company has agreed to accept and repay the loan, as set forth herein, are hereby approved and accepted, and the City hereby affirms its agreement to make the loan; and the Mayor and Mayor pro tem are hereby authorized to execute and deliver the Loan Agreement, in any number of signed counterparts, for and on behalf of the City in substantially such form with such changes therein, additions thereto and omissions therefrom as those executing the Agreement shall approve, their execution and delivery thereof constituting the conclusive approval of the City of any changes therein or additions thereto or omissions therefrom.

Section 5. The City hereby approves the form of the Company's promissory note (the "Company Note"), to be dated as of

the date of the issuance of the City Note, presented to the Council at this meeting in the form attached as Exhibit A to the Loan Agreement. The City hereby authorizes the endorsement and pledge of the Company Note to Branch without recourse, in substantially the form of the endorsement and pledge appearing on the form of the Company Note as security for the City Note.

Section 6. The City hereby approves the form of the Deed of Trust and Security Agreement, dated as of August 13, 1984, from the Company to a trustee for the benefit of the City, in the form of that which has been presented to the City at this meeting.

Section 7. The City hereby approves the Assignment, dated as of August 13, 1984, from the City to Branch, in the form of that which has been presented to the City at this meeting, and the Mayor and Mayor pro tem are hereby authorized to execute and deliver the Assignment, in any number of counterparts, for and on behalf of the City in substantially such form with such changes therein, additions thereto and omissions therefrom as those executing the Assignment shall approve, their execution and delivery thereof constituting the conclusive approval of the City of any changes therein or additions thereto or omissions therefrom.

Section 8. The City hereby approves the form of Assignment of Lease, dated as of August 13, 1984, from the Company to the City, the form of that which has been presented to the Council at this meeting.

Section 9. The Mayor and Mayor pro tem are hereby authorized to act as "City Representatives" of the City pursuant to the Agreement.

Section 10. The Mayor or the Mayor pro tem or their designee are hereby authorized and directed to execute and deliver such certificates and statements as may be required by the Note Purchase Agreement and the Loan Agreement or as otherwise required in connection with the issuance and sale of the City Note. Such officers are further authorized and directed to sign and to cause to be filed such financing statements and to cause to be recorded such instruments as counsel to the City shall deem necessary or desirable in connection with the issuance and sale of the City Note, such officers shall be entitled to rely on the advice of counsel to the City in deciding to take or not to take any action in connection with the issuance of the City Note.

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Section 11. This resolution shall take effect upon its issuance.

Councilmember Dannelly moved the passage of the foregoing motion entitled as indicated above, and Councilmember Patterson seconded the motion, an the resolution was passed by the following Ayes: Council members Dannelly, Frech, Hammond, Juneau, Patterson, Spaugh, Trosch, Vinroot, Woollen  
Noes: Council members None

\* \* \* \* \*

I, MENTA C. DETWILER, Deputy City Clerk of the City of Charlotte and keeper of the official minutes of the City Council of the City of Charlotte, DO HEREBY CERTIFY that the foregoing is a true copy of certain of the proceedings of the City Council of the City of Charlotte taken at a meeting held on August 13, 1984, and is a complete copy of so much of the recorded minutes of said meeting as relates in any way to the passage of the resolution hereinabove set forth.

I DO HEREBY FURTHER CERTIFY that regular meetings of said Council are held on the second Monday at designated districts, the fourth Monday of each month at 3:00 p.m. in the Council Chambers in City Hall, Charlotte, North Carolina, and on the third Monday of each month at 6:00 p.m. in the Board of Education Center, Charlotte, North Carolina.

WITNESS my hand and the official seal of the Charlotte City Council this 22nd day of August, 1984.

\_\_\_\_\_  
DEPUTY Clerk

RBB29A/A

August 13, 1984  
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RESOLUTION CLOSING SNYDER STREET  
LOCATED IN 4800 BLOCK OF CHESAPEAKE DRIVE AND  
STREET IN THE CITY OF CHARLOTTE,  
MECKLENBURG COUNTY, NORTH CAROLINA.

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close SNYDER STREET which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close SNYDER STREET Street to be sent by registered or certified mail to all owners of property adjoining the said street (or portion thereof), and prominently posted a notice of the closing and public hearing in at least two places along Snyder Street, all as required by G. S. 160-299; and

WHEREAS, the public hearing was held on the 13th day of August, 1984, and City Council determined that the closing of Snyder Street is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of August 13, 1984, that the Council hereby orders the closing of Snyder Street in the City of Charlotte, Mecklenburg County, North Carolina as described below:

Beginning at a concrete monument in the westerly right of way margin of Chesapeake Drive, approximately 1100 feet from the intersection of Auten Road; thence with the arc of a circular curve to the right, having a radius of 20.0 feet, an arc distance of 30.71 feet to a point; thence with the northerly right of way margin of Snyder Street S 60° - 01' - 30" W, 646.23 feet to a point; thence with the arc of a circular curve to the right, having a radius of 50.0 feet, an arc distance of 31.82 feet to a point; thence with the arc of a circular curve to the left, having a radius of 60.0 feet, an arc distance of 279.28 feet to a point; thence with the arc of a circular curve to the right, having a radius of 50.0 feet, an arc distance of 37.82 feet to a point; thence with the southerly right of way margin of Snyder Street N 60°-01'-30" E, 642.70 feet to a point; thence with the arc of a circular curve to the right, having a radius of 20.0 feet, an arc distance of 32.12 feet to a concrete monument in the westerly right of way margin of Chesapeake Drive; thence with said westerly right of way margin of Chesapeake Drive N 27°-57'-30" W, approximately 96 feet to the point or place of beginning. As shown on a map prepared by Phillip De Berry, dated August 31, 1973 and recorded in map book 17, page 247 in the Register of Deeds Office, Charlotte, Mecklenburg County, North Carolina

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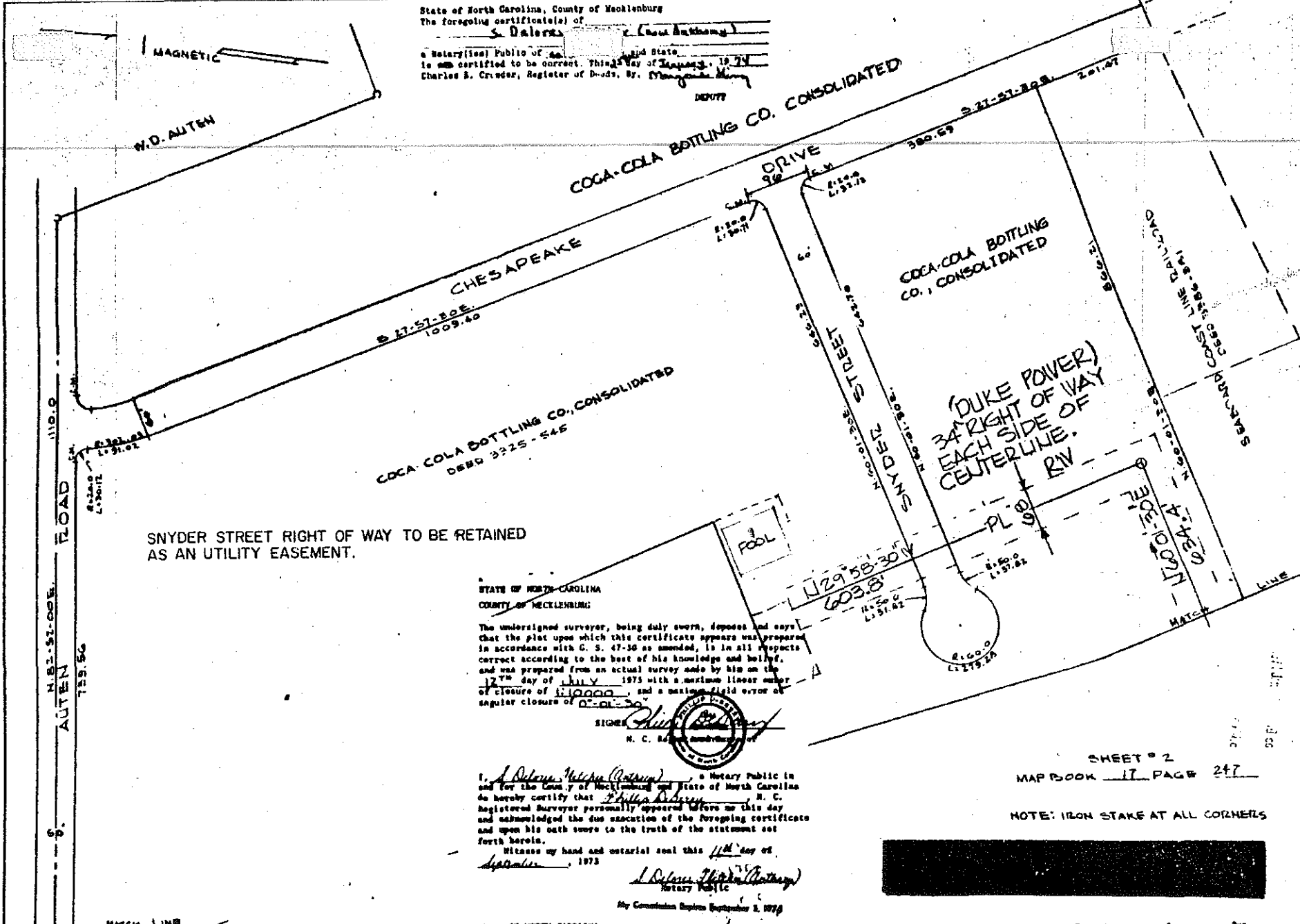
BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the Office of the Register of Deeds for Mecklenburg County, North Carolina.

CERTIFICATION

I, Menta C. Detwiler, Deputy 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, 1984, the reference having been made in Minute Book 82, and is recorded in full in Resolution Book 20 at Page(s) 199-201.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of August, 1984.

\_\_\_\_\_  
MENTA C. DETWILER  
Deputy City Clerk



SNYDER STREET RIGHT OF WAY TO BE RETAINED AS AN UTILITY EASEMENT.

STATE OF NORTH CAROLINA  
 COUNTY OF MECKLENBURG

The undersigned surveyor, being duly sworn, deposes and says that the plat upon which this certificate appears was prepared in accordance with G. S. 47-36 as amended, is in all respects correct according to the best of his knowledge and belief, and was prepared from an actual survey made by him on the 12<sup>th</sup> day of July 1973 with a maximum linear number of closure of 11000 and a maximum field error of angular closure of 0'-01".

SIGNATURE: *Phillip DeBerry*  
 N. C. Surveyor

I, *Phillip DeBerry*, a Notary Public in and for the County of Mecklenburg and State of North Carolina do hereby certify that *Phillip DeBerry*, N. C. Registered Surveyor personally appeared before me this day and acknowledged the due execution of the foregoing certificate and upon his oath swore to the truth of the statement set forth herein.

Witness my hand and notarial seal this 11<sup>th</sup> day of September, 1973.

*Phillip DeBerry*  
 Notary Public

STATE OF NORTH CAROLINA  
 COUNTY OF MECKLENBURG

The foregoing certificate of a Notary Public in and for the said County and State is adjudged to be correct. Let the instrument and the certificate be registered.

Witness my hand this \_\_\_\_\_, 1973.

Deputy Clerk of Superior Court

APPROVED IN ACCORDANCE WITH THE PROVISIONS OF 28 USC DIVISION COMMISSIONERS OF MECKLENBURG COUNTY, NORTH CAROLINA. CHAIRMAN: *Phillip DeBerry* DATE: *Dec 6, 1973*

SHEET # 2  
 MAP BOOK 17 PAGE 247

NOTE: IRON STAKE AT ALL CORNERS

STREET DEDICATION MAP FOR COCA-COLA BOTTLING CO., CONSOLIDATED	
SCALE: 1" = 100'	APPROVED BY: _____
DATE: 8-31-73	DRAWN BY P.D.
MECKLENBURG COUNTY, N.C.	SHEET 2 of 3
PAW CREEK TOWNSHIP	
PHILLIP DEBERRY, N.C.T.S.	

201

RESOLUTION CLOSING A PORTION OF  
ARCADIA AVENUE IN THE CITY OF CHARLOTTE,  
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, pursuant to the provisions of Section 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close a portion of Arcadia Avenue, which Resolution calls for a public hearing on the question; and

WHEREAS, it appears that (a) a copy of the Resolution of Intent to Close has been sent by registered or certified mail to all owners of property adjoining that portion of the street described in the Resolution and (b) a notice of the closing and public hearing has been prominently posted in at least two places along Arcadia Avenue, all as required by Section 160A-299 of the General Statutes of North Carolina; and

WHEREAS, the public hearing was held on the 13th day of August, 1984, and the City Council determined that the closing of the subject portion of Arcadia Avenue is not contrary to the public interest and that no individual, firm or corporation owning property in the vicinity thereof or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his, her or its property;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, at its regularly scheduled meeting on August 13, 1984, that the City Council hereby orders the closing of that portion of Arcadia Avenue in the City of Charlotte, Mecklenburg County, North Carolina, described by metes and bounds in Exhibit A-1 attached to this Resolution. A certified copy of this Resolution shall be filed in the office of the Register of Deeds of Mecklenburg County, North Carolina.

CERTIFICATION

I, Menta C. Detwiler, Deputy 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, 1984, the reference having been made in Minute Book 82, and is recorded in full in Resolution Book 20 at Page(s) 202-204.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of August, 1984.

\_\_\_\_\_  
MENTA C. DETWILER  
Deputy City Clerk



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EXHIBIT A-1

Being a portion of Arcadia Avenue located in the City of Charlotte, Mecklenburg County, North Carolina, and more particularly described as follows:

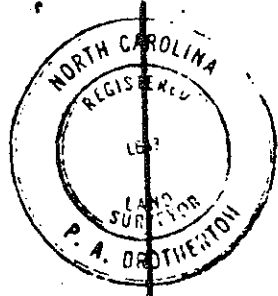
BEGINNING at the intersection of the northerly right-of-way line of Windingwood Lane and the easterly right-of-way line of Arcadia Avenue, being also the northwesterly corner of Lot "B" shown on the plat recorded in Map Book 9, Page 231, of the Mecklenburg Public Registry; and running thence with the easterly right-of-way line of Arcadia Avenue (40 feet wide) in a southerly direction to the center of Briar Creek; and running thence in a westerly direction with the center of Briar Creek to its intersection with the westerly right-of-way of Arcadia Avenue; thence with said right-of-way of Arcadia Avenue in a northerly direction to a point, the southeasterly corner of Lot 8 in Block 1 of Club Colony, as shown on a map thereof recorded in Map Book 4, Page 139, in the Mecklenburg Public Registry; and running thence S 52-09-45 E 52.71 feet to the point of BEGINNING; and being in all respects a portion of Arcadia Avenue as described in the deed of dedication recorded in Book 3766, Page 910, extending Arcadia Avenue as shown on the map of Club Colony referred to above.

Reference is made to the plat of survey by P.A. Brotherton, R.L.S., dated February 10, 1984, identifying by metes and bounds the northerly boundary of the property described above.

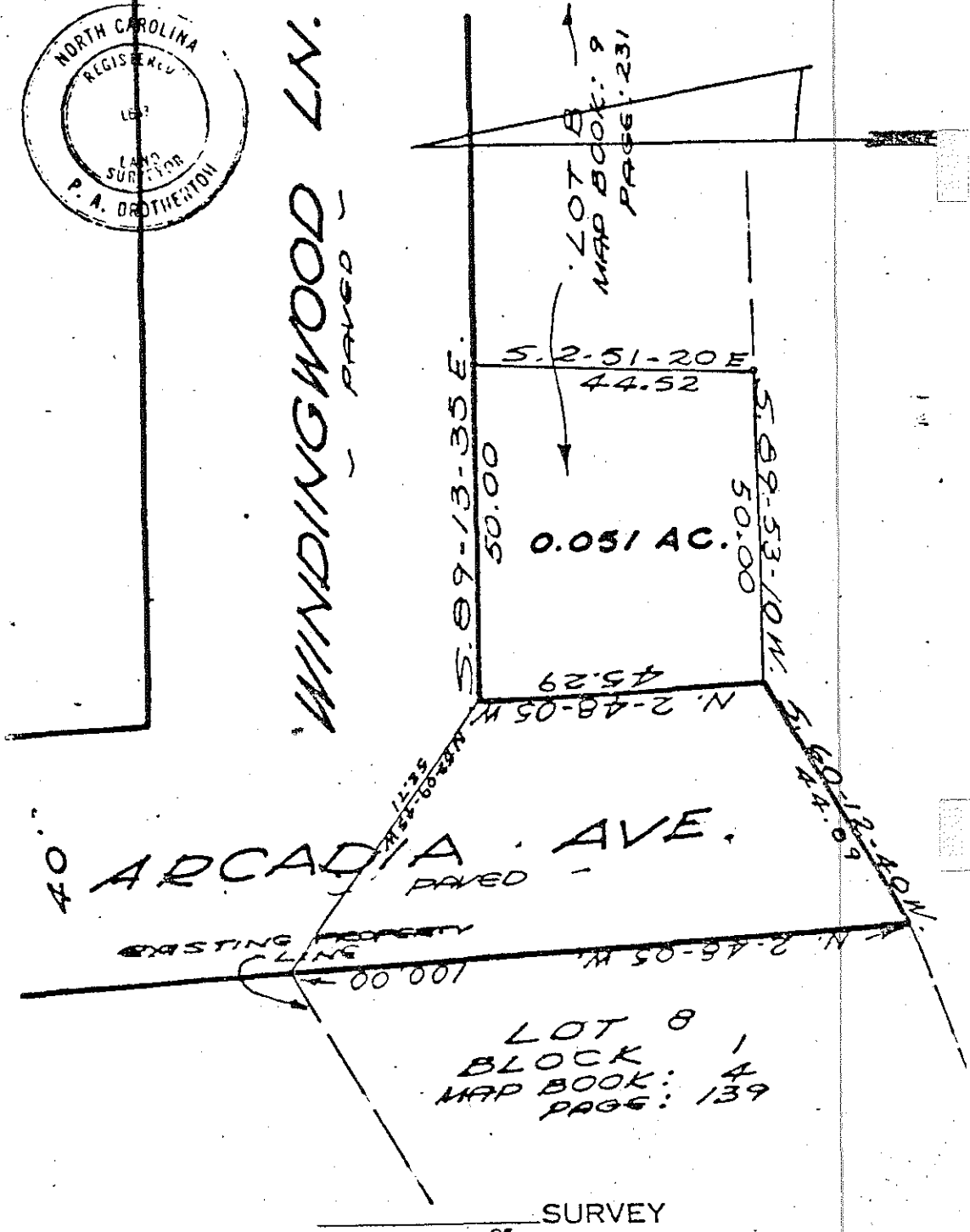
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THIS IS TO CERTIFY THAT ON THE 28<sup>TH</sup> DAY OF JAN. 1984, I SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDINGS IF ANY, ARE AS SHOWN HEREON.

SIGNED P.A. Brotherton  
REGISTERED SURVEYOR



WINDINGWOOD LN.  
PAVED



A PORTION OF LOT 8, A.Z. TRAVIS PROP

SCALE 1" = 20'

CHARLOTTE, N. C.

CAROLINA SURVEYORS, INC.  
P. O. BOX 267  
PINEVILLE, N. C. 28134

THE PROPERTY OF \_\_\_\_\_

MAP RECORDED IN BOOK 9 AT PAGE 231 DEED RECORDED IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
DRAWN BY RR FIELD WORK \_\_\_\_\_ FIELD BOOK # \_\_\_\_\_

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RESOLUTION

EXTRACT FROM THE MINUTES OF A CITY COUNCIL  
MEETING OF THE CITY OF CHARLOTTE, NORTH CAROLINA  
HELD ON MONDAY, AUGUST 13, 1984

The following Resolution was introduced by Councilmember Dannelly  
seconded by Councilmember Vinroot, read in full, considered  
and adopted.

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND  
RATIFYING THE EXECUTION OF THE GRANT AGREEMENT FOR PROJECT  
NUMBER 3-37-0012-04 BETWEEN THE UNITED STATES OF AMERICA  
AND The CITY OF CHARLOTTE, NORTH CAROLINA

BE IT RESOLVED, by the CITY COUNCIL of THE CITY OF  
CHARLOTTE

SECTION 1. That said CITY COUNCIL hereby authorizes,  
adopts, approves, accepts and ratifies the execution of Grant Agreement  
between the Federal Aviation Administration on behalf of the United  
States of America and THE CITY OF CHARLOTTE

SECTION 2. That the Execution of said Grant Agreement in  
quadruplicate on behalf of said CITY COUNCIL  
by HARVEY GANTT, MAYOR  
and the impression of the official seal of the CITY OF CHARLOTTE  
(if there is no seal, so stat  
and the attestation by PAT SHARKEY; CITY CLERK  
is hereby authorized, adopted, approved, accepted and ratified.

SECTION 3. That the AIRPORT MANAGER is hereby  
(Title of Position, Airport Manager,  
City Manager, etc.)  
authorized to execute payment requests under this Grant Agreement on  
behalf of said CITY OF CHARLOTTE.

APPROVED AS TO FORM:

Henry W. Zuberlee Jr  
CITY ATTORNEY

CERTIFICATION

I, Menta C. Detwiler, Deputy 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,  
1984, the reference having been made in Minute Book 82, and is recorded  
in full in Resolution Book 20 at Page(s) 205.

WITNESS my hand and the corporate seal of the City of Charlotte, North  
Carolina, this the 22nd day of August, 1984.

MENTA C. DETWILER  
Deputy City Clerk

August 13, 1984  
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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 addition of the following classes:

<u>Class Title</u>	<u>Class No.</u>	<u>Pay Range</u>	<u>Pay Step</u>
Treatment Plant Mechanic I	1543	13	A-F
Treatment Plant Mechanic II	1545	16	A-F

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

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 13th day of August, 1984, the reference having been made in Minute Book 82, and is recorded in full in Resolution Book 20 at Page 206.

Menta C. Detwiler  
Deputy City Clerk

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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 addition of class number 2688, Dispute Settlement Specialist, Pay Range 16, Pay Steps A-F inclusive.

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

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 13th day of August, 1984, the reference having been made in Minute Book 82, and is recorded in full in Resolution Book 20 at Page 207.

Menta C. Detwiler  
Deputy City Clerk

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RESOLUTION DECLARING AN INTENT TO ABANDON AND  
CLOSE A PORTION OF MUSTANG LANE LOCATED BETWEEN  
PROPERTY OWNED BY THE WALSH CORPORATION AND  
R. A. YOUNT AND WIFE, LILLIE C. YOUNT  
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, THE WALSH CORPORATION and R. A. YOUNT and wife, LILLIE C. YOUNT have filed a Petition to close a portion of Mustang Lane in the City of Charlotte; and

WHEREAS, a portion of Mustang Lane petitioned to be closed lies between land owned by THE WALSH CORPORATION and R. A. YOUNT and wife, LILLIE C. YOUNT, 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 August 13, 1984, that it intends to close Mustang Lane lying between land owned by THE WALSH CORPORATION and R. A. YOUNT and wife, LILLIE C. YOUNT, said portion thereof 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 7:30 p.m., on Monday, the 10th day of September, 1984, at South Mecklenburg High School. 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.

CERTIFICATION

I, Menta C. Detwiler, Deputy 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, 1984, the reference having been made in Minute Book 82, and is recorded in full in Resolution Book 20 at Page(s) 208.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of August, 1984.

\_\_\_\_\_  
MENTA C. DETWILER  
Deputy City Clerk

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RESOLUTION DECLARING AN INTENT TO ABANDON  
 AND CLOSE AN ALLEYWAY LOCATED IN THE CITY  
 OF CHARLOTTE, MECKLENBURG COUNTY, NORTH  
 CAROLINA

WHEREAS, Schwartz & Son, Inc., has filed a Petition to close an alleyway in the City of Charlotte; and

WHEREAS, the alleyway petitioned to be closed lies in the Third Ward area of the City of Charlotte adjacent to South Cedar Street, 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 alleyway 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 alleyway 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 alleyway; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of August 13, 1984, 1984, that it intends to close an alleyway, lying in the Third Ward area of Charlotte, North Carolina, said alleyway 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 24th day of September, 1984, at Council Chambers, 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 N.C.G.S. Section 160A-299.

CERTIFICATION

I, Menta C. Detwiler, Deputy 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, 1984, the reference having been made in Minute Book 82, and is recorded in full in Resolution Book 20 at Page(s) 209.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of August, 1984.

\_\_\_\_\_  
 MENTA C. DETWILER  
 Deputy City Clerk

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RESOLUTION DECLARING AN INTENT TO CLOSE  
A PORTION OF WILORA LAKE ROAD

WHEREAS, the City of Charlotte intends to close a portion of Wilora Lake Road through construction of two cul-de-sacs in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, that portion to be closed lies as shown on a map marked Exhibit "A" available for inspection in the Office of the City Clerk, City Hall, Charlotte, North Carolina.

WHEREAS, in the public interest, City Council desires to adopt a Resolution declaring its intent to close the street and call a public hearing on the question; further the Resolution shall be published once a week for four (4) successive weeks prior to the hearing, and a copy thereof sent by registered or certified mail to all owners of property adjoining the street as shown on the County tax records.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of August 13, 1984, that it intends to close said portion of street being more particularly described on a map available for inspection in the City Clerk's Office, and hereby calls a public hearing on the question to be held at 7:30 p.m., on Monday the 10th day of September, 19 84, at South Mecklenburg High School. 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.

CERTIFICATION

I, Menta C. Detwiler, Deputy 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, 1984, the reference having been made in Minute Book 82, and is recorded in full in Resolution Book 20 at Page(s) 210.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of August, 1984.

\_\_\_\_\_  
MENTA C. DETWILER  
Deputy City Clerk



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A RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A Motion was made by Councilmember Dannelly and seconded by  
Councilmember Vinroot for the adoption of the following resolution, and  
upon being put to a vote was duly adopted:

WHEREAS, the City Council of the Municipality of Charlotte has requested the  
North Carolina Department of Transportation to provide 20 percent of the eligible  
costs of the construction of and capital improvements to a new Transit Maintenance  
and Operations Facility, not to exceed \$882,500, which eligible costs shall  
exclude those incurred with D. R. Allen & Sons, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk of the Municipality  
of Charlotte are hereby empowered to sign and execute the agreement with the North  
Carolina Department of Transportation as may be necessary to effectuate the  
aforesaid expressed purpose, thereby binding the said Municipality to the  
fulfillment of its obligations incurred under said agreement and this resolution;

Approved as to Form:

Henry W. Underhill, Jr.  
City Attorney

I, Menta C. Detwiler, Deputy Clerk of the Municipality of Charlotte, do  
hereby certify that the foregoing is a true and correct copy of excerpts from  
the Minutes of the meeting of the City Council duly held on the 13th day of  
August, 1984.

WITNESS, my hand and official seal of said Municipality on this the  
16th day of August, 1984.

(SEAL)

DEPUTY CLERK  
MUNICIPALITY OF CHARLOTTE  
NORTH CAROLINA

August 13, 1984  
Resolution Book 20 - Page 212

A RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A Motion was made by Councilmember Dannelly and seconded by  
Councilmember Vinroot for the adoption of the following resolution, and  
upon being put to a vote was duly adopted:

WHEREAS, the City of Charlotte and the North Carolina Department of  
Transportation, on the 25th day of February, 1984, entered into a Municipal  
Agreement as to the construction and improvement of North Graham Street and 5th  
and 6th Streets under Project 8.7367019, Mecklenburg County; and

WHEREAS, the City of Charlotte and the Department of Transportation now wish  
to amend the aforementioned Agreement to provide for the Municipality to construct  
a concrete traffic island and provide final pavement markings; and,

WHEREAS, the Department agrees to reimburse the Municipality for the costs of  
the construction of the traffic island a lump sum amount of \$1,600.00 and the  
costs of pavement markings a lump sum amount of \$2,750.00.

NOW, THEREFORE, BE IT RESOLVED that Project 8.7367019, Mecklenburg County, is  
hereby formally approved by the City Council of the Municipality of Charlotte and  
that the Mayor and Clerk of this Municipality are hereby empowered to sign and  
execute the agreement with the Department of Transportation.

Approved as to Form:

  
City Attorney

I, Menta C. Detwiler, Deputy Clerk of the Municipality of Charlotte, do  
hereby certify that the foregoing is a true and correct copy of excerpts from  
the Minutes of the meeting of the City Council duly held on the 13th day of  
August, 1984.

WITNESS, my hand and official seal of said Municipality on this the  
16th day of August, 1984.

(SEAL)

DEPUTY CLERK  
MUNICIPALITY OF CHARLOTTE  
NORTH CAROLINA

August 13, 1984  
Resolution Book 20 - Page 213

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE URBAN MASS TRANSPORTATION ADMINISTRATION AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR A SECTION 8 TRANSIT PLANNING GRANT.

WHEREAS, the Urban Mass Transportation Administration and the North Carolina Department of Transportation are 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, the Urban Mass Transportation Act of 1964, as amended and the U. S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that Disadvantaged Business Enterprises be utilized to the maximum extent possible and that best efforts will be implemented to ensure that Disadvantaged Business Enterprise goals will be met.

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

1. That the City Manager is authorized to execute and file an application on behalf of the City of Charlotte with the Urban Mass Transportation Administration and the North Carolina Department of Transportation, to aid the financing of a technical studies grant to implement specific items of the FY 1985 Charlotte Urbanized Area Unified Planning Work Program;
2. That the City Manager is authorized to execute and file with such application an assurance or any other document required by the Urban Mass Transportation Administration and the North Carolina Department of Transportation;
3. That the Director of the Charlotte Department of Transportation is authorized to furnish such additional information as the Urban Mass Transportation Administration and the North Carolina Department of Transportation may require in connection with the application or the project; and
4. That the Mayor or Mayor Pro Tem is authorized to sign and comply with the terms of grant contracts relative to this project.

Approved as to form:

*Henry W. DeShill Jr.*  
City Attorney

*5/16/84*  
Date

August 13, 1984  
Resolution Book 20 - Page 214

## CERTIFICATION

I, Menta C. Detwiler, Deputy Clerk of the Municipality of Charlotte, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 13th day of August, 1984.

WITNESS, my hand and official seal of said Municipality on this the 16th day of August, 1984.

(SEAL)

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DEPUTY CLERK  
MUNICIPALITY OF CHARLOTTE  
NORTH CAROLINA

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A motion was made by Councilmember Dannelly and seconded by Councilmember Vinroot for the adoption of the following resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation and the City of Charlotte propose to make certain street and highway improvements consisting of the improvement and construction of the intersection of Albermarle Road and Sharon Amity Drive; and,

WHEREAS, the Department of Transportation and the City of Charlotte propose to enter into an agreement for construction of the aforementioned highway improvement whereby the City of Charlotte agrees to design the project plans, acquire the right of way and adjust utilities, award the construction contract, and supervise project construction; and,

WHEREAS, said agreement provides for the City of Charlotte to be responsible for the costs of design and preparation of plans for the entire project, for the costs of engineering and supervision of construction of the entire project, and for administrative costs incurred in the acquisition of right of way of the project; and,

WHEREAS, said agreement further provides for the Department of Transportation to reimburse the City of Charlotte to a maximum extent of \$200,000.00 for the actual contract construction costs of the project.

NOW, THEREFORE, BE IT RESOLVED that Project 9.8109040, Mecklenburg County, is hereby formally approved by the City Council of the City of Charlotte and that the Mayor and Clerk of the City of Charlotte are hereby empowered to sign and execute the required agreement between the City of Charlotte and the Department of Transportation.

I, Menta C. Detwiler, Deputy Clerk of the Municipality of Charlotte, do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 13th day of August, 1984.

WITNESS, my hand and the official seal of said Municipality on this the 16th day of August, 1984.

(SEAL)

DEPUTY CLERK  
MUNICIPALITY OF CHARLOTTE  
NORTH CAROLINA

COPY OF A RESOLUTION PASSED BY THE CITY COUNCIL  
OF THE CITY OF CHARLOTTE, NORTH CAROLINA

A motion was made by Councilmember Dannelly and seconded by  
Councilmember Vinroot for the adoption of the following  
resolution, and upon being put to a vote was duly adopted:

WHEREAS, the North Carolina Department of Transportation has prepared and adopted plans to make certain street and highway improvements within this Municipality under Projects 8.1654827 and 8.1654834, Mecklenburg County, said plans consisting of the construction of I-277 from I-77 to South Cedar Street; and,

WHEREAS, said Department of Transportation and this Municipality propose to enter into an agreement for the above mentioned project whereby this Municipality agrees to effect the necessary adjustment of any utilities under franchise without cost to the Department of Transportation; and,

WHEREAS, said Department of Transportation agrees to acquire the right of way and construct the project in accordance with the approved project plans; and,

WHEREAS, the agreement will further provide for the establishment, maintenance, and enforcement of traffic operating controls for the regulation and movement of traffic on the project upon its completion.

NOW, THEREFORE, BE IT RESOLVED that Projects 8.1654827 and 8.1654834, Mecklenburg County, is hereby formally approved by the City Council of the Municipality of Charlotte and that the Mayor and Clerk of this Municipality are hereby empowered to sign and execute the agreement with the Department of Transportation.

I, Menta C. Detwiler, Deputy Clerk of the Municipality of Charlotte do hereby certify that the foregoing is a true and correct copy of excerpts from the Minutes of the meeting of the City Council duly held on the 13th day of August, 1984.

WITNESS, my hand and the official seal of said Municipality on this the 16th day of August, 1984.

(SEAL)

DEPUTY CLERK  
MUNICIPALITY OF CHARLOTTE  
NORTH CAROLINA

August 13, 1984  
Resolution Book 20 - Page 217

A RESOLUTION AUTHORIZING THE EXECUTION OF A DEED TO CONVEY THE  
FORMER MECKLENBURG COUNTY ANIMAL SHELTER BACK TO MECKLENBURG  
COUNTY.

WHEREAS, the agreement between the City of Charlotte and Mecklenburg County for the consolidation of the Animal Control Department provided for the conveyance of the former Mecklenburg County Animal Shelter to the City of Charlotte; and

WHEREAS, by a June 16, 1983 North Carolina Non-Warranty Deed, Mecklenburg County did convey the former Mecklenburg County Animal Shelter to the City of Charlotte as recorded in Deed Book 4680, page 432; and

WHEREAS, Mecklenburg County has expressed the wish to convey the former Mecklenburg County Animal Shelter to Open House, Inc.; and

WHEREAS, Mecklenburg County has stated that Mecklenburg County, under the consolidation agreement, would remain obligated to the City of Charlotte to pay the City of Charlotte 36% of the capital cost for the recent expansion of the consolidated departments facilities; and

WHEREAS, N.C. Gen. Stat. § 160A-274 permits one governmental unit to sell to another governmental unit real property with or without consideration.

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

1. The Mayor of the City of Charlotte is authorized and directed to execute a non-warranty deed conveying the former Mecklenburg County Animal Shelter, as the same is described in the June 16, 1983 deed recorded in Deed Book 4680, page 432, to Mecklenburg County.

August 13, 1984  
Resolution Book 20 - Page 218

2. The non-warranty deed conveyance is to be the same said property conveyed to the City of Charlotte by Mecklenburg County and shall be without consideration but the City of Charlotte and Mecklenburg County are in mutual agreement that Mecklenburg County's obligation under the consolidation agreement to pay to the City of Charlotte 36% of the capital cost of the recent expansion of the consolidated departments' facilities remains valid and effective.

Approved as to form:

*Henry W. Underhill Jr.*  
City Attorney

CERTIFICATION

I, Menta C. Detwiler, Deputy 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, 1984, the reference having been made in Minute Book 82, and is recorded in full in Resolution Book 20 at Page(s) 217-218.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 16th day of August, 1984.

\_\_\_\_\_  
MENTA C. DETWILER  
Deputy City Clerk



August 13, 1984  
Resolution Book 20 - Page 219

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 has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City Tax Collector has certified that those taxpayers have made proper 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, 1984, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

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, 1984, the reference having been made in Minute Book 82 and recorded in full in Resolution Book 20, page(s) 219-220.

Menta C. Detwiler  
Deputy City Clerk

August 13, 1984  
 Resolution Book 20 - Page 220

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
T. N. McCranie	\$ 69.64	Clerical Error
David W. Allen	\$100.00	Clerical Error
Ascension Lutheran Church School	\$ 43.76	Clerical Error
Gethsemane Day Care Center	\$ 52.80	Clerical Error
Calvery Baptist Church Day Care	\$ 87.53	Clerical Error
Chantilly Baptist Church Day Care School	\$ 73.80	Clerical Error
First Church of Nazarine	\$ 4.00	Clerical Error
First Methodist Day Care, Inc.	\$126.00	Clerical Error
Johnson Day Nursery	\$ 34.80	Clerical Error
Kiddie Land Day Care Center, Inc.	\$ 72.00	Clerical Error
Little Red School House	\$ 97.20	Clerical Error
Mary Moppets Day Care School 1331 Tyvola Rd. 28210	\$133.20	Clerical Error
Mary Moppets Day Care School 4003 Rosehaven Dr. 28205	\$124.20	Clerical Error
Memorial United Presby Ch Day Care Cntr	\$ 73.00	Clerical Error
Mini Skool #435	\$200.85	Clerical Error
Mini Skools #434	\$118.79	Clerical Error
Mini Skools Ltd. #433	\$ 95.70	Clerical Error
Myers Park Presb Church Week Day School	\$117.82	Clerical Error
Ruths Day Care Center	\$ 24.00	Clerical Error
Sedgefield Day Nursery & Kindergarten Inc.	\$ 74.88	Clerical Error
Selwyn Ave. Presb Church Day Care	\$ 28.80	Clerical Error
Smiths Child Care Center	\$ 24.00	Clerical Error
Snow White Day Nursery Donald Ruth D	\$ 35.75	Clerical Error
South Tryon St. Presb Day Care Center	\$ 31.90	Clerical Error
Sunshine Day Nursery	\$ 25.80	Clerical Error
United Cerebral Palsey of N.C. Inc.	\$ 24.00	Clerical Error
Walls Memorial Day Care Center	\$ 94.23	Clerical Error
Woodlawn Day Care Center	\$ 24.00	Clerical Error
E C Cannon Day Care Center	\$ 28.20	Clerical Error
Central Piedmont Community College Kinder Care Learning Center, Inc. #215	\$149.04	Clerical Error
Kinder Care Learning Center, Inc. #747	\$176.37	Clerical Error
	\$ 88.41	Clerical Error
TOTAL	<u>\$2,454.47</u>	

August 13, 1984  
Resolution Book 20 - Page 221

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 has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City Tax Collector has certified that those taxpayers have made proper 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, 19 84, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in 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. Zanderhill Jr.*  
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, 19 84, the reference having been made in Minute Book 82 and recorded in full in Resolution Book 20, page(s) 221.

Menta C. Detwiler  
Deputy City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Barbara Caldwell	\$20.00	Clerical Error
Ray Hunt	\$20.00	Clerical Error
James Hartsell	\$20.00	Clerical Error
C. Mullican	\$ 5.00	Clerical Error
TOTAL	<u>\$65.00</u>	