

November 18, 1985  
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ORDINANCE NO. 1815-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1733-X, THE 1985-86 BUDGET ORDINANCE, PROVIDING FOR THE APPROPRIATION OF ANTICIPATED REVENUES FROM THE ISSUANCE OF 1985 AIRPORT REVENUE BONDS AND PROJECTED INVESTMENT INCOME FROM THAT ISSUANCE AND THE BALANCE OF 1984 AIRPORT REVENUE ANTICIPATION NOTES FOR THE CONSTRUCTION OF AIRPORT CAPITAL IMPROVEMENT PROJECTS.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$121,871,452 is hereby estimated to be available from the following sources of revenue:

1985 Airport Revenue Bonds	\$109,615,000
Projected Investment Income	8,534,000
1984 Airport Revenue Anticipation Notes	<u>3,722,452</u>
Total	\$121,871,452

These revenues will be used to finance the administration and issuance requirements governing 1985 Airport Revenue Bonds, and the construction of Airport Capital Improvement Projects associated with improvements and expansions to the airfield and terminal building complex.

Section 2: That the sum of \$57,348,000 is hereby appropriated to the 1985 Airport Revenue Bond Fund and pertinent sub accounts. This appropriation is necessary to retire 1984 Airport Revenue Anticipation Notes and to comply with reserve and capitalized interest account requirements for the issuance of 1985 Airport Revenue Bonds.

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Section 3: That the sum of \$64,523,452 is hereby appropriated to the 1985 Airport Revenue Bond Construction Fund for the following purposes:

<u>Purpose</u>	<u>Amount</u>
Construction Control Account	\$57,523,452
Appropriation transfers to Airport Capital Improvement Program Fund (2073)	7,432,000
Total	<u>\$64,523,452</u>

This appropriation establishes a new airport capital improvement fund as required in the 1985 Airport Revenue Bond Order, and reimburses established Airport Capital Accounts with 1985 Airport Revenue Bonds.

Section 4: That Airport Capital Improvement Projects previously funded by 1985 Airport Revenue Bonds, or predecessor notes, are hereby transferred to the 1985 Airport Revenue Bond Construction Fund.

Section 5: That sufficient funds, as determined by the Finance Director or his designee, are hereby transferred from the Airport Debt Service Fund to 1960, 1974 and 1980 General Obligation Bond Funds as required by the 1985 Airport Revenue Bond Order.

Section 6: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 7: This ordinance shall become effective upon 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 18th day of November, 1985, the reference having been made in Minute Book 85 and is recorded in full in Ordinance Book 34 at pages 140-141.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1816-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1733-X, THE 1985-86 BUDGET ORDINANCE, TO MEET AN OPERATING BUDGET DEPOSIT REQUIREMENT SPECIFIED IN THE 1985 AIRPORT REVENUE BOND ORDER.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the sum of \$2,800,000 is hereby estimated to be available from the unappropriated balance of the Airport Operating Fund to establish a new Airport Operating Fund deposit account that is required by the 1985 Airport Revenue Bond Order.

Section 2: That the sum of \$2,800,000 is hereby appropriated to a new Airport Operating Fund deposit account.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4: This ordinance shall become effective upon 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 18th day of November, 1985, the reference having been made in Minute Book 85, and is recorded in full in Ordinance Book 34 at page 142.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1817-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1733-X, THE 1985-86 BUDGET ORDINANCE, TO AMEND THE TABLE OF ORGANIZATION OF THE AIRPORT AND FINANCE DEPARTMENTS FOR THE PURPOSE OF ADMINISTERING THE 1985 AIRPORT REVENUE BOND ORDER.

BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

Section 1. That the table of organization for the Airport Department is hereby amended to reflect the following changes:

	<u>Job Class</u>	<u>Position Title</u>	<u>Pay Range</u>	<u>Number of Positions</u>
Add:	2205	Accounting Technician	14	2
	0003	Office Assistant III	7	1
	0004	Office Assistant IV	9	1
		New Position		1
Delete:	31	Temporary Person/Weeks		

The positions will be funded within the existing Airport Operating budget.

Section 2. That the table of organization for the Finance Department is hereby amended to add the following position:

<u>Job Class</u>	<u>Position Title</u>	<u>Pay Range</u>	<u>Number of Positions</u>
2212	Accountant III	22	1

Section 3. That the Finance Department operating budget (202.00) is hereby amended to reflect the following changes:

011	Salaries/Wages Regular	\$ 14,891
135	Data Processing	8,000
544	Office Equipment	2,500
Total		\$ 25,391
Less Departmental Charges		<u>\$(25,391)</u>
Grand Total		0

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Section 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5: This ordinance shall become effective upon 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 18th day of November, 1985, the reference having been made in Minute Book 85, and is recorded in full in Ordinance Book 34 at pages 143-144.

Pat Sharkey  
City Clerk

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "THOMAS TROTTER BUILDING" (THE EXTERIOR AND THE INTERIOR OF THE BUILDING AND THE LOT UPON WHICH THE BUILDING IS SITUATED) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 108 SOUTH TRYON STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 073-011-11 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 18th day of November, 19 85, on the question of designating a property known as the "Thomas Trotter Building" as historic property; and

WHEREAS, the "Thomas Trotter Building", erected in 1850-51, is the oldest remaining masonry structure in Charlotte that retains a substantial degree of its initial physical integrity; and

WHEREAS, the "Thomas Trotter Building" was originally owned and occupied by Thomas Trotter (1800-1865), one of North Carolina's finest silversmiths, and the leading jeweler of Charlotte for over forty years; and

WHEREAS, the "Thomas Trotter Building's" construction and subsequent remodelings reflect Charlotte's economic development over a 130-year period, as it grew from a small upcountry crossroads town to the largest city in North and South Carolina; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Thomas Trotter Building" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Thomas Trotter Building" possesses integrity of design, setting, workmanship, materials, and/or association; and

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WHEREAS, the property known as the "Thomas Trotter Building" is vested in fee simple to Albert S. Rouso and wife, Doris H. Rouso.

NOW, THEREFORE BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. That the property known as the "Thomas Trotter Building" (the exterior and the interior of the building and the lot upon which the building is situated) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 108 South Tryon Street, Charlotte, North Carolina, and recorded on Tax Parcel Number 073-011-11, in the Mecklenburg County Tax Office.

2. That said designated property may be materially altered, restored, moved, or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto, and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent

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the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign shall be placed on said property.

5. That the owners and occupants of the property known as the "Thomas Trotter Building" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

CERTIFICATION

I, PAT SHARKEY, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of November, 19 85, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, at Page(s) 145-147.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of November, 1985.

PAT SHARKEY, CITY CLERK



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ORDINANCE NO. 1819-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "OLD GARIBALDI AND BRUNS BUILDING" (THE EXTERIOR AND THE INTERIOR OF THE BUILDING AND THE LOT UPON WHICH THE BUILDING IS LOCATED) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 104-106 SOUTH TRYON STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 073-011-12 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, as amended, of the Genral Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 18th day of November, 1985, on the question of designating a property known as the "Old Garibaldi and Bruns Building" as historic property; and

WHEREAS, the "Old Garibaldi and Bruns Building", incorporating elements of Granite Row, an 1850-51 commercial complex in Charlotte and probably the only ante-bellum commercial structure which survives in Charlotte, draws its principal physical significance from its association with Louis Asbury, and architect of regional and local importance; and

WHEREAS, the "Old Garibaldi and Bruns Building", remodeled in 1909, is the earliest known example of a commercial storefront in Charlotte designed by Louis Asbury, who began his practice in 1908; and

WHEREAS, the founders of the company, Joseph Garibaldi, William L. Bruns, and Harry W. Dixon, were important businessmen in Charlotte, and their firm survives in Charlotte as a leading jewelry store; and

WHEREAS, the "Old Garibaldi and Bruns Building" is one of the two remaining small-scale business structures on the first block of South Tryon Street and, therefore, is an important link with Charlotte's commercial history; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Old Garibaldi and Bruns Building"

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possesses integrity of design, setting, workmanship, materials, and/or association;  
and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Old Garibaldi and Bruns Building" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Old Garibaldi and Bruns Building" is vested in fee simple to the City of Charlotte.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. That the property known as the "Old Garibaldi and Bruns Building" (the exterior and the interior of the building and the lot upon which the building is located) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 104-106 South Tryon Street, Charlotte, North Carolina, and recorded on Tax Parcel Number 073-011-12 in the Mecklenburg County Tax Office.

2. That said designated property may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto, and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, not to prevent

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or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property.

5. That the owners and occupants of the property known as the "Old Garibaldi and Bruns Building" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

CERTIFICATION

I, PAT SHARKEY, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of November, 19 85, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, at Page(s) 148-150.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of November, 19 85.

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PAT SHARKEY, CITY CLERK

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ORDINANCE NO. 1820-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "R. C. BIBERSTEIN HOUSE" (THE EXTERIOR OF THE HOUSE, THE EXTERIOR AND THE INTERIOR OF THE GARAGE, AND THE ENTIRE LOT UPON WHICH THE ABOVE BUILDINGS ARE LOCATED) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 1600 ELIZABETH AVENUE, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 125-111-21 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 18th day of November, 1985, on

the question of designating a property known as the "R. C. Biberstein House" as historic property; and

WHEREAS, the "R. C. Biberstein House" is an impressive example of the Rectilinear Style of architecture in Charlotte and is one of the few surviving residences on a once-grand suburban boulevard in Elizabeth, one of Charlotte's oldest streetcar suburbs; and

WHEREAS, the "R. C. Biberstein House" occupies a significant place in the streetscape of Elizabeth; and

WHEREAS, R. C. Biberstein (1859-1931), the designer and initial owner of the "R. C. Biberstein House," was a prominent mill architect during the era when Charlotte occupied a place of growing importance in the textile industry of the South; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "R. C. Biberstein House" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "R. C. Biberstein House" possesses special significance in terms of its history, architecture, and/or cultural importance; and

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WHEREAS, the property known as the "R. C. Biberstein House" is vested in fee simple to the Estate of R. C. Biberstein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. That the property known as the "R. C. Biberstein House" (the exterior of the house, the exterior and the interior of the garage, and the entire lot upon which the above buildings are located) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 1600 Elizabeth Avenue, Charlotte, North Carolina, and recorded on Tax Parcel Number 125-111-21 in the Mecklenburg County Tax Office.

2. That said designated property may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto, and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by

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other statutes, ordinances, or regulations.

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property.

5. That the owners and occupants of the property known as the "R. C. Biberstein House" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

Approved as to form:

Henry W. Zuberhill, Jr.  
City Attorney

CERTIFICATION

I, PAT SHARKEY, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of November, 1985, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, at Page(s) 151-153.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of November, 1985.

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PAT SHARKEY, CITY CLERK

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ORDINANCE NO. 1821-X

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "G. G. GALLOWAY HOUSE" (THE EXTERIOR AND THE INTERIOR OF THE HOUSE AND THE ENTIRE LOT UPON WHICH THE HOUSE IS LOCATED) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED AT 602 EAST MOREHEAD STREET, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 123-023-10 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 18th day of November, 1985, on the question of designating a property known as the "G. G. Galloway House" as historic property; and

WHEREAS, the "G. G. Galloway House," erected in 1914-15 for Gaston Gilbert Galloway (1880-1974) and his wife, Carrie Marshall Brown Galloway (1885-1972), is the only surviving structure in what was once an imposing residential district on the south side of the western end of East Morehead Street in Dilworth, Charlotte's first streetcar suburb; and

WHEREAS, the "G. G. Galloway House" was designed by William H. Peeps (1868-1950), an architect of regional significance in the first half of the twentieth century in Charlotte and its environs; and

WHEREAS, the "G. G. Galloway House" is a significant local example of the Bungalow style with English Tudor motifs; and

WHEREAS, the original owners of the "G. G. Galloway House," Mr. and Mrs. G. G. Galloway, were important figures in the local civic and business community of Charlotte; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "G. G. Galloway House" possesses integrity of design, setting, workmanship, materials, and/or association; and

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WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "G. G. Galloway House" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "G. G. Galloway House" is vested in fee simple to Nelson M. Casstevens, Jr.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. That the property known as the "G. G. Galloway House" (the exterior and the interior of the house and the entire lot upon which the house is located) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated at 602 East Morehead Street, Charlotte, North Carolina, and recorded on Tax Parcel Number 123-023-10 in the Mecklenburg County Tax Office.

2. That said designated property may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An application for a Certificate of Appropriateness authorizing the demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto, and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition



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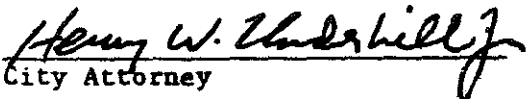
or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property.

5. That the owners and occupants of the property known as the "G. G. Galloway House" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

APPROVED AS TO FORM:

  
City Attorney

CERTIFICATION

I, PAT SHARKEY, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of November, 19 85, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, at Page(s) 154-156.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of November, 19 85.

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PAT SHARKEY, CITY CLERK

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Petition No. 85-81  
Carley Capital Group

ORDINANCE NO. 1822-Z

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from U-MUD to U-MUD-0 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at a point, which point is located in the north or northeasterly margin of the right-of-way of East Fifth Street, which point is located N.46-04-25W. 165.23 feet from the point of intersection of said margin of East Fifth Street and the northwesterly margin of the right-of-way of North College Street; thence from said point of BEGINNING and continuing with said margin of East Fifth Street N.46-04-25W. 38.66 feet to a point; thence N.46-07-59E. 63.79 feet to a point; thence N.45-36-17W. 24.36 feet to a point; thence N.43-37-32E. 24.96 feet to a point; thence S.45-07-44E. 33.31 feet to a point; thence N.46-17-28E. 30.00 feet to a point; thence S.43-42-32E. 31.00 feet to a point; thence S.46-17-28W. 117.15 feet to the point or place of BEGINNING, all as shown on that survey dated March 26, 1985, as revised, and prepared by Concord Engineering and Surveying, Inc.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

*D. Grant or Scott*  
Assistant City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of November, 19 85, the reference having been made in Minute Book 85, and is recorded in full in Ordinance Book 34, at page 157.

Pat Sharkey  
City Clerk

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ORDINANCE NO. 1823-X

AN ORDINANCE TO AMEND ORDINANCE NO. 1733-X, THE 1985-86 BUDGET ORDINANCE, PROVIDING A SUPPLEMENTAL APPROPRIATION FOR THE UPTOWN MARKETPLACE CAPITAL PROJECT TO PURCHASE PROPERTY ASSEMBLED BY THE CARLEY CAPITAL GROUP.

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BE IT ORDAINED by the City Council of the City of Charlotte, North Carolina;

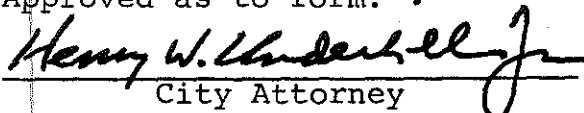
Section 1. That the sum of \$600,000 is hereby available from the unappropriated balance of the General Fund - Reserve for Grants Income. This appropriation supplements \$3 million in Two-Thirds Bonds previously appropriated for the purpose of purchasing land for the Uptown Marketplace.

Section 2. That the sum of \$600,000 is hereby appropriated to General Capital Improvement Program Fund account 2010; 337.00 - Uptown Marketplace.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon 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 18th day of November, 1985, the reference having been made in Minute Book 85, and is recorded in full in Ordinance Book 34 at page 158.*

Pat Sharkey  
City Clerk

November 18, 1985  
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APPROVED BY CITY COUNCIL

DATE 11.18.85

Petition No. 85-62  
North Carolina Federal  
Financial Corporation

ORDINANCE NO. 1824-Z

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 27.59 acre site north of and adjacent to Campbell Creek along the proposed Lumarka Drive Extension from R-9 to R-9MF(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on December 16, 1985; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9 to R-9MF(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at an iron located at the southwest corner of Lot 18, Block A, as shown on a plat showing Andover at Idlewild South Subdivision, Phase 2, recorded in book 20 at Page 601 in the Mecklenburg Registry; said iron also being part of the common boundary with Idlewild South Subdivision, thence running the following courses and distances: S.32-08-42W. 177.87 feet to a point; thence a curve S.41-17-12W. 180.76 feet to a point; thence S.50-25-41W. 282.03 feet to a point, thence a curve S.29-18-14W. 417.26 feet to a point, S.08-07-27W. 134.16 feet to a point, thence N.45-23-00W. 41.82 feet to a point, thence N.64-55-00W. 16.09 feet to a point, thence N.65-55W. 36.87 feet to a point, thence N.34-01-30W. 327.04

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feet to a point, thence N.45-43-00W. 91.02 feet to a point, thence N.79-48-00W. 257.03 feet to a point, thence 81-28-00W. 134.51 feet to a point, thence S.81-08-00W. 164.19 feet to a point. From this point, N.20-25-47W. 175.20 feet to a point, thence N.23-03-41W. 83.58 feet to a point, thence N.75-08-32W. 35.36 feet to a point, thence N.15-02-24W. 160.18 feet to a point, thence N.33-43-59E. 166.66 feet to a point, thence N.17-17-01W. 258.42 feet to a point, thence N.44-03-59E. 117.59 feet to a point, thence N.26-39-01W. 226.10 feet to a point, thence N.18-14-01W. 170.00 feet to a point, thence S.52-41-05E. 550.78 feet to a point, thence S.50-38-52E. 579.64 feet to a point, thence N.88-38-10E. 801.33 feet to a point, thence N.04-54-31E. 821.41 feet to a point, thence N.88-39-28E. 295.11 feet to a point, thence N.67-23-14E. 198.89 feet to a point, thence N.67-05-50E. 70.52 feet to a point, thence S.32-08-42W. 1103.67 feet to point of BEGINNING.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill Jr.  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of November, 1985, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, beginning on Page 159.

Pat Sharkey  
City Clerk

November 18, 1985

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APPROVED BY CITY COUNCIL

DATE 11.18.85

Petition No. 85-63  
Lawrence Properties  
Group, Inc.

ORDINANCE NO. 1825-2

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 1.2 acre site located at 4938 Central Avenue from R-6MF to 0-15(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on September 16, 1985; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-6MF to 0-15(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at an iron pin located on the southerly margin of Central Avenue, said point being the northwest corner of the Easthaven Development Corp. property as described in Deed Book 3775, Page 888 of the Mecklenburg County Registry, and runs thence with said property line S.37-54-07W. 373.42 feet to an iron pin on the northeasterly margin of a 15 foot alley, said point being the southwesterly corner of the Easthaven property; thence with the northeasterly margin of said alley N.56-58-36W. 119.85 feet to an iron pin, said point being the southeast corner of the E. L. Black property as described in Deed Book 2220, Page 634 of the Mecklenburg County Registry; thence with said line N.34-13-45E. 377.21 feet to an iron

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pin located on the southerly margin of Central Avenue, said point being the northeast corner of the E. L. Black property as described in Deed Book 4811, Page 335 of the Mecklenburg County Registry; thence in a southeasterly direction along the southerly margin of Central Avenue as follows: (1) with the arc of a circular curve to the right having a radius of 1776.98 feet, a distance of 32.38 feet to a point; (2) S.54-50-33E. 111.38 feet to the point and place of BEGINNING. Containing 49,423.29 square feet or 1.135 acres as shown on map prepared by R. B. Pharr & Associates, dated July 23, 1985 (File No. X-354).

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of November, 19 85, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, beginning on Page 161.

Pat Sharkey  
City Clerk

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11-18-85

Petition No. 85-65  
Sharon Forest Baptist  
Church

ORDINANCE NO. 1826-Z

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of an 11,250 square foot site at 7300 Wallace Lane from R-9 to B-2(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on September 16, 1985; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9 to B-2(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at a point on the southerly right-of-way line of Wallace Lane, said point of beginning being the northwesterly corner of said right-of-way of Lot 1 of the subdivision known as Sharon Forest, as same is more particularly described on a map thereof recorded in Map Book 10 at Page 117 in the Mecklenburg Public Registry, thence from said beginning point with the westerly line of Lot 1 S.08-56-10E. 158.78 feet to a point; thence S.33-57-10W. 208.99 feet to a point; thence N.83-05-10E. 122.84 feet to a point; thence in a northeasterly direction along the arc of a circular curve to the left having a radius of 230.87 feet, an arc distance of 19.54 feet to the point or place of BEGINNING.



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Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

Henry W. Underhill.  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of November, 19 85, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, beginning on Page 163.

Pat Sharkey  
City Clerk

November 18, 1985  
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Petition No. 85-71  
Charter Properties, Inc.

ORDINANCE NO. 1827-Z

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 13.39 acre site on the Billy Graham Parkway, east of Disposal Plant Road from R-9MF to I-1(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for denial by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on October 21, 1985; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9MF to I-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at an iron pin in the southern margin of the Southern Railroad right-of-way, which point is the northwest corner of the property acquired by Charter Properties, Inc. by deed recorded in Deed Book 4861, Page 632, rerecorded in Deed Book 4873, Page 953, being also the northeast corner of the property belonging to the City of Charlotte as shown in Deed Book 629, Page 230, and further being the eastern terminus of the northern margin of a proposed road right-of-way shown in Map Book 21, Page 181; running thence from said beginning point with the southern margin of the Southern Railroad right-of-way S.68-52-00E. 1342.17 feet to an iron pin; thence continuing with said right-of-way along a curve to the right having a radius of 3719.83 feet an arc distance of 2107.64 feet (chord = S.54-15-07E.

2079.56 feet) to an iron pin in the line of CEP Investors (Deed Book 4348, Page 471); thence leaving the Southern Railroad right-of-way with the line of CDP Investors S.16-04-24W. 329.41 feet to an iron pin, corner of H. C. Hovis, now or formerly; thence with the lines of Hovis, The North Carolina Department of Transportation and Walter Chao as follows: N.74-31-07W. 87.91 feet to an iron pin; N.50-41-24W. 200 feet to an iron pin; S.48-47-44W. 60.96 feet to an iron pin in the northern margin of the Billy Graham Parkway; thence with the northern margin of the Billy Graham Parkway the following courses and distances: (1) N.45-49-22W. 217.32 feet to a concrete monument; (2) N.44-32-55W. 434.30 feet to a concrete monument; (3) N.45-51-56W. 591.91 feet to a concrete monument; (4) along a curve to the left having a radius of 3030.79 feet (crossing a concrete monument at arc distance 605.12 feet and a second concrete monument at arc distance 743.93 feet) a total arc distance of 975.68 feet to a concrete monument; (5) N.68-37-32W. 1047.69 feet to an iron pin, the corner of the City of Charlotte's property; thence with the eastern line of the City of Charlotte's property N.38-53-51E. 246.82 feet to the point and place of BEGINNING, containing 25.464 acres, more or less, as shown on that certain survey for Charter Properties, Inc. dated October 5, 1985 prepared by Wooten Surveying, Greenville, South Carolina.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of November, 19 85, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, beginning on Page 165.

Pat Sharkey  
City Clerk

November 18, 1985  
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Petition No. 83-50  
Derita Community  
Organization

APPROVED BY CITY COUNCIL

DATE 11-18-85

ORDINANCE NO. 1828-Z

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from I-2 to I-1 on the Official Zoning Map, City of Charlotte, N.C. the following described property:

BEGINNING at a point, said point being the centerline of the Southern Railroad at the intersection of the southerly property line of tax parcel 045-111-13 owned by Terry Yandle; 1) thence N.85-32-41W. 450.03 feet to a point; 2) thence N.85-28-05W. 45.81 feet to a point; 3) thence N.81-06-18W. 39.84 feet to a point; 4) thence N.80-58-08W. 460.78 feet to a point; 5) thence N.26-02-21E. 432.22 feet to a point; 6) thence N.35-10-13W. 1,142.76 feet to a point; 7) thence N.81-52-37E. 453.52 feet to a point; 8) thence N.81-25-55E. 779.01 feet to a point; 9) thence N.83-20-05E. 854.69 feet to the centerline of the Southern Railroad; 10) thence from the centerline of the Southern Railroad approximately 1,827.24 feet to the point or place of BEGINNING.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon 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 18th day of November, 19 85, the reference having been made in Minute Book 85, and is recorded in full in Ordinance Book 34, at page 167.

Pat Sharkey  
City Clerk

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Petition No. 85-79  
City of Charlotte,  
Community Development  
Department

APPROVED BY CITY COUNCIL

ORDINANCE NO. 1829-2

DATE 11-18-85

AN ORDINANCE AMENDING THE CITY CODE WITH RESPECT TO THE ZONING ORDINANCE.

WHEREAS, a petition was presented to the City Council of the City of Charlotte requesting the rezoning of a 5.339 acre site bounded by North Graham Street, Statesville Avenue, Southern Railway Line, and the Brookshire Freeway Ramp from R-9MF to I-1(CD); and

WHEREAS, the petition for rezoning for a parallel conditional use district as permitted by Section 3201 was submitted to the Charlotte-Mecklenburg Planning Commission, was accompanied by a schematic plan, complied with all application requirements as specified in Section 3202.1 and 3202.2, and was recommended for approval by the Charlotte-Mecklenburg Planning Commission; and

WHEREAS, the City Council has authority to amend the Zoning Ordinance by Section 1300 and a public hearing was held on October 21, 1985; and

WHEREAS, in the passage of this ordinance the City Council of the City of Charlotte has considered the promotion of the health, safety, general welfare, and public interest of the community, and each of the following which are required by Section 3202.3:

1. The policies and objectives of the comprehensive plan, particularly in relation to the proposed site and surrounding area.
2. The potential adverse impacts on the surrounding area, especially in regards but not limited to traffic, storm drainage, land values and compatibility of land use activities.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

Section 1. That Section 1005 of the City of Charlotte Zoning Ordinance is hereby amended by changing from R-9MF to I-1(CD) on the Official Zoning Map, City of Charlotte, North Carolina the following described property:

BEGINNING at an old iron marking the intersection of the northerly right-of-way margin of Brookshire Freeway Ramp with the westerly right-of-way margin of North Graham Street and running thence with the northerly right-of-way margin of Brookshire Freeway Ramp in seven (7) courses as follows: 1) thence N.74-38-01W. 165.40 feet to a concrete monument; 2) thence N.19-54-23E. 50.05 feet to a concrete monument; 3) thence N.68-20-36W. 93.03 feet to a concrete monument; 4) thence N.68-12-26W. 43.64 feet to a point; 5) thence S.19-41-53W. 33.37 feet to a point;

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6) thence N.69-48-50W. 103.49 feet to a concrete monument; 7) thence N.69-45-56W. 130.00 feet to a point; thence N.20-14-04E. 335.06 feet to a point in the right-of-way of Spratt Street (cul-de-sac); thence in a southerly, easterly and northerly direction 339.05 feet along a curve concave to the north having a radius of 125.00 feet to a point; thence with the easterly right-of-way margin of Spratt Street (50' R/W) N.18-19-33E. 101.12 feet to a point; thence S.67-01-32E. 333.12 feet to a point in the westerly right-of-way margin of Statesville Avenue; thence with the westerly right-of-way margin of Statesville Avenue in two (2) courses as follows: 1) thence S.0-41-17E. 65.51 feet to a point; 2) thence with an arc of a circular curve to the right having a radius of 216.18 feet an arc distance of 124.09 feet to a point; thence with the westerly right-of-way margin of North Graham Street S.32-12-03W. 309.71 feet to the point or place of BEGINNING. Containing 5.339 acres.

Section 2. That all subsequent development and use of the property shall be in accordance with the approved plan.

Section 3. That this ordinance shall become effective upon its adoption.

APPROVED AS TO FORM:

*Henry W. Underhill Jr.*  
Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of November, 1985, the reference having been made in Minute Book 85, and recorded in full in Ordinance Book 34, beginning on Page 168

Pat Sharkey  
City Clerk