

April 10, 1989  
Resolution Book 25 - Page 155

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
AMENDING THE FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM FOR  
FY1989-93.**

---

WHEREAS, the City of Charlotte has adopted a five-year program as a plan for needed capital facilities during fiscal years 1989 through 1992; and

WHEREAS, a need has been identified to accelerate the construction of a water main along Sardis Road from Rama Road to N.C. 51 from fiscal year 1990 to fiscal year 1989.

WHEREAS, this change concurs with the intent of the Capital Improvement Program to balance the City's future physical development with its long range financial capacity.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session duly assembled, that it does hereby formally amend the Capital Improvement Program for FY1989-93 to include this change.

This 10th day of April, 1989.

Approved as to form:

*[Signature]*  
Deputy 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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 10th day of April, 1989, the reference having been made in Minute Book 92, and is recorded in full in Resolution Book 25, at page(s) 155.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 13th day of April, 1989.

Pat Sharkey, City Clerk

156  
April 10, 1989  
Resolution Book 25 - Page 156

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT AGREEMENT WITH NORFOLK SOUTHERN CORPORATION AND APPROVE A ONE TIME FEE OF \$50.00 FOR THE RAILROAD'S ADMINISTRATIVE COST FOR INSTALLATION OF AN 8 INCH WATER MAIN ALONG GENERAL DRIVE (SR 1348) TO SERVE OTTO INDUSTRIES

---

BE IT RESOLVED by the City Council of the City of Charlotte, that the Mayor and City Clerk are hereby authorized to execute an encroachment agreement with the Norfolk Southern Corporation for the railroad's Administrative Cost For Installation Of An 8 Inch water Main Along General Drive (SR 1348) To Serve Otto Industries.

APPROVED AS TO FORM:

*Henry W. Underhill Jr.*

City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk for 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 a regular session convened on the 10th day of April 1989, the reference having been made in Minute Book 92, page \_\_\_\_\_, and recorded in full in Resolution Book 25, page 156.  
Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of April, 1989.

\_\_\_\_\_  
City Clerk

April 10, 1989  
Resolution Book 25 - Page 157

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN  
EASEMENT AGREEMENT WITH CSX TRANSPORTATION, INC. FOR THE WIDENING OF  
RAMA ROAD

IT RESOLVED by the City Council of the City of Charlotte, that the Mayor and City Clerk are hereby authorized to execute an encroachment agreement with the CSX Transportation, Inc. The road crossing shall be constructed at the cost and expense of the City as currently required by the laws of the State of North Carolina.

APPROVED AS TO FORM:

*Henry W. Underhill Jr.*

City Attorney

CERTIFICATION

I, Pat Sharkey, City Clerk for 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 a regular session convened on the 10th day of April 1989, the reference having been made in Minute Book 92, page \_\_\_\_\_, and recorded in full in Resolution Book 25, page 157.  
Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of April, 1989.

\_\_\_\_\_  
City Clerk

April 10, 1989  
Resolution Book 25 - Page 158

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE THAT:**

The street known as "Gaines Avenue" which appears on the plat of Ridgewood, Section 3 as the same is shown on a Map thereof recorded in Map Book 332 at Page 390 of the Mecklenburg County Public Registry and which is more particularly described in Exhibit "A" which is attached hereto and incorporated by reference herein and any previous dedication of Gaines Avenue is not part of the street plan adopted pursuant to NCGS Section 136-66.2.

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 10th day of April, 1989, the reference having been made in Minute Book 92, page       , and recorded in full in Resolution Book 25, page 158.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of April, 1989.

\_\_\_\_\_  
Pat Sharkey, City Clerk

DEED BOOK PAGE  
5789 0882

EXHIBIT A

BEGINNING at a point in the Eastern margin of the 30 foot right-of-way of Melchor Avenue (also known as Mechlor Avenue) said point being the Northwest corner of Lot 17 in Block 2 of RIDGEWOOD, SECTION 3 as the same is shown on a Map thereof recorded in Map Book 332 at Page 390 of the Mecklenburg County Public Registry; thence with the Eastern right-of-way of Melchor Avenue as the same extends across the intersection of Melchor Avenue and Gaines Avenue (Unopened) 30 feet to a point in the Eastern right-of-way of Melchor Avenue, which point is the Southwest corner of Lot 1 in Block 3 of Ridgewood, Section 3 as the same appears on the aforementioned map; thence with the Northern right-of-way of Gaines Avenue (Unopened) and the Southern Boundary of Lot 1 in Block 3 of Ridgewood, Section 3 as the same appears on the aforementioned Map 195 feet to the Southeastern corner of Lot 1; thence with the right-of-way of Gaines Avenue (Unopened), 10 feet to the Southwest Corner of Lot 10 in Block 3 of Ridgewood, Section 3 as the same appears on the aforementioned Map; thence with the Northern right-of-way of Gaines Avenue (Unopened) and the Southern Boundary of Lot 10 195 feet to a point in the right-of-way of Faulkner Place, said point being the Southeast corner of Lot 10 in Section 3 of Ridgewood, Section 3 as the same appears on the aforementioned Map; thence with the Western right-of-way of Faulkner Place as the same extends across the intersection of Faulkner Place and Gaines Avenue (Unopened) 30 feet to a point in the Western right-of-way of Faulkner Place, said point being the Northeast corner of Lot 18 in Block 2 of Ridgewood, Section 3 as the same appears on the aforementioned Map; thence with the Southern right-of-way of Gaines Avenue (Unopened) and the Northern line of Lot 18, 195 feet to the Northwest corner of Lot 18; thence with the Southern right-of-way of Gaines Avenue (Unopened) 10 feet to a point in the Southern right-of-way of Gaines Avenue (Unopened), said point being the Northeast corner of Lot 17 in Block 2 of Ridgewood, Section 3 as the same appears on the aforementioned Map; thence with the Southern right-of-way of Gaines Avenue (Unopened) and the Northern line of Lot 17, 195 feet to the point and place of BEGINNING.

BEING all of the right-of-way of Gaines Avenue as the same is shown on the Map of Ridgewood, Section 3 which is recorded in Book 332 at Page 390 of the Mecklenburg County Public Registry.

April 10, 1989  
Resolution Book 25 - Page 160

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-County 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 RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 10th day of April, 1989, 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 10th day of April, 1989, the reference having been made in Minute Book 92 and recorded in full in Resolution Book 25, page(s) 160-162.

Pat Sharkey  
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
General Motors Acceptance	107.85	Clerical error
Strickland, James D.	158.96	Illegal levy
Peterson, D. L. Trust	58.98	Clerical error
Bella, Roger Edward	110.80	Clerical error
Hudson, Todd Ashly	48.87	Clerical error
Scalley, Patrick George Jr.	30.30	Clerical error
Fiber Seal Southeast, Inc.	5.20	Illegal levy
Strickland, James D.	114.86	Illegal levy
Jackel, Detlef Wolfgang	42.71	Clerical error
Meyer Music, Inc.	151.16	Clerical error
Peterson, D.L. Trust	60.56	Clerical error
Adkins, Jennings M. & Betty L.	21.69	Clerical error
Adam, William Graham Jr. & Susan	161.88	Clerical error
Bailey, H. Stephen & Barbara G.	67.75	Clerical error
Barnette, Paul M. & Mary W.	46.05	Clerical error
Lawing, Ruth Garrison	39.47	Clerical error
Bond, Clyde Daniel	29.41	Clerical error
Cornack, Christopher Lee	62.71	Illegal levy
De La Vega, Kerry C. & Janet G.	74.76	Clerical error
Downs, Dianne B.	196.33	Illegal levy
Ennis, Andrew N. & Bonnie M.	112.39	Illegal levy
Eppley, Alan Wayne	31.63	Illegal levy
Greer, Douglas	96.68	Clerical error
Hall, Mildred A.	67.75	Clerical error
Hicklin, Mary N.	37.70	Clerical error
Holcomb, Rufus T. & Alma S.	29.41	Clerical error
Hudson, Todd Ashby	44.16	Clerical error
Katz, Edward Stewart	91.35	Illegal levy
Kiser, Jerry W.	22.32	Clerical error
Mumaw, Gary Allen	64.71	Clerical error
McCulloch, James L. Jr.	36.02	Clerical error
McSwain, Paula Grace Jacks	4.05	Clerical error
Miller, Angela F.	35.88	Clerical error
Moore, Katherine Freeman	43.39	Illegal levy
Munson, Thomas J.	81.12	Illegal levy
Newsom, Cheryl Dawn	14.18	Clerical error
Newsome, Roland & Elizabeth A.	161.78	Clerical error
Noble, Christopher Dean	44.16	Clerical error
Palmer, Oscar & Ethel D.	112.56	Clerical error
Rudo, Rochelle Abbey	44.16	Clerical error
Sherer, Laura Carlene	27.90	Clerical error
Sparr, Alan C. & Rita	10.04	Clerical error
Simpson, Joseph W.	35.31	Clerical error
Troutman, Michael David	58.34	Clerical error
Tucker, James Thomas Jr.	56.03	Clerical error
Wall, George Bryan & Rosemary S.	29.98	Clerical error
Wallace, Deborah Faye	32.36	Clerical error

Walters, Lou Ann	32.27	Clerical error
Williams, Edward J. Jr. & Lynn L.	50.62	Clerical error
Williams, Mozelle W.	44.16	Clerical error
Willis, Johnnie Emmett Jr.	4.42	Clerical error
Anderson Medical, Inc.	165.84	Clerical error
Derita Auto Parts, Inc.	87.69	Clerical error
Fiber Seal Southeast, Inc.	4.69	Illegal levy
Kiddie Farms, Inc.	80.55	Clerical error
L.M.V. Leasing, Inc.	78.99	Illegal levy
Montgomery Mazada	119.57	Clerical error
Retail Express, Inc.	132.81	Illegal levy
Bennion, Richard Edgar	39.47	Clerical error
Southern National Leasing	68.32	Illegal levy
Textron Financial Corp.	177.36	Clerical error
A Cleaner World #116	1.74	Clerical error
Thompson Dental Co.	86.89	Clerical error
A Cleaner World #116	2.08	Clerical error
A Cleaner World #116	2.59	Clerical error
A Cleaner World #116	2.78	Clerical error
A Cleaner World #116	3.25	Clerical error
A Cleaner World #116	3.68	Clerical error
Manucor Leasing, Inc.	165.90	Illegal levy
Make check payable to: City-County Tax Collector		
Barber, Richard Allen	75.85	Clerical error
Biggs, Charles Raymong	60.93	Clerical error
Caudell, Michael Dean & Patricia	2.97	Clerical error
Cole, Earlene Ravenell	125.82	Clerical error
Efird, Aaron Hardwick	138.79	Illegal levy
Estes, Donald Earl Jr.	27.80	Clerical error
Efird, Aaron Hardwick	75.85	Illegal levy
Gregg, Joyce Savage	32.35	Illegal levy
Gregg, Randy Monroe	86.89	Illegal levy
Harkey, Rodney Alan	38.23	Clerical error
Holland, Lynn Poteat	30.43	Clerical error
Howard, Karla Lang	55.68	Clerical error
Lockard, Jack Stuart	63.48	Clerical error
Noble, Christopher Dean	49.19	Illegal levy
Make check payable to: City-County Tax Collector		
Rubino, Virginia Vandertoo	32.35	Clerical error
Whitten, George	41.47	Clerical error
Service Thread Company	63.41	Illegal levy

---

\$5,372.82



A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS  
FOR THE ACQUISITION OF CERTAIN REAL PROPERTY

WHEREAS, the City Council of The City of Charlotte finds as a fact that it is necessary to acquire certain property as indicated below for the Central Avenue/Hawthorne Lane Intersection Improvements Project; and

WHEREAS, the City either in good faith has undertaken to negotiate for the purchase of this property but has been unable to reach an agreement with the owners for the purchase price or, after reasonable diligence, has been unable to locate all the parties in interest, and has, therefore, been unable to negotiate a purchase price;

NOW, THEREFORE, BE IT RESOLVED by the City Council of The City of Charlotte, that condemnation proceedings are hereby authorized to be instituted against the property indicated below, under the authority and procedures of the laws of the State of North Carolina:

<u>Parties in Interest</u>	<u>Property Description</u>	<u>Appraised Value</u>
Grace A. Query	4,806 s. f., plus 30 s. f. for down guy easement, and temporary construction easement of 3,417 s. f. of Tax Parcel No. 081-111-07	\$ 34,000.00
Grady W. Query	(Same)	(Included)
Any Other Parties in Interest	(Same)	(Included)

IT IS FURTHER RESOLVED that the appraised value of the property is hereby authorized to be deposited in the Office of the Clerk of Superior Court, Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

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 a Resolution adopted by the City Council of The City of Charlotte, North Carolina, in regular session convened on the 10th day of April, 1989 and the reference having been made in Minute Book 92, Page \_\_\_\_\_, and recorded in full in Resolution Book 25, Page 163.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 14th day of April, 1989.

\_\_\_\_\_  
City Clerk

April 10, 1989  
Resolution Book 25 - Page 164

A RESOLUTION OF THE CHARLOTTE CITY COUNCIL ENDORSING THE PASSAGE OF HOUSE BILL 399.

WHEREAS, House Bill 399 contains a comprehensive response to North Carolina's mounting transportation needs; and

WHEREAS, this bill would increase funding for both urban and secondary road construction and would result in an approximate one-third increase in Powell Bill Funds for municipalities; and

WHEREAS, this bill would speed up the implementation of the Transportation Improvement Plan; and

WHEREAS, the entire State of North Carolina would benefit from the improved transportation system that passage of this legislation will provide.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session, duly assembled that it does hereby express its support for the passage of House Bill 399 and urges the Mecklenburg County Delegation and the entire General Assembly to pass this critical legislation.

Unanimously approved this 10th day of April, 1989.

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 10th day of April, 1989, the reference having been made in Minute Book 92, and is recorded in full in Resolution Book 25, at page(s) 164.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of April, 1989.

\_\_\_\_\_  
Pat Sharkey, City Clerk