

RESOLUTION

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE U.S. DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION FOR TRANSIT ASSISTANCE GRANTS UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED.

WHEREAS, the Secretary of Transportation is 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 accordance 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 and the U. S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services:

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

1. That the City Manager is authorized to execute and file applications on behalf of the City of Charlotte with the U. S. Department of Transportation and North Carolina Department of Transportation, to aid in the financing of transit assistance projects.
2. That the City Manager is authorized to execute and file with such applications an assurance or any other document required by the U. S. Department of Transportation or the North Carolina Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the Director of the Charlotte Department of Transportation is authorized to furnish such additional information as the U. S. Department of Transportation may require in connection with the application for the project;

4. That the City Manager or his designee is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.
5. That the Mayor is authorized to execute grant agreements and any amendments thereto on behalf of the City of Charlotte with the U. S. Department of Transportation and the North Carolina Department of Transportation for aid in the financing of the transit assistance projects.

Approved as to form:

*76. Michael J. L.*  
*Dep* City Attorney

9/19/91  
Date

CERTIFICATION

The undersigned duly qualified and acting City Clerk of the City of Charlotte certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the Charlotte City Council held on September 23, 1991.

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

\_\_\_\_\_  
Date

EXTRACT FROM THE MINUTES OF A Regular  
MEETING OF THE City Council of the City of Charlotte  
HELD ON September 23, 1991

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

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND  
RATIFYING THE EXECUTION OF GRANT AGREEMENT FOR PROJECT NUMBER  
3-37-0012-16 BETWEEN THE UNITED STATES OF AMERICA AND  
City of Charlotte, North Carolina.

BE IT RESOLVED, by the City Council of City of  
Charlotte, North Carolina

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 City of Charlotte, North Carolina

SECTION 2. That the Execution of said Grant Agreement in  
quadruplicate on behalf of said City of Charlotte, North Carolina  
by Assistant City Manager; Mr. Del Borgsdorf  
and the impression of the official seal of the \_\_\_\_\_  
(if there is no seal, so state  
and the attestation by Pat Sharkey; City Clerk  
is hereby authorized, adopted, approved, accepted and ratified.

SECTION 3. That the Aviation Director is hereby  
to execute payment requests under this Grant Agreement on behalf of said  
City of Charlotte, NC.

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of September, 1991, the reference having been made in Minute Book 9, and recorded in full in Resolution Book 28, Page(s) 188-189.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1991.

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

**RESOLUTION DIRECTING THAT STORM DRAINAGE IMPROVEMENTS  
BE MADE ON RIVERBEND ROAD IN THE  
CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA**

WHEREAS, Francis A. and Suzanna C. Thompson has filed a Petition to make storm drainage improvements on 3825 and 3833 Riverbend Road in the City of Charlotte, North Carolina; and

WHEREAS, the storm drainage improvements shall be made on private property at 3800 block of Riverbend Road as shown on a map marked "Exhibit A" which is available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

WHEREAS, one-half of the cost of the storm drainage improvements construction in accordance with City standards, of a character, size, type and material to be determined by the City and including grading or regrading, exclusive of the cost incurred in maintained street rights-of-way and the share of railroads (if any) and the State of North Carolina (if any) be assessed upon the involved lots and parcels of land as authorized by N.C.G.S. Article 10, Chapter 160A, City Charter Section 7.101 et seq, and the Storm Drainage Repair Policy, and listed on the limited petition marked "Exhibit B" which is available for inspection in the office of the City Clerk, City Hall, Charlotte, North Carolina; and

WHEREAS, the final assessments, based on the actual total cost of constructing the improvements or the cost estimated by the City Engineer at the time of City Council approval, whichever is less, and published by the Mecklenburg County Tax Collector, may be paid without interest within 30 days of the publication, or in ten annual installments accruing 8% interest on the unpaid balance, due and payable each year on the date property taxes are due; and

WHEREAS, all involved property owners subject to assessment have signed a petition requesting that storm drainage repairs be made and one-half of the private property cost be assessed on their lots and parcels of land, precluding the need for a public hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, at its regularly assembled meeting of , 19 , that the Council hereby orders the making of storm drainage improvements on 3825 and 3833 Riverbend Road in the City of Charlotte, North Carolina.

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

RIVER.R/NPP51200

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 23rd day of September, 1991, the reference having been made in Minute Book 99, and recorded in full in Resolution Book 28, Page(s) 190-191.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1991.

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

A RESOLUTION AUTHORIZING THE REFUND OF CERTAIN TAXES

Reference is made to the schedule of "Taxpayers and Refunds Requested" attached to the Docket for consideration of the City Council. On the basis of that schedule, which is incorporated herein, the following facts are found:

1. The City-County Tax Collector 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 the required time limits.
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 23rd day of September, 1991, 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 a regular session convened on the 23rd day of September, 1991, the reference having been made in Minute Book 99 and recorded in full in Resolution Book 28, page(s) 192-194.

Pat Sharkey  
City Clerk

TAXPAYERS AND REFUNDS REQUESTED  
MORE THAN \$100

<u>Name</u>	<u>Amount of Refund</u>
Blackmon Service Inc.	\$ 209.98
Postal Instant Press c/o One Forty Four, Inc.	257.54
Blackmon Service Inc.	171.97
Postal Instant Press c/o One Forty Four, Inc.	208.21
Blackmon Service Inc.	154.98
J & K Cafeteria of 51 Inc.	2,943.20
Krueger Ringier Inc.	3,112.59
Postal Instant Press c/o One Forty Four, Inc.	165.75
Reliance Standard Life Insurance Co.	162.74
J & K Cafeteria of 51 Inc.	2,742.34
Krueger Ringier Inc.	2,723.52
Postal Instant Press c/o One Forty Four, Inc.	146.95
Reliance Standard Life Insurance Co.	145.69
Emery Worldwide CF Company	5,429.99
Kirkpatrick, Judy C.	108.14
Blackmon Service Inc.	338.18
Chiller Services, Inc.	131.43
Emery Worldwide CF Company	3,363.86
J & K Cafeteria of 51 Inc.	2,491.38
Mueller Belting c/o Specialty Company Inc.	564.50
Postal Instant Press c/o One Forty Four, Inc.	121.83
Reliance Standard Life Insurance Co.	138.41
Smith Turf & Irrigation Company	1,637.65
Pioneer Commercial Properties, Inc.	4,047.44
Volvo Finance North America, Inc.	115.19
Palmer Aronld Leasing Company	106.72
Emery Worldwide CF Company Addl. 90	134.50
Griffin Leasing Rental Inc.	111.74
Village Tavern	1,190.57
Golden Palace Restaurant	180.00
Leasway Transportation	547.40
Brooks Fashion Inc.	\$ 694.79
Total	<u>\$34,599.18</u>



TAX REFUNDS PAID  
LESS THAN \$100

<u>Name</u>	<u>Amount of Refund</u>
Johnston, Phillip A.	\$ 45.35
Mungo, Harold	32.13
Citizens & Southern National Bank	82.01
Basil, John Theophilos	19.81
Beam, Joseph Vance	45.20
Beam, Joseph Vance	76.65
Curtis, Eugene Clay	61.85
Hood, Audrey Denise	57.65
Basil, John Theophilos	20.71
McClellan, Brenda Louise	25.41
Orsbon, Richard Anthony	32.22
Total	<u>\$498.99</u>

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 and shown on the attached survey for the Airport Master Plan Project; and

WHEREAS, the City in good faith has undertaken to negotiate for the purchase of this property but has either 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:

Parties in Interest

Airport Park 160, a general partnership consisting of Aubrey J. Elam, Aubrey John Elam, Jr., N. S. Fadero, Rodney J. Elam and Tamara L. Elam; Any Other Parties in Interest.

Property Description

Approximately .0532 acres in fee simple, constituting a triangular parcel on the northwesterly or backside of the 13.49+ acre tract fronting on Paul Brown Boulevard and designated as Tax Parcel Number 141-013-30, all as shown on the attached Boundary Survey prepared by John R. Yarbrough, Registered Land Surveyor, dated July 24, 1991.

Appraised Value

\$39,445.00, or such other amount as may be subsequently determined pursuant to applicable City, FAA and other Federal regulations.

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:

Henry W. Claderhill 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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of Setpember, 1991, the reference having been made in Minute Book 99, and recorded in full in Resolution Book 28, Page(s) 195-196.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1991.

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Pat Sharkey, City Clerk

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 and shown on the attached survey for the Airport Master Plan Project; and

WHEREAS, the City in good faith has undertaken to negotiate for the purchase of this property but has either 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:

Parties in Interest

A. J. Elam, Jr.; R. J. Elam, T. E. Mazzucco, N. S. Fadero; Any Other Parties in Interest

Property Description

Approximately 5.644 acres in fee simple, now or formerly known as 4725 New Dixie Road and Tax Parcel Number 141-013-11, as shown on the attached Boundary Survey prepared by John R. Yarbrough, Registered Land Surveyor, dated July 24, 1991.

Appraised Value

\$410,668.00, or such other amount as may be subsequently determined pursuant to applicable City, FAA and other Federal regulations.

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:

Henry W. Chamberlain 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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of September, 1991, the reference having been made in Minute Book 99, and recorded in full in Resolution Book 28, Page(s) 197-198.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1991.

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Pat Sharkey, City Clerk

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 and shown on the attached survey for the Airport Master Plan Project; and

WHEREAS, the City in good faith has undertaken to negotiate for the purchase of this property but has either 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:

Parties in Interest

Aubrey John Elam, Jr., N. S. Fadero, Rodney J. Elam and Tamara L. Elam; Any Other Parties in Interest

Property Description

Approximately 34.325 acres in fee simple known as all of Tax Parcel Number 141-013-16 except for approximately 3.865 acres on the southside of said tax parcel, all as shown on the attached Boundary Survey prepared by John R. Yarbrough, Registered Land Surveyor, dated July 24, 1991.

Appraised Value

\$2,899,886.00, or such other amount as may be subsequently determined pursuant to applicable City, FAA and other Federal regulations.

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:

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 a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 23rd day of September, 1991, the reference having been made in Minute Book 99, and recorded in full in Resolution Book 28, Page(s) 199-200.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of September, 1991.

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Pat Sharkey, City Clerk