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RESOLUTION OF CITY COUNCIL OF THE CITY OF CHARLOTTE,
NORTH CAROLINA, APPROVING THE REDEVELOPMENT PLAN AND THE
FEASIBILITY OF RELOCATION FOR THE FIVE POINTS TARGET AREA

WHEREAS, Title I of the Housing and Community Development Act of 1974 (P.L. 93-383) created a new Community Development Funding Program and amended and extended laws related to housing and urban development and for other purposes; and

WHEREAS, the City of Charlotte has submitted an application in accordance with certain well-defined Federal objectives and has received approval from the United States of America for the execution of a comprehensive Community Development Program to be financed with Community Development Block Grant Funds; and

WHEREAS, one of the Community Development target areas for which such Federal funds have been allocated and the application has been approved is identified as "Five Points Target Area" encompassing the area generally bounded by Mattoon Street on the North, Northwest Freeway on the northeast, Interstate 77 on the southeast, West Trade Street on the south and west and Jenkins Street on the west, in the City of Charlotte, State of North Carolina (herein called the "Locality"); and

WHEREAS, the City of Charlotte has made detailed studies of the location, physical condition of structures, land use, environmental influences, and social, cultural and economic conditions of the Community Development Area and has determined that the Target Area is a "blighted area" predominantly residential in character as determined by the "Certification Study, Five Points Area" approved by the Charlotte-Mecklenburg Planning Commission, August 3, 1976, and that it is detrimental and a menace to the safety, health and welfare of the inhabitants and users thereof and of the Locality at large, because of extent of building dilapidation and deterioration, lack of light and air to residential buildings, and overcrowding, and the members of the City Council of the City of Charlotte (hereinafter called the "Governing Body") have been fully apprised and are aware of these facts and conditions; and

WHEREAS, there has been prepared and referred to the Governing Body for review and approval a Redevelopment Plan for the Five Points Redevelopment Area, dated November, 1976, and consisting of 49 pages and 7 exhibits; and

WHEREAS, a overall general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS, the Charlotte-Mecklenburg Planning Commission, which is the duly designated and acting official planning body for the Locality, has submitted to the Governing Body its report and recommendations respecting the Redevelopment Plan for the Redevelopment Area and has certified that the Redevelopment Plan conforms to the general plan for the Locality as a whole; and the Governing Body has considered the report, recommendations and certification of the planning body; and

WHEREAS, pursuant to the State Mandatory Referral Law, the Charlotte-Mecklenburg Planning Commission has submitted to the Governing Body its approval respecting the Redevelopment Plan for the Target Area; and

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WHEREAS, the Redevelopment Plan for the Redevelopment Area prescribes certain land uses for the Redevelopment Area and will require, among other things, changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action; and

WHEREAS, the Community Development Department has prepared and submitted a program for the relocation of individuals and families that may be displaced as a result of carrying out the Redevelopment Area in accordance with the Redevelopment Plan; and

WHEREAS, there have also been presented to the Governing Body information and data respecting the relocation program which has been prepared by the Community Development Department as a result of studies, surveys, and inspections in the Redevelopment Area and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the Redevelopment Area and of the availability of proper housing in the Locality for the relocation of individuals and families that may be displaced from the Redevelopment Area and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, it is necessary that the Governing Body take appropriate official action respecting the relocation program and the Redevelopment Plan for the Redevelopment Area in conformity with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (P.L. 91-646) and the North Carolina Urban Redevelopment Law of 1951, as amended, N.C.G.S. 160A-500 through 160A-526; and

WHEREAS, The Conditions Under Which the City of Charlotte Will Make Relocation Payments, the Schedule of Average Gross Rentals for Standard Housing in the Locality, the Schedule of Average Prices of Comparable Sales Housing in Locality, and the Fixed Relocation Payments Schedule were reviewed and considered at the meeting; and

WHEREAS, the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of Community Development projects with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin:

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

1. That it is hereby found and determined that the Five Points Target Area qualifies under the Community Development Block Grant Program and as an eligible Redevelopment Area under the North Carolina Urban Redevelopment Law of 1951, as amended, N.C.G.S. 160A-500 through 160A-526.

2. That the Redevelopment Plan for the Redevelopment Area, having been duly reviewed and considered, is hereby approved, and the City Clerk be and is hereby directed to file said copy of the Redevelopment Plan with the minutes of this meeting.

3. That is is hereby found and determined that the objectives of the Redevelopment Plan cannot be achieved solely through rehabilitation of the Redevelopment Area.

4. That it is hereby found and determined that the Redevelopment Plan for the Redevelopment Area conforms to the general plan of the Locality.

5. That it is hereby found and determined that the Redevelopment Plan for the Redevelopment Area will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the urban renewal and conservation of the Area by private enterprise.

6. That it is hereby found and determined that the Redevelopment Plan for the Redevelopment Area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.

7. That it is hereby found and determined that the program for the proper relocation of individuals and families displaced in carrying out the Community Development Project in decent, safe, and sanitary dwellings in conformity with acceptable standards is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Project; and that such dwellings or dwelling units available or to be made available to such displaced individuals and families are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families in the Redevelopment Area, are available at rents or prices within the financial means of the displaced individuals and families, and are reasonably accessible to their places of employment.

8. That, in order to implement and facilitate the effectuation of the Redevelopment Plan hereby approved, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out the Redevelopment Plan; (b) requests the various officials, departments, boards, and agencies of the Locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan; and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Redevelopment Plan.

9. That the conditions under which the City of Charlotte will make Relocation Payments are hereby in all respects approved.

10. That the Schedule of Average Annual Gross Rentals for Standard Housing in Locality is in all respects approved.

11. That the Schedule of Average Prices of Comparable Sales Housing in Locality is in all respects approved.

12. That the Fixed Relocation Payments Schedule is in all respects approved.

13. That the Director, Community Development Department, is hereby designated to approve all claims for Relocation Payments.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of April, 1977, the reference having been made in Minute Book 65, and is recorded in full in Resolutions Book 12, at Page 347-349.

Ruth Armstrong
City Clerk

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE CALLING FOR A JOINT PUBLIC HEARING TO BE HELD BY THE COUNCIL AND THE CHARLOTTE-MECKLENBURG HISTORIC PROPERTIES COMMISSION ON THE QUESTION OF THE DESIGNATION OF A STRUCTURE AND REAL PROPERTY KNOWN AS "LYNNWOOD" AS HISTORIC PROPERTY.

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has made an investigation and report on the historic, architectural, education and cultural significance of the structure and real property as described below; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has recommended that the City Council adopt an ordinance designating the structure and real property described below as historic property pursuant to Part 3B, Article 19 of Chapter 160A of the General Statutes of North Carolina; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has determined that the structure and real property described below meet the criteria for inclusion on the National Register of Historic Places established by the National Historic Preservation Act of 1966, Public Law 89-655, 16 U.S.C.A., Section 470(a), as amended.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that the City Council and the Charlotte-Mecklenburg Historic Properties Commission will hold a joint public hearing in the Council Chamber on the second floor of City Hall, 600 East Trade Street at 3:00 p.m., on the 2nd day of May, 1977, at which time interested parties will have an opportunity to be heard on the question of the designation of the structure and real property known as "Lynnwood" as historic property, being more specifically described as follows:

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Beginning at an old iron on the southerly R/W of Edgehill Road (south), said point being the northeast corner of Lot 6, Block 4, as recorded in Deed Book 8 Page 461, Mecklenburg County Registry; thence with said R/W (also being the back of a concrete walk) with the arc of a circular curve to the right, having a radius of 1271.45 ft. a distance of 191.79 ft. to a point; thence with the arc of a circular curve to the right having a radius of 281.88 ft., a distance of 23.74 ft., to a point, said point being the southerly R/W of Hermitage Road; thence with the arc of a circular curve to the right having a radius of 283.41 ft., a distance of 120.28 ft. to a point; thence S. 37-48-30 E., 24.57 ft. to a point; thence with the arc of a circular curve to the left, having a radius of 325.55 ft. a distance of 70.03 ft. to a point; thence S. 50-08-00 E., 41.12 ft. to a point; thence with the arc of a circular curve to the right, having a radius of 1292.50 ft. a distance of 67.44 ft. to a point; thence S. 47-08-37 E., 42.74 ft. to a point. thence with arc of a circular curve to the right, having a radius of 237.20 ft., a distance of 100.75 ft. to a point; thence with the arc of a circular curve to the right, having a radius of 80.16 ft., a distance of 29.61 ft. to a point; thence with the arc of a circular curve to the right having a radius of 43.54 ft., a distance of 46.64 ft. to a point; thence S. 59-44-04 W., 17.32 ft. to a point; thence with the arc of a circular curve to the right, having a radius of 265.77 ft., a distance of 20.24 ft. to a point; thence with the arc of a circular curve to the right, having a radius of 708.00 ft., a distance of 300.28 ft., to a point; thence with the arc of a circular curve to the right, having a radius of 733.75 ft., a distance of 107.74 ft., to an old iron; thence N. 04-19-10 W., 262.90 ft. to an iron; thence N. 83-04-03 W., 124.91 ft., to an old iron; thence N. 12-22-04 E., 281.29 ft., to the point of beginning. Containing 4.44 acres as shown on a map by R. B. Pharr & Associates, dated March 25, 1977, File No. VV 140.

BE IT FURTHER RESOLVED that written notice of said public hearing will be mailed to all owners and occupants of the structure and real property described above, and that additional notice of said public hearing be given by publication in a local newspaper of general circulation, all notices to conform to applicable law.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of April, 1977, the reference having been made in Minute Book 65, and is recorded in full in Resolutions Book 12, at Page 350-351.

Ruth Armstrong
City Clerk

A RESOLUTION TO AMEND THE RESOLUTION ADOPTED BY CITY COUNCIL ON JULY 26, 1976, AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CORA ANN CLARK (WIDOW) AND LEASEHOLD INTEREST, LOCATED OFF HARRIS HOUSTON ROAD IN THE COUNTY OF MECKLENBURG FOR MALLARD CREEK WASTEWATER TREATMENT PLANT SITE.

WHEREAS, on the 26th day of July, 1976, City Council authorized condemnation proceedings to be instituted against the property of Cora Ann Clark (Widow) and a leasehold interest, located off Harris Houston Road in the County of Mecklenburg to acquire land on which to construct Mallard Creek Wastewater Treatment Plant, a part of the sewage collection and disposal system; and

WHEREAS, since the resolution was adopted on July 26, 1976 the City has found it necessary to reappraise the property since the original appraisal of \$47,287.60 did not include damage to the property retained by the owner and considered only the property acquired, and for these reasons it was necessary that the property be reappraised to include both the property acquired and severance damage.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in a regularly assembled session this 18th day of April, 1977, that the resolution adopted on July 26, 1976, authorizing the institution of condemnation proceedings against the property belonging to Cora Ann Clark (Widow) and a leasehold interest located off Harris Houston Road in the County of Mecklenburg, shall be amended in the following manner.

That paragraph 4 is deleted in its entirety and substituted in lieu thereof the following:

"BE IT FURTHER RESOLVED that \$60,270.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking."

Except as hereby amended, said resolution shall remain as originally adopted.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 18th day of April, 1977, and the reference having been made in Minute Book 65, page , and recorded in full in Resolutions Book 12, page 352.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of April, 1977.

Ruth Armstrong
Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING THE REFUND
OF CERTAIN TAXES

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

1. The City-County Tax Collector collected taxes from the taxpayers set out on the list attached to the Docket.

2. The City-County Tax Collector has certified that those taxpayers made demand in writing for refund of the amounts set out on the schedule within eight years from the date the amounts were due to be paid.

3. The amounts listed on the schedule were collected through clerical error or by a tax illegally levied and assessed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session assembled this 18th day of April, 19 77, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested", be refunded the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of April, 1977, the reference having been made in Minute Book 65, and is recorded in full in Resolutions Book 12, at page 353.

Ruth Armstrong
City Clerk

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TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
William D. Douglas Austin, Jr. and wife, Inga Lisa	\$ 11.20	Clerical Error
L. G. Eakes & James Z. Eakes, Jr.	244.46	Clerical Error
D. L. Peterson Trust	16.94	Clerical Error
D. L. Peterson Trust	348.70	Illegal Levy
D. L. Peterson Trust	129.49	Clerical Error
Kathryn Fowler Flathery	16.21	Clerical Error
Stephen Paul Hoefle	2.87	Clerical Error
Octavus Jon McRae	29.14	Clerical Error
Helen Saine Medlin	.83	Clerical Error
Park Florist	23.21	Clerical Error
Cliff Passons	16.70	Clerical Error
Thomas Milton Phillips, Jr.	21.30	Clerical Error
Karl Henry Russell	16.46	Clerical Error
Saunders Brothers, Inc.	4.84	Clerical Error
Stephen Carlisle Smith	6.63	Clerical Error
William Smith	.83	Clerical Error
Nancy Carolyn Snow	17.18	Clerical Error
Terry Franklin Tarleton	.75	Clerical Error
Cindy Gail Teno	19.12	Clerical Error
Robert Darwin Tomlin	61.47	Clerical Error
Bruce Lyle Watts	.87	Clerical Error
Carrie Williams Whitley	11.76	Clerical Error
No. 1 Interlease Corp.	20.34	Clerical Error
Henry Percival Bridges, Jr.	<u>4.84</u>	Clerical Error
	<u>\$1,026.14</u> =====	

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A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT AGREEMENT WITH SOUTHERN RAILWAY COMPANY FOR A CROSSING AND IMPROVEMENT ON REMOUNT ROAD

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 Southern Railway Company to perform certain work in connection with the widening of a public street known as Remount Road and across the right of way of Southern Railway Company. A separate agreement will be entered into in the future with regard to the flashing light signals.

The terms of payment to the Railway Company for this crossing are as follows:

For the widening of Remount Road at this crossing, the estimated cost is \$5,198.00 for which the City will pay 50% and the Railroad will pay 50%.

The above percentages are established and are in accordance with N. C. State Statutes as determined by the City Attorney's office.

Approved as to form:

Henry W. Chadwell Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, 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 18th day of April, 1977, the reference having been made in Minute Book 65, page , and recorded in full in Resolutions Book 12, page 355.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of April, 1977.

Ruth Armstrong
Ruth Armstrong, City Clerk

ECL/jgr