

RESOLUTION  
OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, N. C.  
AUTHORIZING FILING OF APPLICATION  
FOR GRANT TO ACQUIRE AND DEVELOP OPEN-SPACE LAND

WHEREAS, Title VII of the Housing Act of 1961, as amended, provides for the making of grants by the Secretary of Housing and Urban Development to States and local public bodies to assist them in the acquisition and development of permanent interests in land for open-space uses where such assistance is needed for carrying out a unified or officially coordinated program for the provision and development of open-space land as part of the comprehensively planned development of the urban area; and

WHEREAS the City of Charlotte (herein sometimes referred to as "Applicant") desires to acquire and develop as urban parks, four certain land parcels in the Belmont and Upper Greenville neighborhoods, as described in Code OS 101, which land is to be held and used for permanent open-space; and

WHEREAS Title VI of the Civil Rights Act of 1964, and the regulations of the Department of Housing and Urban Development effectuating that Title, provide that no person shall be discriminated against because of race, color, or national origin in the use of the land acquired and/or developed; and

WHEREAS it is recognized that the contract for Federal Grant will impose certain obligations and responsibilities upon the Applicant and will require among other things (1) compliance with Federal labor standards, and (2) compliance with Federal requirements relating to equal employment opportunity; and

WHEREAS it is estimated that the cost of acquiring said interests will be \$47,800.00 and

WHEREAS it is estimated that the cost of development of said land will be \$52,042 and

WHEREAS it is estimated that the administrative cost will be \$4,620.

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

1. That an application be made to the Department of Housing and Urban Development for a grant in an amount authorized by Title VII of the Housing Act of 1961, as amended, which amount is presently estimated to be \$52,231, and that the Applicant will pay the balance of the cost from other funds available to it.

2. That the Mayor is hereby authorized and directed to execute and to file such application with the Department of Housing and Urban Development, to provide additional information and to furnish such documents as may be required by said Department, to execute such contracts as are required by said Department, and to act as the authorized correspondent of the Applicant.

OS 151  
Attachment A

3. That the proposed acquisition and development is in accordance with plans for the allocation of land for open-space uses, and that, should said grant be made, the Applicant will acquire, develop, and retain said land for the use(s) designated in said application and approved by the Department of Housing and Urban Development.

4. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the Applicant with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964.

5. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the Applicant with the Federal labor standards imposed under Title VII of the Housing Act of 1961, as amended.

6. That a land acquisition policy will be developed whereby every reasonable effort to acquire each property by negotiated purchase will be made before instituting eminent domain proceedings against the property. In addition, a property owner will not be required to surrender the right to possession of his property until the applicant pays, or causes to be paid, to the owner (a) the agreed purchase price arrived at by negotiation, or (b) in any case where only the amount of the payment to the owner is in dispute, not less than 75% of the appraised fair value as approved by the applicant and concurred in by the United States Department of Housing and Urban Development. Also, the applicant will not require any person lawfully occupying property to surrender possession without at least 90-days' written notice from the applicant of the date on which possession will be required.

Approved as to form:

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

CERTIFICATION

I, Louise Comfort, Deputy City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 5<sup>th</sup> day of Aug. 1970, the reference having been made in Minute Book     , Page     , and recorded in full in Resolutions Book     , Pages     .

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the      day of Aug. 1970.

Louise Comfort  
Deputy City Clerk

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT FOR  
GRANT TO ACQUIRE AND DEVELOP OPEN-SPACE LAND.

WHEREAS, the City of Charlotte desires to acquire and develop as mini-parks six certain land sites in the Model Neighborhood and two parcels West of the Model Neighborhood, South of West Trade Street between the Model Neighborhood western boundary and Interstate Highway 85 as set forth in its application, which land is to be held and used for permanent open-space; and

WHEREAS, the City of Charlotte did request a grant to Acquire and/or Develop Land for Open-Space Purposes under Title VII of the Housing Act of 1961, as amended, from the United States Department of Housing and Urban Development, to assist in the financing of Project No. N. C. OSC-51; and

WHEREAS, the United States Department of Housing and Urban Development did approve a grant in the amount of \$54,929 to the City of Charlotte for the purpose of financing this project, with the balance of the cost to come from other funds available to it; and

WHEREAS, the United States Department of Housing and Urban Development has submitted to the City of Charlotte a contract for grant to Acquire and/or Develop Land for Open Space Purposes, No. N. C. OSC-51(G), for execution by the Mayor.

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

That Mr. John M. Belk, Mayor, is hereby authorized to execute said contract on behalf of the City of Charlotte, North Carolina.

Approved as to form:

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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 3rd day of August, 1970, the reference having been made in Minute Book 54, at Page 148, and recorded in full in Resolution Book 7, at Page 122.

Louise Comfort  
Deputy City Clerk