

February 4, 1974
Resolutions Book 9 - Page 390

RESOLUTION CLOSING A 10' ALLEYWAY
IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, a Petition has been filed and received in accordance with the provisions of Chapter 153, Section 9, Subsection 17 and Chapter 160A, Section 299, Subsection (a) of the General Statutes of North Carolina, requesting the closing of:

A 10' ALLEYWAY leading off of FARISH AVENUE

in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the City Council has caused to be published a Resolution of intent to close said alleyway and calling for a public hearing on the question, and has in all other respects complied with the provisions of said statutes with regard to the giving of notice and holding of public hearing; and

WHEREAS, said public hearing was held on the 4th day of February, 1974; and

WHEREAS, the Petitioner, Carolina Paper Board Corporation, a North Carolina corporation, owns a portion of the land adjoining the affected alleyway; and

WHEREAS, no persons, firms or corporations or parties in interest have appeared in opposition to the closing of said alleyway;

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

That the Council hereby orders the closing of

A 10' ALLEYWAY leading off of FARISH AVENUE

as same is more particularly described in Exhibit "A" attached hereto and made a part hereof, it appearing to the satisfaction of the City Council that the closing of said alleyway is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

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

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 4th day of February, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 9, at Page 390.

Ruth Armstrong, City Clerk

EXHIBIT "A"

Beginning at an iron in the southeastern corner of Lot 1 in Block 11 as shown on map recorded in Map Book 332 at Page 3 in the office of the Register of Deeds, Mecklenburg County, North Carolina; running thence N 57-21 W 361 feet to an iron in the southwestern corner of Lot 8 in Block 11 as shown on said map; running thence S 3-36-10 E 10.00 feet to an iron in the northwestern corner of Lot 9 in Block 11 as shown on said map; running thence S 57-21 E 353.67 feet to an iron in the northeastern corner of Lot 9 in Block 11 as shown on said map; running thence N 32-39 E 10.00 feet to the point or place of Beginning.

Being all of that strip of land shown as a 10 foot alleyway in Block 11 on map recorded in Map Book 332 at Page 3 of the Mecklenburg Public Registry.

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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 4th day of February, 1974, 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:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 4th day of February, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 9, at Page 391.

Ruth Armstrong, City Clerk

February 4, 1974
Resolutions Book 9 - Page 392

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO FRANK S. SPRATT, JR. AND WIFE, MARGARET H. SPRATT, LOCATED ON WILMOUNT ROAD IN MECKLENBURG COUNTY FOR THE BYRUM/WILMOUNT WIDENING PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Frank S. Spratt, Jr. and wife, Margaret H. Spratt, located on Wilmount Road in Mecklenburg County, for right of way purposes in connection with the Byrum/Wilmount Widening Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, condemnation proceedings are hereby authorized to be instituted against the property of Frank S. Spratt, Jr. and wife, Margaret H. Spratt, located on Wilmount Road in Mecklenburg County for the Byrum/Wilmount Widening Project, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$1,560.00, 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.

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 4th of February, 1974, the reference having been made in Minute Book 60, page , and recorded in full in Resolutions Book 9, page 392.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 5th day of February, 1974.

Ruth Armstrong, City Clerk

February 4, 1974
Resolutions Book 9 - Page 393

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO V. P. PIERCY AND WIFE, TESSIE PIERCY, LOCATED ON BYRUM DRIVE IN MECKLENBURG COUNTY FOR THE BYRUM DRIVE/WILMOUNT ROAD WIDENING PROJECT AND THE AIRPORT EXPANSION PROGRAM.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to V. P. Piercy and wife, Tessie Piercy, located on Byrum Drive in Mecklenburg county for a clear zone and right of way purposes in connection with the Byrum Drive/Wilmount Road Widening Project and the Airport Expansion Program; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, condemnation proceedings are hereby authorized to be instituted against the property of V. P. Piercy and wife, Tessie Piercy, located on Byrum Drive in Mecklenburg County, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$47,650.00, 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.

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 4th day of February, 1974, the reference having been made in Minute Book 60, page _____, and recorded in full in Resolutions Book 9, page 393.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 5th day of February, 1974.

Ruth Armstrong, City Clerk

February 4, 1974
Resolutions Book 9 - Page 394

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JOHN F. GAYLORD, JR. AND WIFE, PATRICIA M. GAYLORD, LOCATED ON WILMOUNT ROAD IN MECKLENBURG COUNTY FOR THE BYRUM DRIVE/WILMOUNT ROAD WIDENING PROJECT.

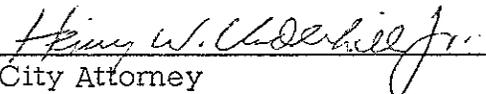
WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to John F. Gaylord, Jr., and wife, Patricia M. Gaylord, located on Wilmount Road in Mecklenburg County, for right of way purposes in connection with the Byrum Drive/Wilmount Road Widening Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, condemnation proceedings are hereby authorized to be instituted against the property of John F. Gaylord, Jr. and wife, Patricia M. Gaylord, located on Wilmount Road in Mecklenburg County, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$2,150.00, 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.

Approved as to form:


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 4th day of February, 1974, the reference having been made in Minute Book 60, page _____, and recorded in full in Resolutions Book 9, page 394.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 5th day of February, 1974.

Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT AGREEMENT WITH SOUTHERN RAILWAY COMPANY.

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 for the construction of an 8 inch sanitary sewer line 3,224 feet north of the Railroad's main track junction.

Approved as to form:

Henry W. Charles 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 regular session convened on the 4th day of February, 1974, the reference having been made in Minute Book 60, page _____, and recorded in full in Resolutions Book 9, page 395.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February, 1974.

City Clerk

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT AGREEMENT WITH SEABOARD COAST LINE RAILROAD COMPANY.

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 Seaboard Coast Line Railroad Company for the construction of an 8 inch sanitary sewer line crossing the Seaboard Coast Line Railroad Company tracks at a point 499 feet northwesterly of Seaboard Coast Line Railroad Company's tracks from Mile Post SF-323.

Approved as to form:

Henry W. Underhill 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 regular session convened on the 4th day of February, 1974, the reference having been made in Minute Book 60, page , and recorded in full in Resolution Book 9, page 396.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of February, 1974.

City Clerk

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN
 ENCROACHMENT AGREEMENT WITH SOUTHERN RAILWAY COMPANY.

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 for the
 construction of a fifty-four inch sanitary sewer line crossing the
 Southern Railway tracks at two points, northwest of the Arrowood
 Industrial Park located 5,585 feet from the center line of Nations
 Ford Road and also at a point 535 feet south of Mile Post #10 just
 north of the town of Pineville, North Carolina.

Approved as to form:

Henry W. Underhill 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 regular session convened on the 4th
 day of February, 1974, the reference having been made in Minute
 Book 60, page , and recorded in full in Resolution
 Book 9, page 397.

Witness my hand and the corporate seal of the City of Charlotte,
 North Carolina, this the 5th day of February, 1974.

 City Clerk