

February 7, 1977  
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RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE  
DOWNTOWN URBAN RENEWAL PROJECT NO. N.C. A-3

WHEREAS the City of Charlotte has undertaken the execution of Project No. N.C. A-3, the same being an Urban Redevelopment Project, to be executed in accordance with the provisions of Article 22 of Chapter 160A, as amended, of the General Statutes of North Carolina; and

WHEREAS, the Urban Renewal Law as set out in said Article and Chapter provides for the acquisition, preparation, sale, sound replanning, and redevelopment of property within a redevelopment area, as defined by said laws; and

WHEREAS, such area has been established in accordance with the requirements of such law and the said Project No. N.C. A-3 approved by the Governing Body of the City of Charlotte; and

WHEREAS, such law specifically provides for the exercise of power of Eminent Domain in order that the purposes of the law as set out in said Article 22 of Chapter 160A, as amended, to be achieved and accomplished, such purposes being in the public interest and designed to promote the health, safety and welfare of the inhabitants of this community and locality; and

WHEREAS, the City of Charlotte has, under the applicable laws and regulation, relating to such procedure, acquired all of the property described in Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, due to the locating and relocating of streets, roads, alleys, and sidewalks, as shown on map prepared by Ralph Whitehead & Associates, Neighborhood Development Program No. N.C. A-3 dated November 10, 1972 and due to minor discrepancies existing between the record title descriptions of the parcels and the descriptions of said parcels as shown on said map, there may be overlaps or gaps or gores by record or occupancy in which parties unknown to the City of Charlotte might have or claim an interest or might hereafter have or claim an interest; and

WHEREAS, the City of Charlotte has made due and diligent search but has been unable to locate said unknown parties in order to acquire their interests, if any; and

WHEREAS, the acquisition of every interest, if any, possessed by unknown parties is essential to the achievement of the plans and accomplishments of the purposes of the Redevelopment Law as the same relates thereto; and

WHEREAS, it therefore appears that it will be necessary for the City of Charlotte to institute condemnation proceedings under the provisions of the North Carolina Law of Eminent Domain and the exercise of powers thereunder in order to acquire the interests, if any, of said unknown parties.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Council approves and hereby orders the institution of condemnation proceedings in its proper corporate name for the purposes of acquiring whatever interests, if any, is possessed by unknown parties in the property described in Exhibit "A" attached hereto and made a part hereof.

BE IT FURTHER RESOLVED that the condemnation of all or any part or portion of the property described in Exhibit "A" attached hereto is hereby authorized by the City Council of the City of Charlotte.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 7th day of February, 1977, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 189.

Ruth Armstrong, City Clerk

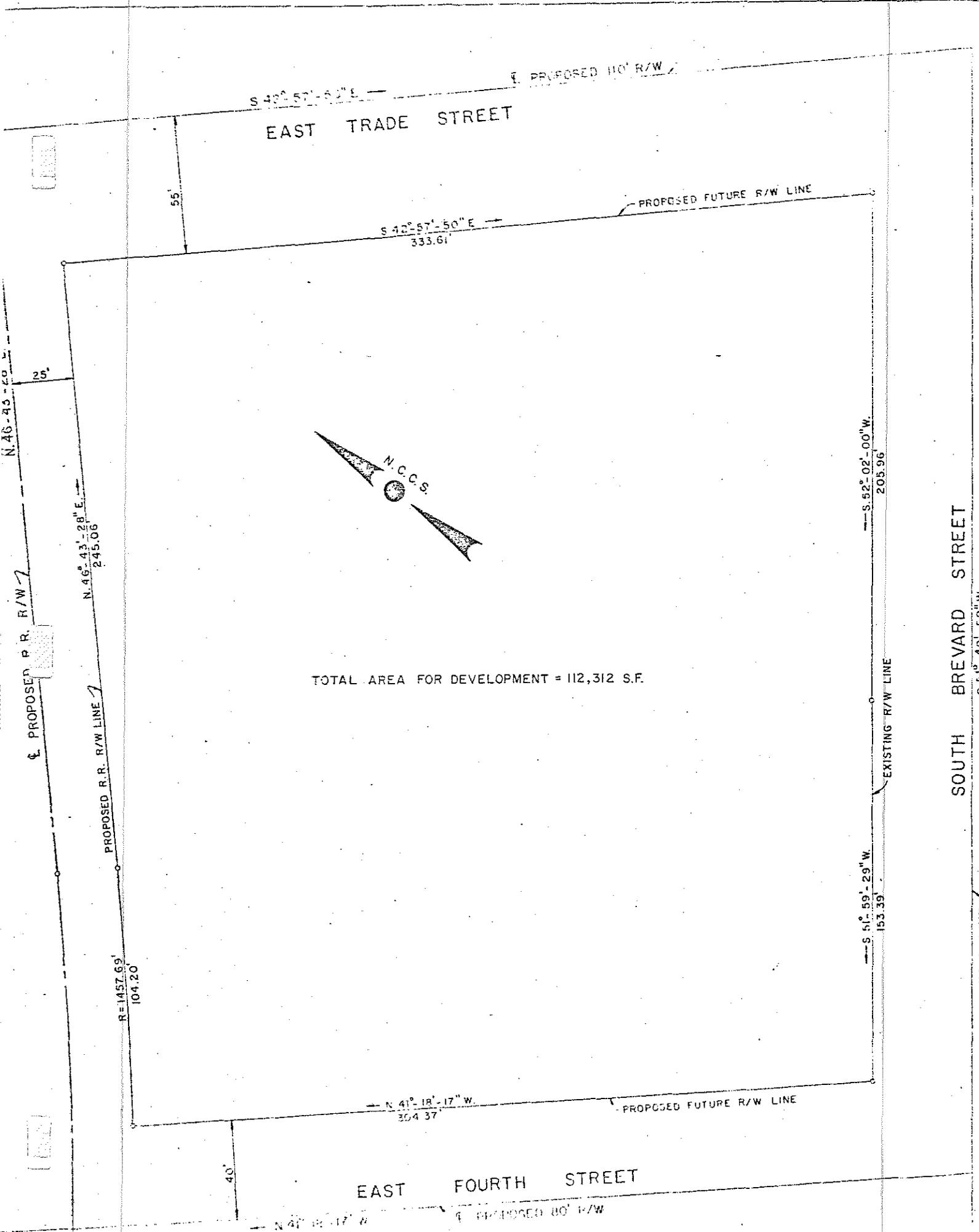
## EXHIBIT "A"

ALL THAT CERTAIN PARCEL OF LAND LYING AND BEING IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at a point formed by the intersection of the proposed southerly right of way line of East Trade Street in the City of Charlotte, North Carolina (having a proposed right of way of 110 feet) and the existing westerly right of way line of South Brevard Street (having an existing right of way of 40 feet) and running thence from said beginning point along said westerly right of way line of South Brevard Street in two courses as follows: (1) S. 52-02-00 W 205.96 feet to a point; thence (2) S 51-59-29 W 153.39 feet to a point, said point being formed by the intersection of the westerly right of way line of South Brevard Street and the existing northerly right of way line of East 4th Street (having an existing right of way of 80 feet); and running thence with said right of way line of East 4th Street N 41-18-17 W 304.37 feet to a point, said point being formed by the intersection of the northerly right of way line of East 4th Street and the easterly right of way line of Southern Railway Company (which right of way is 50 feet in width and described in Amendment to Indenture recorded in Book 3365 at Page 21 of the Mecklenburg County, North Carolina Public Registry and said right of way being shown on plat bearing date of July 28, 1972 and recorded in Book 3734 at Page 184 of the Mecklenburg Registry); and running thence with the said easterly right of way line of Southern Railway Company with the arc of a circular curve to the left having a radius of 1457.69 feet, an arc distance of 104.20 feet; thence continuing with the easterly right of way line of Southern Railway Company N 46-43-28 E 245.06 feet to a point in the proposed southerly right of way line of East Trade Street; and running thence with the proposed southerly right of way line of East Trade Street S 42-57-50 E 333.61 feet to the point or place of Beginning.

Said property being known as Block 6 in the Downtown Urban Renewal Project, N.C. A-3; said property being also shown on plat prepared by Ralph Whitehead and Associates dated November 10, 1972 revised April 8, 1974, containing 112,312 square feet (City of Charlotte 66,602 square feet and Southern Railway Company 45,710 square feet).

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SOUTH BREVARD STREET

EAST FOURTH STREET

EAST TRADE STREET

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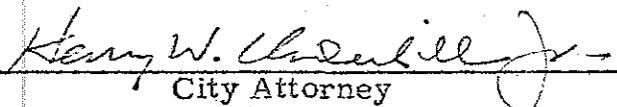
A RESOLUTION AUTHORIZING THE REFUND  
OF CERTAIN TAXES

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 7th day of February, 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:

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 7th day of February, 1977, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 192.

Ruth Armstrong, City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Wachovia Bank & Trust Company, N. A.	\$2,000.00 =====	Illegal Levy

A RESOLUTION AUTHORIZING THE SALE OF CITY OWNED PROPERTY AT 1300 RUSSELL STREET

BE IT RESOLVED by the City Council of the City of Charlotte, that the sale of 4.2 acres, 1300 Russell Street hereinafter described is hereby authorized to be sold at Public Auction to be held at 12:00 Noon at the Mecklenburg County Courthouse on Monday, March 14, 1977. The terms of sale shall be cash with an opening bid of Eleven thousand six hundred dollars (\$11,600.00). A 10% deposit in the amount of the high bid shall be placed with the City of Charlotte at the time of the Public Auction. The sale of said land will be subject to confirmation by the City Council of the City of Charlotte in a meeting duly assembled within 30 days of sale, and no upset bid will be accepted for less than the required increase above Eleven thousand six hundred dollars (\$11,600.00). A map of subject property is attached herewith and made a part of this resolution.

Beginning in the northeast corner of subject property along the westerly right of way line of I-77 and common corner of Charlotte Mecklenburg Board of Education property; thence S. 21-21-00 W. 1,199.25 feet along the westerly right of way line of I-77; thence N. 28-56-00 W. 146.55 feet; thence N. 15-19-00 E. 447.87 feet; thence N. 10-39-45 E. 248.44 feet; thence N. 29-19-30 E. 434.50 feet; thence S. 62-07-30 E. 146.37 feet to the point of beginning and containing 4.2 acres. All according to a map drawn by City of Charlotte Engineering Division, dated January 11, 1977, attached hereto and made a part of this agreement.

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 a regular session convened on the 7th day of February 1977, the reference having been made in Minuet Book 64, Page                     , and recorded in full in Resolutions Book 12, Page 193.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 5th day of February 1977.

Ruth Armstrong  
City Clerk

Extracts from minutes of meeting of the City Council of the City of Charlotte, North Carolina,  
held on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

**RESOLUTION**

Be it resolved by the City Council of the City of Charlotte, North Carolina in regular meeting assembled that the Mayor of said City be, and he hereby is, authorized to enter into an agreement with the SEABOARD COAST LINE RAILROAD COMPANY, and to sign same on behalf of said City whereby said Railroad Company grants unto said City the right or license to install and/or maintain, for the purpose of two water mains and one sewer main, lines of pipe on said Railroad Company's right of way at Charlotte, North Carolina; as particularly described in said agreement, which agreement is dated July 23, 1976, a copy of which agreement is filed with the City Council.

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 a regular session convened on the 7th day of February, 1977, the reference having been made in Minute Book 64, page \_\_\_\_\_, and recorded in full in Resolutions Book 12, page 194.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 8th day of February, 1977.

Ruth Armstrong  
City Clerk

I certify the above to be a true and correct copy.

\_\_\_\_\_  
Clerk