

January 7, 1974  
Resolutions Book 9 - Page 359

RESOLUTION DECLARING AN INTENT TO CLOSE  
A CERTAIN ALLEYWAY IN THE CITY OF CHARLOTTE,  
MECKLENBURG COUNTY, NORTH CAROLINA,  
AND CALLING A PUBLIC HEARING ON THE QUESTION

WHEREAS, Carolina Paper Board Corporation, by and through its duly authorized Vice-President, has requested the City to vacate, close and abandon the dedication of a certain alleyway as described more particularly hereinafter, as shown on map recorded in Map Book 332 at Page 3 of the Mecklenburg Public Registry; said alleyway being more particularly described as follows:

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 the aforesaid Map.

and,

WHEREAS, the procedure for vacating, closing and abandoning the dedication of streets and alleyways as outlined in North Carolina General Statutes, Section 160A-299 and Section 153-9(17), requires that Council first adopt a resolution declaring its intent to close the alleyway and calling a public hearing on the question; said statute further requires that the resolution shall be published once a week for four (4) successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along said street; and

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WHEREAS, the City of Charlotte is desirous of complying with the  
Petitioner's request.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of  
the City of Charlotte, at its regularly scheduled session of 7th day  
of January, 1974, that it intends to close that certain  
alleyway, said alleyway being more particularly described hereinabove, and  
hereby calls a public hearing on the question to be held at 3:00 p.m., on  
Monday, the 4th day of February, 1974, in the Council  
Chamber of the City Hall. The City Clerk is hereby directed to publish a  
copy of this resolution in the Charlotte News  
newspaper once a week for four successive weeks next preceding the date  
fixed here for such hearing, as required by G.S. 160-A-299; and further,  
Petitioner is directed to send by registered or certified mail a copy of  
this resolution to all owners of property adjoining the said alleyway as  
shown on the county tax records, as required by G.S. 160-A-299. The  
Petitioner is hereby directed to prominently post a notice of the closing  
and public hearing in at least two places along the said alleyway, as  
required by G.S. 160-A-299.

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

A RESOLUTION CONFIRMING THE ASSESSMENT ROLL FOR LOCAL IMPROVEMENTS  
ON GILBERT STREET FROM NEWLAND ROAD TO DEAD END.

WHEREAS, Gilbert Street, from Newland Road to dead end, has been improved by paving with a base course and surface course, pursuant to a sufficient petition of owners of abutting property; and

WHEREAS, the City Council has approved the preliminary assessment roll for said improvements; has deposited same in the City Clerk's office for public inspection; has caused notice of hearing thereon to be published; and has held a public hearing thereon, all pursuant to the City Charter and the General Statutes of North Carolina,

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

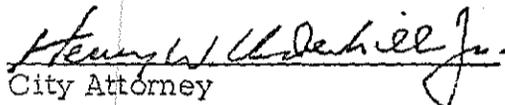
1. That the preliminary assessment roll for improvements completed on Gilbert Street, from Newland Road to dead end, heretofore approved by resolution adopted 10th day of December, 1973, is hereby confirmed at 4:35 o'clock, p.m., this 7th day of January, 1974, and is hereby made the final assessment roll for said improvements.

2. That the City Clerk is hereby directed to enter on the minutes of the City Council and the assessment roll, the date, hour and minute of the confirmation thereof and to deliver a copy of said assessment roll to the City Tax Collector for collection pursuant to law.

3. That, after the expiration of twenty (20) days from this date, the City Tax Collector shall cause to be published one time in some newspaper

published in the city a notice that any assessments contained in said assessment roll may be paid in full to the City Tax Collector without interest thereon at any time before the expiration of thirty (30) days from the date of such publication, or, at the option of the property owners, to be exercised by giving written notice to the City Tax Collector within said thirty (30) days, may be paid in not less than two (2) or more than ten (10) equal annual installments, with interest thereon at six per cent (6%) per annum, the first installment with interest to become due and payable on the date on which taxes are due and payable, and one subsequent installment with interest shall be due and payable in each successive year on the date on which taxes are due and payable until the assessment is paid in full.

Approved as to form:

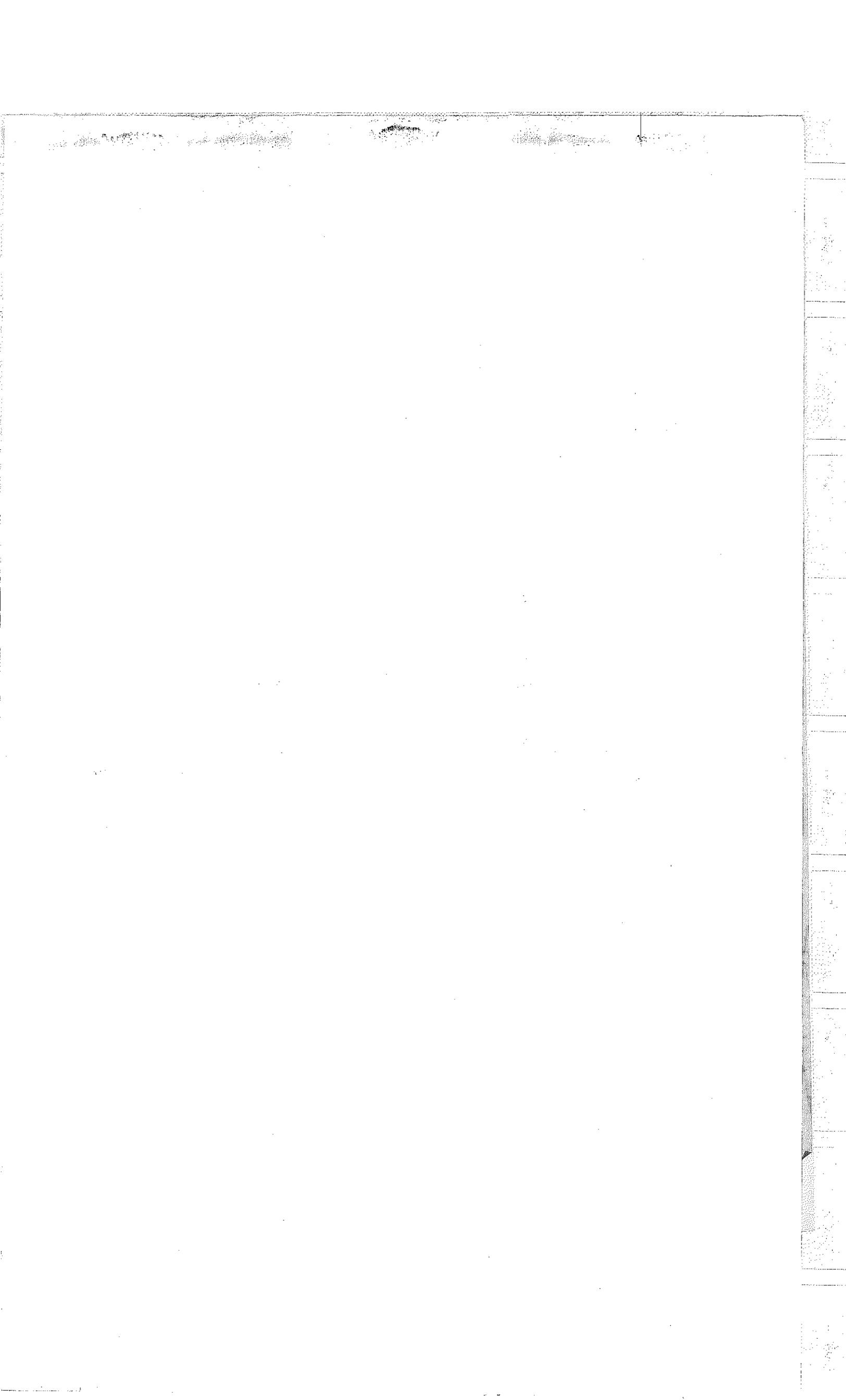
  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 7th day of January, 1974, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, beginning on Page 361.

Ruth Armstrong, City Clerk

1-7-74

Resolutions Book 9- Page 363



TAXPAYERS AND REFUNDS REQUESTED

NAME	AMOUNT OF REFUND REQUESTED	REASON
Ronald C. Brown and wife, Sharon W. Brown	\$ 41.83	Clerical error
Charles H. Camp and wife, Gladys W. Camp	7.27	Clerical error
Charles C. Cooper and wife, Callie R. Cooper	146.79	Clerical error
Mrs. B. S. Howell	69.19	Clerical error
Ruby Laney Jones	9.95	Clerical error
Emily Haywood McIver	21.62	Clerical error
Robert L. Moore and wife, Margaret Moore	6.41	Clerical error
Angelo G. Pappas and Crist Pitsikoulis	1.01	Clerical error
Ralph Waldo Strickland and wife, Susie Strickland	32.11	Clerical error
Singleton Dev Co.	26.47	Clerical error
D. L. Peterson	543.67	Clerical error
Donnie James Brown	9.30	Clerical error
David John Crane, Jr.	33.65	Clerical error
David Gayland McCall	29.83	Clerical error
David Gayland McCall	0.94	Clerical error
Emily Haywood McIver	21.62	Clerical error
Ralph Waldo Strickland and wife, Susie Strickland	37.62	Clerical error
Claude Burgess Riddle	30.77	Clerical error
	<u>\$ 1,070.05</u>	



RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE, NORTH CAROLINA,  
RELATING TO RETENTION OF LAND IN THE  
DOWNTOWN URBAN RENEWAL PROJECT NO. N. C. A-3

WHEREAS, the City of Charlotte, Charlotte, North Carolina, (hereinafter called "City") in furtherance of the objectives of the North Carolina Urban Redevelopment Law, N. C. G. S. 160-454 et. seq., has undertaken a program for the clearance and reconstruction or rehabilitation of slum and blighted areas and in this connection is engaged in carrying out an Urban Renewal Project known as the Downtown Urban Redevelopment Area, Project No. N. C. A-3, (hereinafter called "Project") in an area (hereinafter called "Project Area") located in the City of Charlotte, Charlotte, North Carolina; and

WHEREAS, as of the date of the adoption of this Resolution, there has been prepared and approved by the City, a Redevelopment Plan (which also comprises the Urban Renewal Plan for the Project) approved by the City on August 4, 1969, and as subsequently amended and approved by the City (which Plan, as so amended, and as it may hereafter be further amended from time to time pursuant to law, and as so constituted from time to time, is, unless otherwise indicated by the context, hereinafter called "Redevelopment Plan"); and a copy of the Redevelopment Plan, as constituted on the date of this Resolution in the form of Land Controls and Restrictions, has been recorded among the land records for the place in which the Project Area is situated, namely, in the office of the Register of Deeds for the County of Mecklenburg and State of North Carolina in Book 3446 at Page 337, Mecklenburg County Records; and

WHEREAS, in order to enable the City to achieve the objectives of the Redevelopment Plan and particularly to make land in the Project Area available for its use as a predominantly non-residential use and in accordance with the uses specified in the Redevelopment Plan, both the Federal Government and the City have undertaken to provide, and have provided substantial aid and assistance to the City through a Neighborhood Development Program Master Agreement dated May 22, 1970, and Neighborhood Development Program Funding Agreement No. 1 dated May 22, 1970, Amended June 4, 1971, Neighborhood Development Program Funding Agreement No. 2 dated September 22, 1971, Amended April 4, 1972, Neighborhood Development Program Funding Agreement No. 3 dated October 13, 1972, Amended December 26, 1972, and Neighborhood Development Program Funding Agreement No. 4 dated September 13, 1973.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte as follows:

(1) Subject to all the terms, covenants, and conditions of this Resolution and the said Neighborhood Development Program Master Agreement and the Funding Agreements, the City will retain the following described Property in the Project Area:

Beginning at a point in the existing easterly right-of-way line of South Tryon Street, which said beginning point is located as follows:

Beginning at the corner formed by the intersection of the existing northerly right-of-way line of East Fourth Street with the existing easterly right-of-way

line of South Tryon Street, and which said corner is designated on the N. C. Grid Coordinate System as N 542,359.42 and E 1,449,257.57; thence from said corner along the existing easterly right-of-way line of South Tryon Street the following six courses and distances: (1) N. 50-32-40 E. 79.50 feet, (2) N. 50-43-20 E. 51.00 feet, (3) N. 50-43-20 E. 30.00 feet, (4) N. 52-14-12 E. 58.00 feet, (5) N. 50-41-52 E. 48.63 feet, and (6) N. 51-13-20 E. 31.14 feet "to the point and place of beginning of the parcel hereinafter described";

thence from said beginning point along the existing easterly right-of-way line of South Tryon Street N. 51-13-20 E. 68 feet to a point; thence S. 42-57-50 E. 80 feet to a point; thence S. 47-50-52 W. 70 feet to a point; thence N. 41-28-50 W. 84 feet to the point or place of beginning; and containing 5,652 square feet, and being all of Parcel 5 as shown on a plat of the property of the City of Charlotte, Neighborhood Development Program No. N. C. A-3, Downtown Urban Renewal Area, prepared by Ralph Whitehead & Associates, Consulting Engineers, dated June 15, 1973, and recorded in Map Book 17 at Page 220 in the Mecklenburg Public Registry,

which it will develop for use as a public pedestrian right-of-way in accordance with the Redevelopment Plan.

(2) Construction Required. The City will redevelop the Property by the construction of a public pedestrian right-of-way (hereinafter called the "Improvements") and all plans and specifications and all work by the City with respect to such redevelopment of the Property and the construction and making of other improvements thereon, if any, shall be in conformity with the Redevelopment Plan, and all applicable State and Local Laws.

(3) Time for Construction. The City agrees for itself, its successors, and assigns, and every successor in interest to the Property, or any part thereof, that the City shall begin the redevelopment of the Property through the construction of the Improvements thereon, within three months from the date this Resolution is adopted and diligently proceed to complete such construction within twelve months from such date.

(4) Restrictions on Land Use. The City agrees for itself, its successors and assigns, and every successor in interest to the Property or any part thereof and the Deed, if any, shall contain covenants on the part of the City for itself, and successors and assigns, that the City, and such successors and assigns, shall:

(a) Devote the Property to and only to and in accordance with the uses specified in the Redevelopment Plan, as amended, and as the same may be hereafter amended, is amended from time to time;

(b) Not discriminate upon the basis of race, color, creed, or national origin in the sale, lease, or rental or in the use or occupancy of the Property or any improvements erected or to be erected thereon, or any part thereof.

(5) Effect of Covenants, Period of Duration. It is intended and resolved that the conditions and covenants provided in Section 4 thereof shall be covenants running with the land and that they shall, in any event, and without regard to technical classification or designation, legal or otherwise, and except only as otherwise specifically provided in this Resolution, be, to the fullest extent permitted by law and equity, binding for the benefit and in favor of, and enforceable by, the City, its successors and assigns, and the United States (in the case of the covenant provided in subdivision (b) of Section 4 of this Resolution), against the City, its successors and assigns, and every successor in interest to the Property or any part thereof or any interest therein, and any party in possession or occupancy of the Property or any part thereof. It is further intended and resolved that the conditions and covenants provided (a) in subdivision (a) of Section 4 of this Resolution shall remain in effect until December 31, 1989, (at which time such condition and covenant shall terminate), and (b) in subdivision (b) of such Section 4 shall remain in effect without limitation as to time.

(6) Enforceability by City and United States. In amplification, and not in restriction, of the provisions of Section 5 of this Resolution, it is intended and resolved that the City shall be deemed a beneficiary of the conditions and covenants provided in Section 4 herein, and the United States shall be deemed a beneficiary of the covenant provided in subdivision (b) of Section 4, both for and in their or its own right and also for the purposes of protecting the interest of the community and the other parties, public or private, in whose favor or for whose benefit such conditions and covenants have been provided. Such conditions and covenants shall run in favor of the City and the United States for the entire period during which such conditions and covenants shall be in force, without regard to whether the City or the United States is or has been an owner of any land or interest therein to, or in favor of, which such conditions and covenants relate. The City shall have the right, in the event of any breach of any such conditions or covenants, and the United States shall have the right, in the event of any breach of the covenant provided in said subdivision (b) of Section 4, to exercise all the rights and remedies, and to maintain any actions or suits at law or in equity or other proper proceedings to enforce the curing of such breach of condition or covenant, to which it or any other beneficiaries of such condition or covenant may be entitled.

(7) Representation As To Redevelopment. The City represents and agrees that its retention of the Property shall be for the purpose of redevelopment of the Property in accordance with the Redevelopment Plan and the Resolution.

(8) Prohibition Against Transfer of Property and Assignment. The City has not made or created, and will not, prior to the proper completion of the Improvements, make or create, or suffer to be made or created, (a) any total or partial sale, conveyance, or lease of the Property, or any part thereof or interest therein, or (b) any assignment of the Resolution, or any part thereof, or (c) any agreement to do any of the foregoing.

(9) Conflict of Interest. No member, official, or employee of the City shall have any personal interest, direct or indirect, in the Resolution, nor shall any such member, official, or employee participate in any decision relating to the Resolution which affects his personal interests or the interests of any

corporation, partnership, or association in which he is, directly or indirectly, interested. No member, official, or employee of the City shall be personally liable in the event of any default or breach by the City on any obligations under the terms of the Resolution.

(10) Equal Employment Opportunity. The City, for itself, and its successors and assigns, agrees that it will include the following provisions of this Section 10 in every contract or purchase order which may hereafter be entered into between the City and any party (hereinafter in this Section called "Contractor") for or in connection with the construction of the Improvements, or any part thereof, provided for in this Resolution unless such contract or purchase order is exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967:

Equal Employment Opportunity. During the performance of this contract, the Contractor agrees with the City as follows:

- (a) The Contractor will not discriminate against any employee or applicant for employment because of race, religion, sex, color, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex, or national origin. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by the City setting forth the provisions of this nondiscrimination clause.
- (b) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
- (c) The Contractor will send to each labor union or representative of workers with which the Contractor has a collective bargaining agreement or other contract or understanding, a notice, to be provided, advising the labor union or worker's representative of the Contractor's commitments under Section 202 of Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (d) The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967, and of the rules, regulations, and relevant orders of the Secretary of Labor.

- (e) The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967, and by the rules, regulations, and orders of the Secretary of Labor or the Secretary of Housing and Urban Development pursuant thereto, and will permit access to the Contractor's books, records, and accounts by the City, the Secretary of Housing and Urban Development, and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- (f) In the event of the Contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
- (g) The Contractor will include the provisions of Paragraphs (a) through (g) of this Section in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, as amended by Executive Order 11375 dated October 13, 1967, so that such provisions will be binding upon each subcontractor or vendor. The Contractor will take such action with respect to any construction contract, subcontract, or purchase order as the City or the Department of Housing and Urban Development may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the Contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the City or the Department of Housing and Urban Development, the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

(11) The proper officers of the City are hereby authorized, empowered and directed to cause a properly certified copy of this Resolution to be recorded among the land records in the office of the Register of Deeds of Mecklenburg County, and to furnish the Department of Housing and Urban Development with appropriate notification of the adoption of this Resolution and the recording information.

(12) Delays Beyond Control of Parties. For the purposes of the Resolution, neither the City nor any successor shall be considered in breach of or in default under its obligations with

January 7, 1974

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respect to the preparation of the Property for redevelopment, or the beginning and completion of construction of the Improvements, or progress in respect thereto, in the event of enforced delay in the performance of such obligations due to unforeseeable causes beyond its control and without its fault or negligence, including, but not restricted to, acts of God, acts of the public enemy, acts of the Government, acts of the other party, fires, floods, epidemics, quarantine restrictions, strikes, freight embargoes, and unusually severe weather, or delays of subcontractors due to such causes; it being the purpose and intent of this provision that, in the event of the occurrence of any such enforced delay, the time or times for performance of the obligations of the City with respect to construction of the Improvements, as the case may be, shall be extended for the period of the enforced delay.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 7th day of January, 1974, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, beginning on Page 363.

Ruth Armstrong  
City Clerk

RESOLUTION (GRANT AGREEMENT)

EXTRACT FROM THE MINUTES OF A REGULAR/SPECIAL  
MEETING OF THE CITY COUNCIL  
HELD ON January 7 19 74

The following Resolution was introduced by Councilman Short  
seconded by Councilman Alexander read in full, considered and  
adopted:

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND RATIFYING  
THE EXECUTION OF GRANT AGREEMENT FOR PROJECT NO. A-37-0012-02 BETWEEN  
THE UNITED STATES OF AMERICA AND THE CITY OF CHARLOTTE

BE IT RESOLVED, by the City Council of the 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 the City of Charlotte.

SECTION 2. That the execution of said Grant Agreement in quadruplicate  
on behalf of said City of Charlotte

by Mayor John M. Belk, Mayor

and the impression of the official seal of the City of Charlotte

and the attestation of said execution by Ruth Armstrong,

City Clerk, is hereby authorized, adopted, approved,  
accepted and ratified.

SECTION 3. That the Airport Manager is hereby authorized  
(Title of Position, Airport  
Manager, City Manager, etc.)  
to execute payment requests under this Grant Agreement on behalf of said

City of Charlotte.

SECTION 4. That the Grant Agreement referred to hereinabove shall  
be attached hereto and made a part of this Resolution as though it were  
fully copied herein.

January 7, 1974

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A RESOLUTION AUTHORIZING MR. DAVID A. BURKHALTER, CITY MANAGER, TO FILE APPLICATION REQUESTING STATE GRANT ASSISTANCE FOR WASTEWATER COLLECTION SYSTEM IMPROVEMENTS.

WHEREAS, The North Carolina Clean Water Bond Act of 1971 has authorized the making of grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, and

WHEREAS, The City of Charlotte has need for and intends to construct a wastewater collection system project, and

WHEREAS, The City of Charlotte intends to request State grant assistance for the project,

PROJECT:  
GARSEED TRUNK LINES TO ELIMINATE THE  
STONEHAVEN LIFT STATIONS  
NCBWAR # 2681-DATE 3-21-73

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

That the City of Charlotte will arrange financing for all remaining costs of the project, if approved for a State grant award.

That the City of Charlotte will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Mr. David A. Burkhalter is hereby authorized to execute and file an application on behalf of City of Charlotte with the State of North Carolina for a grant to aid in the construction of the project described above.

That Mr. David A. Burkhalter is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application, grant offer, or grant award.

That the City of Charlotte has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto; and hereby authorizes the above designated representative to execute an affidavit so stating.

That the City of Charlotte agrees to adopt and place into effect on or before completion of the project a schedule of fees and charges which will provide adequate funds for proper operation, maintenance, and administration of the project.

- CONTINUED -

January 7, 1974  
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Resolution  
Continued  
Page - 2

Approved as to form:

Henry W. DeShill 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 7th day of January 1974, the reference having been made in Minute Book 59 Page \_\_\_\_\_, and recorded in full in Resolutions Book 9 Page 370.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 8th day of January 1974.

Ruth Armstrong  
Ruth Armstrong  
City Clerk

A RESOLUTION AUTHORIZING MR. DAVID A. BURKHALTER, CITY MANAGER, TO FILE APPLICATION REQUESTING STATE GRANT ASSISTANCE FOR WATER WORKS IMPROVEMENTS.

- WHEREAS, The North Carolina Clean Water Bond Act of 1971 has authorized the making of grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, and
- WHEREAS, The City of Charlotte has need for and intends to construct a water supply distribution system project, and
- WHEREAS, The City of Charlotte intends to request State grant assistance for the project,

PROJECT:  
 ANNEXATION SECTION I (2)  
 CARMEL ROAD - SARDIS ROAD  
 WATER DISTRIBUTION MAIN PROJECT, NEW MAINS  
 NCSBH # 9434 - DATE 9-13-73

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

That the City of Charlotte will arrange financing for all remaining costs of the project, if approved for a State grant award.

That the City of Charlotte will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Mr. David A. Burkhalter is hereby authorized to execute and file an application on behalf of City of Charlotte with the State of North Carolina for a grant to aid in the construction of the project described above.

That Mr. David A. Burkhalter is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application, grant offer, or grant award.

That the City of Charlotte has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto; and hereby authorizes the above designated representative to execute an affidavit so stating.

That the City of Charlotte agrees to adopt and place into effect on or before completion of the project a schedule of fees and charges which will provide adequate funds for proper operation, maintenance, and administration of the project.

Resolution  
Continued  
Page - 2

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 7th day of January, 1974, the reference having been made in Minute Book 59 Page \_\_\_\_\_, and recorded in full in Resolutions Book 9 Page 372.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 8th day of January 1974.

Ruth Armstrong  
Ruth Armstrong  
City Clerk