

A RESOLUTION PROVIDING FOR PUBLIC  
HEARINGS ON PETITIONS FOR ZONING CHANGES

WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 73-1 through 73-4 are on record in the Office of the City Clerk, and

WHEREAS, the City Council deems it in the public interest that hearings be held on said petitions,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that public hearings will be held in the Board Room on the Fourth Floor of the Educational Center at 701 East Second Street beginning at 8:00 P.M. on Tuesday, the 30th day of January, 1973, on petitions for zoning changes numbered 73-1 through 73-4.

BE IT FURTHER RESOLVED that notice of said hearings be published as required by law.

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 8th day of January, 1973, the reference having been made in Minute Book 58, and recorded in full in Resolutions Book 8, at Page 485.

Ruth Armstrong  
City Clerk

**RESOLUTION ABOLISHING THE REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE,  
AND ESTABLISHING A NEW DEPARTMENT DESIGNATED AS THE URBAN REDEVELOPMENT  
DEPARTMENT OF THE CITY OF CHARLOTTE.**

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WHEREAS, G. S. 160-457.1 provides alternative methods for municipalities to undertake urban redevelopment functions; and

WHEREAS, the City Council of the City of Charlotte finds as a fact that it is in the interest of the public health, safety, convenience and welfare as expressed by the General Assembly of the State of North Carolina in sections 160-455 and 160-455.1 for the City of Charlotte to exercise the functions heretofore exercised by the Redevelopment Commission of the City of Charlotte; and

WHEREAS, the City Council of the City of Charlotte further finds as facts that blighted areas (as defined in G. S. Section 160-456(2)) exist in the City of Charlotte, and that the redevelopment of such areas is necessary in the interest of the public health, safety, morals and welfare of the residents of the City of Charlotte; and

WHEREAS, a new department, designated as the Urban Redevelopment Department shall be created concurrently with the effective date of this resolution in order that there will be no discontinuance of the functions now provided by the Redevelopment Commission of the City of Charlotte.

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

Section 1. That the Redevelopment Commission of the City of Charlotte as of the effective date of this resolution shall cease to exist as a body politic and corporate and as a public body.

Section 2. That the Urban Redevelopment Department be established for the purpose of exercising the powers, duties and responsibilities heretofore exercised by the Redevelopment Commission of the City of Charlotte.

Section 3. That all property, real and personal and mixed, belonging to the Redevelopment Commission of the City of Charlotte shall vest in, belong to, and be the property of the City of Charlotte.

Section 4. That all judgments, liens, rights of liens, and causes of action of any nature in favor of the Redevelopment Commission of the City of Charlotte shall remain, vest in, and inure to the benefit of the City of Charlotte.

Section 5. That all rentals, taxes, assessments, and any other funds, charges or fees, owing to the Redevelopment Commission of the City of Charlotte shall be owed to and collected by the City of Charlotte.

Section 6. That any actions, suits, and proceedings pending against, or having been instituted by the Redevelopment Commission of the City of Charlotte shall not be abated by such abolition, but all such actions, suits, and proceedings shall be continued and completed in the same manner as if abolition had not occurred and the City of Charlotte shall be a party to all such actions, suits and proceedings in the place and stead of the Redevelopment Commission of the City of Charlotte and shall pay or cause to be paid any judgment rendered against the Redevelopment Commission of the City of Charlotte in any such actions, suits, or proceedings, and no new process need be served in any such action, suit, or proceedings.

Section 7. That all obligations of the Redevelopment Commission of the City of Charlotte, including outstanding indebtedness, shall be assumed by the City of Charlotte, and all such obligations and outstanding indebtedness shall be constituted obligations and indebtedness of the City of Charlotte.

Section 8. That all ordinances, rules, regulations and policies of the Redevelopment Commission of the City of Charlotte shall continue in full force and effect until repealed or amended by the governing body of the City of Charlotte.

Section 9. That from and after the adoption of the resolution the Redevelopment Commission of the City of Charlotte is authorized and directed to take such actions and to execute such documents as will carry into effect the provisions and the intent of this resolution, and as will effectively transfer its authority, responsibilities, obligations, personnel, property, both real and personal, to the City of Charlotte.

Section 10. That this resolution shall become effective on May 1, 1973.

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 8th day of January, 1973, the reference having been made in Minute Book 58, and recorded in full in Resolutions Book 8, at Pages 486 and 487.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of January, 1973.

\_\_\_\_\_  
Ruth Armstrong, City Clerk

A RESOLUTION AND PETITION REQUESTING THE SECRETARY OF STATE OF NORTH CAROLINA TO CANCEL THE CERTIFICATE OF INCORPORATION OF THE REDEVELOPMENT COMMISSION OF THE CITY OF CHARLOTTE.

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WHEREAS, the City Council of the City of Charlotte has resolved by Resolution that the Redevelopment Commission of the City of Charlotte be abolished and its functions transferred to a department of the City of Charlotte pursuant to G.S. 160-457.1; and

WHEREAS, there is no indebtedness outstanding nor property owned by said Redevelopment Commission of the City of Charlotte.

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

Section 1. That the certificate of incorporation of the Redevelopment Commission of the City of Charlotte be cancelled or revoked by the Secretary of the State of North Carolina.

Section 2. That the effective date of this resolution and petition shall be May 1, 1973.

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 8th day of January, 1973, the reference having been made in Minute Book 58, and recorded in full in Resolutions Book 8, at page 488.

WITNESS my hand the corporate seal of the City of Charlotte, North Carolina, this the 22nd day of January, 1973.

\_\_\_\_\_  
Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR FUNDS TO BE USED FOR THE FOURTH YEAR COMPREHENSIVE PROGRAM.

WHEREAS, the City Council on October 17, 1972, authorized the Mayor to submit the Fourth Year Comprehensive City Demonstration Program to the Department of Housing and Urban Development for its approval; and

WHEREAS, the Department of Housing and Urban Development has officially notified the City of Charlotte of its approval of the Fourth Year Program; and

WHEREAS, in order to proceed with the Fourth Year Program it is necessary that the Mayor execute a contract between the Department of Housing and Urban Development and the City of Charlotte for \$3,168,000, said funds to be used for the operation of the Fourth Year Program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regular meeting on January 8, 1973, does hereby authorize the Mayor to execute the contract between the Department of Housing and Urban Development and the City of Charlotte for \$3,168,000, said funds to be used for the operation of Charlotte's Fourth Year Program.

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 8th day of January, 1973, the reference having been made in Minute Book 58, and recorded in full in Resolutions Book 8, at Page 489.

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 8th day of January, 19 73, 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 8th day of January, 1973, the reference having been made in Minute Book 58, and recorded in full in Resolutions Book 8, at Page 490.

Ruth Armstrong, City Clerk

TAXPAYERS AND REFUNDS REQUESTED

| NAME   | AMOUNT OF REFUND<br>REQUESTED | REASON         |
|--|-------------------------------|----------------|
| Frank Warren Bancroft, et al                   | \$ 19.47                      | Clerical error |
| Frank Warren Bancroft, et al                   | 52.31                         | Clerical error |
| Walter F. Penninger, Jr. and<br>wife, Mamie    | 58.74                         | Clerical error |
| William P. Randall, Jr. and<br>wife, Sheila B. | 41.90                         | Clerical error |
| C. I. T. Service Leasing<br>Corporation        | 72.90                         | Clerical error |
| William Morgan Mullinax                        | 3.71                          | Clerical error |
| Walter F. Penninger, Jr. and<br>wife, Mamie    | 60.54                         | Clerical error |
| William P. Randall, Jr. and<br>wife, Sheila B. | 38.28                         | Clerical error |
| Ralph W. Stalvey and wife,<br>Charlotte B.     | 49.52                         | Clerical error |
| C. I. T. Service Leasing<br>Corporation        | <u>21.72</u>                  | Clerical error |
|  | \$ 419.09                     |                |

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT  
5720 S. UNIVERSITY AVE.  
CHICAGO, ILL. 60637  
TEL: 773-936-3700  
FAX: 773-936-3701  
WWW: WWW.PHYSICS.UCHICAGO.EDU



A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO J. A. BETHUNE AND WIFE, MARY E. BETHUNE, LOCATED AT 7210 OLD DOWD ROAD IN BERRYHILL TOWNSHIP IN CONNECTION WITH THE LAND ACQUISITION PROGRAM OF THE AIRPORT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to J. A. Bethune and wife, Mary E. Bethune, located at 7210 Old Dowd Road in Berryhill Township for right of way purposes for runway-taxiway construction in connection with the Land Acquisition Program for the expansion of the Airport; 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 by Chapter 216, 1967 Session Laws of North Carolina, and further amended by Chapter 384, 1969 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of J. A. Bethune and wife, Mary E. Bethune, located at 7210 Old Dowd Road in Berryhill Township, 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 \$34,000.00, 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 8th day of January, 1973, and the reference having been made in Minute Book 58, page       , and recorded in full in Resolution Book 8, page 491.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of January, 1973.

\_\_\_\_\_  
City Clerk

January 8, 1973  
Resolutions Book 8 - Page 492

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO W. W. HOOKS, JR. AND WIFE, ELLEN A. HOOKS, AND NORTH CAROLINA NATIONAL BANK, AS TRUSTEE UNDER WILL OF WALTER W. HOOKS, LOCATED ON TERMINAL ROAD AT BROWHILL CIRCLE IN BERRYHILL TOWNSHIP IN CONNECTION WITH THE LAND ACQUISITION PROGRAM OF THE AIRPORT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to W. W. Hooks, Jr., wife, Ellen A. Hooks, and North Carolina National Bank, Trustee under Will of Walter W. Hooks, located on Terminal Road at Browhill Circle in Berryhill Township for right of way purposes for terminal support area in connection with the Land Acquisition Program for the expansion of the Airport; 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 owner 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 by Chapter 216, 1967 Session Laws of North Carolina, and further amended by Chapter 384, 1969 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of W. W. Hooks, Jr., wife, Ellen A. Hooks, and North Carolina National Bank, as Trustee under Will of Walter W. Hooks, located on Terminal Road at Browhill Circle in Berryhill Township, 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 \$98,000.00, 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 8th day of January, 1973, and the reference having been made in Minute Book 58, page       , and recorded in full in Resolution Book 8, page 492.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of January, 1973.

\_\_\_\_\_  
City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO COSTULA K. KOKENES, (WIDOW), LOCATED ON TERMINAL ROAD AT BROWHILL CIRCLE IN BERRYHILL TOWNSHIP IN CONNECTION WITH THE LAND ACQUISITION PROGRAM OF THE AIRPORT.

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WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Costula K. Kokenes, (Widow), located on Terminal Road at Browhill Circle in Berry hill Township for right of way purposes for terminal support area in connection with the Land Acquisition Program for the expansion of the Airport; 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 owner 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 by Chapter 216, 1967 Session Laws of North Carolina, and further amended by Chapter 384, 1969 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of Costula K. Kokenes, (Widow), located on Terminal Road at Browhill Circle in Berryhill Township, 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 \$31,500.00, 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 8th day of January, 1973, and the reference having been made in Minute Book 58, page       , and recorded in full in Resolution Book 8, page 493.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of January, 1973.

\_\_\_\_\_  
City Clerk

January 8, 1973

Resolutions Book 8 - Page 494

RESOLUTION FIXING DATE OF PUBLIC HEARING ON  
PETITION TO CLOSE PORTIONS OF FONTANA AVENUE,  
AND OLIVER STREET IN THE CITY OF CHARLOTTE,  
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, the City of Charlotte entered into an agreement with the Redevelopment Commission of the City of Charlotte, dated the 31st day of August, 1970, revised June 15, 1971, with respect to the Redevelopment Area Plan for Redevelopment Project No. N. C. R-78, Greenville; and

WHEREAS, Section III of that agreement provides that the City will, at no cost or expense to the Redevelopment Commission of the City of Charlotte, and upon the request of the Redevelopment Commission of the City of Charlotte, vacate the streets, roads, alleys and other public ways to be eliminated in preparing the Project Area for its new uses, as shown in the Redevelopment Area Plan; and

WHEREAS, the Redevelopment Commission of the City of Charlotte has requested the City, in accordance with Section III of the said agreement, to vacate and close certain portions of:

FONTANA AVENUE AND OLIVER STREET

lying within the City of Charlotte, Mecklenburg County, North Carolina, the portions of said streets to be closed being more particularly described on Exhibit "A" attached hereto and made a part hereof; and

WHEREAS, the procedure for closing streets as outlined in Chapter 160A, Section 299, Sub-section (a) of the General Statutes of North Carolina, and Chapter 153, Section 9, Sub-section 17 of the General Statutes of North Carolina, requires a Public Hearing after notice to the abutting landowners not joining in the Petition and after publication in a newspaper once a week for four (4) consecutive weeks; and

WHEREAS, the City of Charlotte is desirous of fulfilling its obligation under Section III of the above mentioned contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that a public hearing on the question of closing those portions of:

FONTANA AVENUE AND OLIVER STREET

in the City of Charlotte, Mecklenburg County, North Carolina, shall be held at 3:00 o'clock, P. M., on Monday, the 5th day of February, 1973, in the Council Chamber of the City Hall. The City Clerk is hereby directed to publish such a notice in the Charlotte News once a week for four (4) consecutive weeks next preceding the date fixed herein for such hearing, as required in Chapter 153, Section 9, Sub-section 17 and Chapter 160A, Section 299, Sub-section (a) of the General Statutes of North Carolina.

APPROVED AS TO FORM:

Henry W. Underhill, Jr.  
City Attorney  
Charlotte, North Carolina

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of January, 1973, the reference having been made in Minute Book 58, and recorded in full in Resolutions Book 8, at Pages 494-495.

Ruth Armstrong  
City Clerk

Exhibit "A"

GREENVILLE URBAN RENEWAL AREA

PROJECT NO. N.C. R-78

ABANDONMENT OF PORTIONS OF EXISTING STREETS

A parcel of land in Charlotte Township, Mecklenburg County, State of North Carolina, located in Greenville Urban Renewal Area, Project No. N.C. R-78, shown as a Right-of-Way Abandonment, Part Fontana Avenue, Part Oliver Street on a plat dated November 17, 1972, and being more particularly described as follows:

FONTANA AVENUE--Between Craver Lane and Oliver Street

Beginning at the point of intersection of the south right-of-way line of Fontana Avenue and the east right-of-way line of Oliver Street; thence across Oliver Street and along the south right-of-way line of Fontana Avenue, N. 67-53-20 W., 256.79 feet to the point of intersection of said south right-of-way line of Fontana Avenue with the east right-of-way line of Craver Lane; thence across Fontana Avenue, N. 26-00-04 E., 30.07 feet to a point on the north right-of-way line of Fontana Avenue; thence along the north right-of-way line of Fontana Avenue, S. 67-53-20 E., 265.27 feet to a point on said north right-of-way line of Fontana Avenue; thence across Fontana Avenue, S. 41-25-53 W., 31.79 feet to the point of beginning and containing 7,831 square feet.

OLIVER STREET--Between Fontana Avenue and Spring Street

Beginning at the point of intersection of the south right-of-way line of Fontana Avenue and the east right-of-way line of Oliver Street; thence along the east right-of-way line of Oliver Street, S. 41-25-53 W., 334.97 feet to the point of intersection of said east right-of-way line of Oliver Street with the north right-of-way line of Spring Street; thence across Oliver Street, N. 50-58-05 W., 30.03 feet to the point of intersection of the north right-of-way line of Spring Street with the west right-of-way line of Oliver Street; thence along the ~~east~~<sup>west</sup> right-of-way line of Oliver Street, N. 41-25-53 E., 325.70 feet to the point of intersection of said west right-of-way line of Oliver Street with the south right-of-way line of Fontana Avenue; thence across Oliver Street, S. 67-53-20 E., 31.79 feet to the point of beginning and containing 9,910 square feet.