

July 26, 1976  
Resolutions Book 12 - Page 7

A RESOLUTION PROVIDING FOR PUBLIC HEARING ON PETITIONS FOR  
CONDITIONAL USE PERMITS.

BE IT RESOLVED, by the City Council of City of Charlotte, that public hearings will be held in the City Council Chambers on the second floor of City Hall at 600 East Trade Street beginning at 10:00 a.m., on Monday, the 30th day of August, 1976 on petitions for conditional use permits numbered 76-11 and 76-12.

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

Approved as to form:

Henry W. Cloddenhill Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 7.

Ruth Armstrong, City Clerk

A RESOLUTION ACCEPTING A STEP 3 EPA GRANT OFFER FOR CONSTRUCTION OF THE NORTH MECKLENBURG 201 WASTEWATER FACILITIES (C 370 451-03)

WHEREAS, the Federal Water Pollution Control Act of 1972 has authorized the making of grants to aid eligible units of government in financing the cost of wastewater facilities construction; and,

WHEREAS, the City of Charlotte has requested a Federal grant to assist in the construction of the North Mecklenburg wastewater facilities project as outlined in the North Mecklenburg 201 Plan; and,

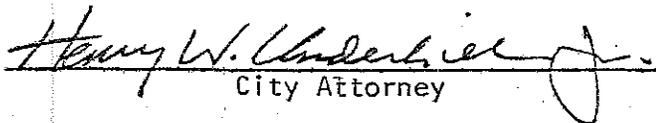
WHEREAS, the Environmental Protection Agency has offered the City of Charlotte a 75% grant in the amount of \$5,739,862;

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

That Mr. David A. Burkhalter is hereby authorized to execute all necessary documentation in order to accept the EPA's Step 3 grant offer of \$5,739,862 for necessary construction charges.

Mr. Burkhalter is hereby authorized and directed to furnish such additional information as the appropriate Federal agency may request in connection with accepting a Step 3 grant offer; to make necessary assurances as may be required; to submit grant amendments; and to execute such other documentation as may be requested in connection with accepting the grant offer.

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 26th day of July, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 8.

Ruth Armstrong  
City Clerk

A RESOLUTION ACCEPTING A STEP 2 - STEP 3 EPA GRANT OFFER FOR ENGINEERING DESIGN AND CONSTRUCTION OF METRO CHARLOTTE 201 WASTEWATER FACILITIES (C 370 377-02)

WHEREAS, the Federal Water Pollution Control Act of 1972 has authorized the making of grants to aid eligible units of government in financing the cost of wastewater facilities design and construction; and,

WHEREAS, the City of Charlotte has requested a Federal grant to assist in the design and construction of Metro Charlotte wastewater facilities projects as outlined in the Metro Charlotte 201 Plan; and,

WHEREAS, the Environmental Protection Agency has offered the City of Charlotte a 75% grant in the amount of \$8,485,975;

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

That Mr. David A. Burkhalter is hereby authorized to execute all necessary documentation in order to accept the EPA's Step 2 - Step 3 grant offer of \$8,485,975 for necessary engineering and construction charges.

Mr. Burkhalter is hereby authorized and directed to furnish such additional information as the appropriate Federal agency may request in connection with accepting a Step 2 - Step 3 grant offer; to make necessary assurances as may be required; to submit grant amendments; and to execute such other documentation as may be requested in connection with accepting the grant offer.

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 26th day of July, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 9.

Ruth Armstrong  
City Clerk

July 26, 1976  
Resolutions Book 12 - Page 10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA,  
AUTHORIZING THE FILING OF A PRELIMINARY APPLICATION FOR STATE MASS  
TRANSPORTATION ASSISTANCE BY THE CITY OF CHARLOTTE.

WHEREAS, the City of Charlotte will be eligible for a share of \$910,000 in FY-1977 State Mass Transportation Assistance Funds; and

WHEREAS, the filing of a preliminary application for these funds is necessary:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session duly assembled, that:

1. David A. Burkhalter is authorized to file a preapplication with the North Carolina Department of Transportation (NC DOT) for FY-1977 mass transportation assistance funds on behalf of the City of Charlotte.
2. Michael D. Kidd is authorized to furnish any additional information pertaining to this preapplication.

Approved as to form:

Henry W. Underhill Jr.  
City Attorney

Date: July 9, 1976

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 10.

Ruth Armstrong  
City Clerk

July 26, 1976  
Resolutions Book 12 - Page 11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, AUTHORIZING THE EXECUTION OF A TRANSIT CAPITAL ASSISTANCE GRANT CONTRACT WITH THE NORTH CAROLINA BOARD OF TRANSPORTATION BY THE MAYOR ( OR IN HIS ABSENCE, THE MAYOR PRO TEM).

WHEREAS, the City of Charlotte has been appropriated funds from the North Carolina Board of Transportation to fund a maximum of ten percent of the cost of acquisition of Charlotte City Coach Lines, Inc.; and

WHEREAS, the North Carolina Board of Transportation requires an official to be formally designated to execute grant contracts with the State for these funds:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session duly assembled, that:

- 1) The Mayor of the City of Charlotte is hereby authorized, on behalf of the City, to sign and comply with all the terms of grant contracts with the North Carolina Board of Transportation for project number NC-03-0009 (NC DOT work order number 9.90541); and
- 2) In the absence of the Mayor, the Mayor Pro Tem is authorized to perform these duties.

Approved as to form:

Henry W. Chesbrough Jr.  
City Attorney

Date: July 9, 1976

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 1976, the reference having been made in Minute Book 63, and is recorded in full in Resolutions Book 12, at Page 11.

Ruth Armstrong  
City Clerk

"RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE  
GRIER HEIGHTS COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS the City of Charlotte has undertaken the execution of the Grier Heights Community Development Target Area, the same being an Urban Redevelopment Project, to be executed in accordance with the provisions of Article 22 of Chapter 160A 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 law; and

WHEREAS such area has been established in accordance with the requirements of such law and the said Grier Heights Community Development Target Area 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 purpose of the law as set out in said Article 22 of Chapter 160A 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 regulations relating to such procedure, endeavored to establish a fair market value on properties within the area, and has in good faith through its proper agents endeavored to negotiate for the acquisition of properties within the fair market value thereof, the City of Charlotte recognizing in such negotiations that it needed to acquire said property in accordance with the said redevelopment plan previously approved; and

WHEREAS the City of Charlotte, after such fair negotiations, has of this date been unable to acquire such properties as hereinafter set out and this acquisition of such properties being essential to the achievement of the plans and accomplishment of the purpose 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.

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 with respect to the following properties:

<u>Block No.</u>	<u>Parcel No.</u>	<u>Owner</u>	<u>Fair Market Value</u>
5	1	Jerome L. Levin	\$38,000
5	37	L. P. Mayhew	23,000

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at Page 12.

Ruth Armstrong  
City Clerk

"RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE  
THIRD WARD COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS the City of Charlotte has undertaken the execution of the Third Ward Community Development Target Area, the same being an Urban Redevelopment Project, to be executed in accordance with the provisions of Article 22 of Chapter 160A 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 re-planning, and redevelopment of property within a redevelopment area, as defined by said law; and

WHEREAS such area has been established in accordance with the requirements of such law and the said Third Ward Community Development Target Area 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 purpose of the law as set out in said Article 22 of Chapter 160A 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 regulations relating to such procedure, endeavored to establish a fair market value on properties within the area, and has in good faith through its proper agents endeavored to negotiate for the acquisition of properties within the fair market value thereof, the City of Charlotte recognizing in such negotiations that it needed to acquire said property in accordance with the said redevelopment plan previously approved; and

WHEREAS the City of Charlotte, after such fair negotiations, has of this date been unable to acquire such properties as herein-after set out and this acquisition of such properties being essential to the achievement of the plans and accomplishment of the purpose 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.

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 with respect to the following properties:

<u>Block No.</u>	<u>Parcel No.</u>	<u>Owner</u>	<u>Fair Market Value</u>
24	15	Mary Shealey Eames	\$1,300

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 26th day of July, 1976, the reference having been made in Minute Book 64, and is recorded in full in Resolutions Book 12, at page 13.

Ruth Armstrong  
City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO WILLIAM H. PROTZ AND WIFE, LUCILLE L. PROTZ AND A LEASEHOLD INTEREST LOCATED OFF HIGHWAY 29 NORTH IN THE COUNTY OF MECKLENBURG FOR THE MALLARD CREEK WASTEWATER TREATMENT PLANT SITE.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to William H. Protz and wife, Lucille L. Protz and a Leasehold Interest, located off Highway 29 North in the County of Mecklenburg on which to construct Mallard Creek Wastewater Treatment Plant, a part of the sewage collection and disposal system; 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, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of William H. Protz and wife, Lucille L. Protz and a Leasehold Interest, located off Highway 29 North in the County of Mecklenburg, 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 \$82,975.00, 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 26th day of July, 1976, and the reference having been made in Minute Book 64, page \_\_\_\_\_, and recorded in full in Resolutions Book 12, page 14.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of July, 1976.

Ruth Armstrong  
Ruth Armstrong, City Clerk

22d

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CORA ANN CLARK (WIDOW) AND LEASEHOLD INTEREST, LOCATED OFF HARRIS HOUSTON ROAD IN THE COUNTY OF MECKLENBURG FOR MALLARD CREEK WASTEWATER TREATMENT PLANT SITE.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Cora Ann Clark (Widow) and a Leasehold Interest, located off Harris Houston Road in the County of Mecklenburg on which to construct Mallard Creek Wastewater Treatment Plant, a part of the sewage collection and disposal system; 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, and the authority granted in Chapter 160A-241 of the General Statutes of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of Cora Ann Clark (Widow) and a Leasehold Interest, located off Harris Houston Road in the County of Mecklenburg, 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 \$47,287.60, 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 26th day of July, 1976, and the reference having been made in Minute Book 64, page         , and recorded in full in Resolutions Book 12, page 15.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of July, 1976.

Ruth Armstrong  
Ruth Armstrong, City Clerk