

June 18, 1973
Resolutions Book 9 - Page 182

A RESOLUTION PROVIDING FOR PUBLIC
HEARINGS ON PETITIONS FOR ZONING CHANGES.

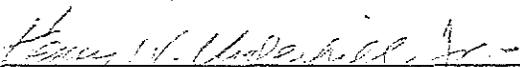
WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 73-24 through 73-29 are on record in the Office of the City Clerk, and

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 Council Chamber on the Second Floor of the Charlotte City Hall beginning at 2:00 o'clock P. M. on Monday, the 16th day of July, 1973 on petitions for zoning changes numbered 73-24 through 73-29.

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

APPROVED AS TO FORM:


Henry Underhill, City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of June, 1973, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, at Page 182.

Ruth Armstrong
City Clerk

**RESOLUTION APPROVING AND PROVIDING FOR THE EXECUTION OF A SECOND
AMENDATORY CONTRACT AMENDING LOAN AND GRANT CONTRACT NO. N. C. R-78(LG)
BY AND BETWEEN CITY OF CHARLOTTE (SUCCESSOR TO REDEVELOPMENT COMMISSION
OF THE CITY OF CHARLOTTE) AND THE UNITED STATES OF AMERICA.**

BE IT RESOLVED BY CITY OF CHARLOTTE (SUCCESSOR TO REDEVELOPMENT
COMMISSION OF THE CITY OF CHARLOTTE) AS FOLLOWS:

SECTION 1. The pending proposed Second Amendatory Contract (herein
Called the "Amendatory Contract"), to amend that certain Loan and Grant
Contract No. N. C. R-78(LG), dated the 5th day of August, 1971, by and
between REDEVELOPMENT COMMISSION OF CHARLOTTE (NOW CITY OF CHARLOTTE)
(Herein called the "Local Public Agency"), and the United States of
America (herein called the "Government"), is hereby in all respects
approved.

SECTION 2. The Mayor of the City of Charlotte is hereby authorized
and directed to execute the Amendatory Contract in two counterparts on
behalf of the Local Public Agency, and the City Clerk is hereby authorized
and directed to impress and attest the official seal of the Local Public
Agency on each such counterpart and to forward such counterparts to the
Department of Housing and Urban Development, for execution on behalf of
the Government, together with such other documents relative to the
approval and execution of such counterparts as may be required by the
Government.

SECTION 3. This Resolution shall take effect immediately.

Read, approved and adopted by the City Council of the City of Charlotte,
North Carolina, in regular session convened on the 18th day of June,
1973, the reference having been made in Minute Book 59, and recorded
in full in Resolutions Book 9, at Page 183.

Ruth Armstrong
City Clerk

RESOLUTION AUTHORIZING THE ISSUANCE
OF PROJECT LOAN NOTES IN
CONNECTION WITH URBAN RENEWAL PROJECT
NO. N.C.R-78

CITY OF CHARLOTTE)

WHEREAS the CITY OF CHARLOTTE (SUCCESSOR TO REDEVELOPMENT COMMISSION OF THE/ (herein called the "Local Public Agency") is duly authorized and proposes to undertake and carry out a certain urban renewal or redevelopment project (designated Project No. N.C.R-78) of the character authorized by law with financial aid by the United States of America (herein called the "Government"), in the form of a Project Temporary Loan under Title I of the Housing Act of 1949, as amended (42 U.S.C. 1450 et seq.), which may be made by the Government to the Local Public Agency with respect to said Project in accordance with a certain Loan and Grant Contract/^{as amended} (herein called the "Contract"), by and between the Local Public Agency and the Government; and

WHEREAS, in order to enable the Local Public Agency to obtain such financial aid, it is necessary for the Local Public Agency to authorize and, from time to time, issue certain obligations in the form of Project Loan Notes, as hereinafter provided:

NOW, THEREFORE, BE IT RESOLVED by the Local Public Agency as follows:

Section 1. Whenever the following terms, or any of them, are used in this Resolution the same, unless the context shall indicate another or different meaning or intent, shall be construed, are used, and are intended to have meanings as follows:

- (1) The term "Resolution" shall mean this Resolution.
- (2) All other terms used in this Resolution and which are defined in the Contract shall have the respective meanings ascribed thereto in the Contract.

Section 2. The Contract entered into between the Local Public Agency and the Government for the above identified Project is hereby declared to be a part of this Resolution and all applicable provisions thereof shall be deemed incorporated herein to the same extent as if the provisions thereof were expressly set forth in full herein.

Section 3. In order to evidence payments made by the Government on account of the Project Temporary Loan pursuant to the Contract with respect to the Project and to refund, renew, extend or substitute for any Note by this Resolution authorized to be issued (or any such Note by any other resolution authorized to be issued and which is outstanding, or on deposit for delivery pending payment therefor, as of the date this Resolution becomes effective), there are hereby authorized to be issued, from time to time, Project Loan Notes of the Local Public Agency in an aggregate principal amount outstanding at any one time (whether authorized by this Resolution or any other resolution authorizing the issuance of Project Loan Notes) not in excess of the amount of the Project Temporary Loan available under the Contract.

Section 4. The Director, ^{Urban Renewal Department} City of Charlotte is hereby authorized to file with the Government from time to time as funds are required, requisitions, together with the necessary supporting documents, requesting payments to be made on account of the Project Temporary Loan available under the Contract, and the proper officers of the Local Public Agency shall prepare, execute and deliver to the Government Notes hereinafter authorized and shall accept payment therefor from the Government in the form of cash or other Notes issued by the Local Public Agency, and such officers are authorized to do and perform all other things and acts required to be done or performed in order to obtain such payments. Cash proceeds from the issuance of all Project Loan Notes shall be deposited and disbursed only in accordance with the provisions of the Contract.

Section 5. Each Project Loan Note shall bear interest and be payable in the form and manner prescribed by the Contract and this Resolution; shall be signed in the name of the Local Public Agency by the Mayor of the City of Charlotte; and shall have the official seal of the Local Public Agency impressed thereon and attested by the City Clerk ; and shall otherwise be in substantially the form of HUD-9107 which is incorporated herein by reference.

Section 6. This Resolution shall supersede all previous resolutions authorizing Project Temporary Loan Notes, and the Project Loan Notes authorized by this Resolution shall be exchanged for any Project Temporary Loan Notes heretofore issued pursuant to any previous resolution.

Section 7. This Resolution shall take effect immediately.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of June, 1973, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, at Pages 184-185.

Ruth Armstrong
City Clerk

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A RESOLUTION READOPTING A JOINT RESOLUTION OF THE CITY COUNCIL AND THE BOARD OF COMMISSIONERS OF MECKLENBURG COUNTY CREATING AND ESTABLISHING THE CHARLOTTE-MECKLENBURG HISTORIC PROPERTIES COMMISSION.

WHEREAS, at its regularly scheduled meeting May 29, 1973, the City Council adopted a resolution creating and establishing the Charlotte-Mecklenburg Historic Properties Commission, said resolution to be adopted jointly by the Board of County Commissioners; and

WHEREAS, on Monday, June 4, 1973, the Board of County Commissioners adopted this resolution but with minor changes as to membership.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte at its regularly scheduled meeting of June 18, 1973, that it wishes to rescind its previous action as to this resolution, and hereby adopts the following resolution as amended by the Board of County Commissioners:

"WHEREAS, the City Council of the City of Charlotte and the Board of Commissioners of Mecklenburg County wish to insure the preservation of any property that embodies elements of the cultural, social, economic, political, or architectural history of Charlotte and Mecklenburg County; and

WHEREAS, the rapid physical and economic development of the City of Charlotte and Mecklenburg County makes it necessary to safeguard the heritage of the City and County through the preservation and conservation of historical structures and sites for the education, pleasure and enhancement of the residents of the City and County; and

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WHEREAS, Chapter 331 of the 1973 Session Laws of North Carolina authorizes the establishment of a joint City-County Historic Properties Commission to exercise the powers as granted by Chapter 157A of the General Statutes of North Carolina relative to designation and preservation of historical sites and structures in the City of Charlotte and in Mecklenburg County; and

WHEREAS, the City Council and the Board of County Commissioners are desirous of creating and establishing a joint City County Historic Properties Commission.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte and the Board of Commissioners of Mecklenburg County that the Charlotte-Mecklenburg Historic Properties Commission is hereby established, said Commission to consist of ten (10) members, five (5) to be nominated by the City Council and five (5) to be nominated by the Board of County Commissioners, and the ten (10) so nominated to be jointly appointed by the City Council and the Board of County Commissioners. The President of the Mecklenburg Historical Association shall serve as a non-voting ex-officio member of said commission.

BE IT FURTHER RESOLVED that the members of the Historic Properties Commission shall serve three-year staggered terms and that initially the City Council and the Board of County Commissioners shall each appoint two (2) members to serve a term of three (3) years, two (2) members to serve a term of two (2) years and one (1) member to serve a term of one (1) year in order to establish the staggered terms; a member may serve no more than two (2) consecutive full terms or no more than six (6) years; and a majority of the

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of the members of said Commission must have demonstrated special interest, experience or education in history or architecture; and

BE IT FURTHER RESOLVED that the Charlotte-Mecklenburg Historic Properties Commission is hereby authorized to carry out the powers as set forth in Chapter 157A of the General Statutes of North Carolina."

Resolved this 18th day of June, 1973.

Approved as to form:

Thomas C. Ruff
City Attorney

(Thomas C. Ruff)
County Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of June, 1973, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, at Pages 186-188.

Ruth Armstrong
City Clerk

RESOLUTION OF the City of Charlotte, North Carolina

PROVISION OF RELOCATION AND ACQUISITION ASSURANCES AND ADOPTION OF RELOCATION SCHEDULES

FOR PROJECT NO.(s) NC-N-13

WHEREAS, the CITY OF CHARLOTTE, NORTH CAROLINA

(hereafter referred to as the "Public Body") has filed with the Secretary of the Department of Housing and Urban Development (hereafter referred to as "HUD") an Application for financial assistance in connection with the carrying out of construction of a neighborhood facility center

project(s) designated Project No.(s) (respectively) NC-N-13

; and

WHEREAS, the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (hereafter referred to as the "Act") and the Regulations implementing the Act, require that assurances satisfactory to HUD be provided as a condition to any grant, contract, or agreement approved by HUD under which Federal financial assistance will be available to pay all or part of the cost of any undertaking which will result in the displacement of any person; and

WHEREAS, the Public Body has the authority under State and local law to comply with such assurances as exhibited herein; and

WHEREAS, all determinations or other actions by the Public Body provided for under the Act, the regulations implementing the Act, and such other appropriate issuances, shall be undertaken in accordance with the policies and requirements of HUD as issued from time to time;

WHEREAS, eligible families and individuals may elect to receive a moving expense allowance based on the State Highway Fixed Relocation Payment Schedule, a replacement housing payment for tenants and certain others computed in whole or in part from the Schedule of Average Prices of Comparable Rental Housing in Locality, and a replacement housing payment for homeowners computed in whole or in part from the Schedule of Average Prices of Comparable Sales Housing in Locality; and

WHEREAS, the Public Body has received, reviewed, and considered at this meeting the assurances as required by HUD, the State Highway Fixed Relocation Payment Schedule dated July 1, 1972, the Schedule of Average Prices of Comparable Rental Housing in Locality dated March 20, 1972, and the Schedule of Average Prices of Comparable Sales Housing in Locality dated March 20, 1972 as attached hereto and made a part hereof and marked for the project(s) contemplated; and

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WHEREAS, HUD regulations provide that the determination on each claim shall be made or approved either by the Governing Body of the Public Body or by the principal executive officer of the Public Body or his duly authorized designee as adopted and approved by the Governing Body.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
(Name of Governing Body)
of the CITY OF CHARLOTTE, NORTH CAROLINA, that:
(Name of Public Body)

1. the relocation plan(s) for project No.(s) NC-N-13 is (are) hereby in all respects adopted and approved;
2. the Certificate of Assurances (Exhibit 1) as required by HUD is hereby in all respects adopted and approved;
3. the Public Body has the authority under State and local law to comply with such Assurances (Exhibit 1);
4. the State Highway Fixed Relocation Payments Schedule (Exhibit 2) is hereby in all respects adopted and approved;
5. the Schedule of Average Prices of Comparable Rental Housing in Locality (Exhibit 3) is hereby in all respects adopted and approved;
6. the Schedule of Average Prices of Comparable Sales Housing in Locality (Exhibit 4) is hereby in all respects adopted and approved;
7. the Mayor of the Public Body or his duly authorized designee, (Principal Executive Officer) the City Manager, is hereby authorized to approve all claims for payments under the Act; and
8. the Mayor of the Public Body is authorized and directed, in the name of the Public Body, to execute and submit appropriate documents for the items herein adopted and approved and the City Clerk is authorized to attest same and affix the Seal thereto.

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 18th day of June, 1973, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, at Pages 189-190.

Seal:

Ruth Armstrong
City Clerk

City Clerk

A RESOLUTION TO AMEND THE RESOLUTION ADOPTED BY CITY COUNCIL ON FEBRUARY 26, 1973, AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO REPPIE MAE HARVEY AND HUSBAND, HENRY RECTOR HARVEY, LOCATED AT 942 NORTH CALDWELL STREET IN THE CITY OF CHARLOTTE FOR THE NORTH CALDWELL STREET IMPROVEMENT PROJECT.

WHEREAS, on the 23rd day of February, 1973, City Council authorized condemnation proceedings to be instituted against the property of Reppie Mae Harvey and husband, Henry Rector Harvey, located at 942 North Caldwell Street in the City of Charlotte to acquire land for right of way purposes and a permanent construction easement in connection with the North Caldwell Street Improvement Project; and

WHEREAS, the resolution adopted on February 23, 1973 failed to state the authority to acquire the entire structure on the property to be condemned.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Charlotte, in a regularly assembled session this 18th day of June, 1973, that the resolution adopted on February 23, 1973, authorizing the institution of condemnation proceedings against the property belonging to Reppie Mae Harvey and husband, Henry Rector Harvey, located at 942 North Caldwell Street in the City of Charlotte, shall be amended in the following manner:

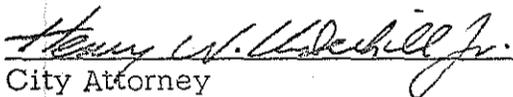
That an additional paragraph be inserted into said resolution between paragraphs three and four to read as follows:

"BE IT FURTHER RESOLVED that a determination has been made by the City Council that it is not feasible to cut off a portion of the structure on this property without destroying the whole, and by the authority granted in Chapter 740 of the 1967 Session Laws and Chapter 160A-242 authorizes the condemnation of the entire structure on this property excluding, however, the underlying fee of that portion of the structure located outside the right of way."

Except as hereby amended, said resolution shall remain as originally adopted.

Adopted this 18th day of June, 1973.

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 18th day of June, 1973, the reference having been made in Minute Book 59, and recorded in full in Resolutions Book 9, at Page 191.

Ruth Armstrong
City Clerk

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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 eight inch sanitary sewer line crossing Southern
Railway tracks at Sweden Road, located 3,867 feet northeast of Mile-
post R7.

Approved as to form:

Henry W. Merrill 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 18th day of June, 1973,
the reference having been made in Minute Book 59, page _____,
and recorded in full in Resolutions Book 9, page 192.

Witness my hand and the corporate seal of the City of Charlotte,
North Carolina, this the 19th day of June, 1973.

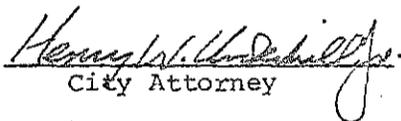
Ruth Armstrong
City Clerk

A RESOLUTION AUTHORIZING MR. DAVID A. BURKHALTER, CITY
MANAGER TO ACCEPT THE GRANT OFFER AND TO MAKE THE REQUIRED
ASSURANCE FOR A STATE MATCHING GRANT FOR SEWER CONSTRUCTION.

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina that Mr. David A. Burkhalter, City Manager is hereby authorized and directed to accept the State Grant offer of \$1,616,160 for (Federal Project C-370309) North Carolina State Project WT-12.

FURTHER BE IT RESOLVED, that the City Council of the City of Charlotte, North Carolina accepts and makes the assurances to the North Carolina Department of Natural and Economic Resources as specifically stated in Section II of the Offer and Acceptance for State Matching Grant for Wastewater Treatment Works Project under the Clean Water Bond Act of 1971 form advising us of this Grant offer.

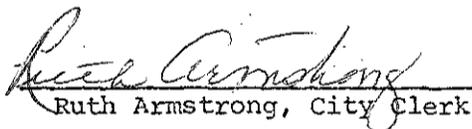
Approved as to form:


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 18th day of June, 1973, the reference having been made in Minute Book 59, Page , and recorded in full in Resolution Book 9 Page 193.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 19th day of June, 1973.


Ruth Armstrong, City Clerk

