

RESOLUTION CLOSING A PORTION OF SOUTH JOHNSTON STREET IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, a Petition has been filed and received in accordance with the provisions of the General Statutes of North Carolina, Chapter 153, Section 9(17), and Chapter 160, Section 200(11), requesting the closing of a portion of South Johnston Street in the City of Charlotte, Mecklenburg County, North Carolina;

WHEREAS, the City Council has caused to be published once a week for four consecutive weeks in a newspaper published in Mecklenburg County, North Carolina, a notice of public hearing on said Petition, and has in all other respects complied with the provisions of said statutes with regard to the giving of notice and holding a public hearing; and

WHEREAS, said public hearing was held on the 28th day of June, 1971; and

WHEREAS, the Petitioner, Schwartz and Son, Incorporated, owns all of the land abutting upon said portion of South Johnston Street, or the affected portions thereof; and

WHEREAS, no persons or parties in interest have appeared in opposition to the closing of said street or the portion thereof; and

WHEREAS, it has been made to appear to the satisfaction of the City Council that the closing and abandonment of said portion of South Johnston Street is not contrary to the public interest and that no individuals, firms, or corporations owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the City Council hereby orders the closing and abandonment of that portion of South Johnston Street located in the City of Charlotte, Mecklenburg County, North Carolina, designated in the aforesaid Petition and more particularly described as follows:

BEGINNING at an iron, said iron being located at the intersection of the southerly margin of West Third Street with the easterly margin of South Johnston Street, said beginning point being further located 220.65 feet from the intersection of the southerly margin of West Third Street with the easterly margin of South Cedar Street and runs thence from said beginning point with the easterly margin of South Johnston Street S. 25-56-54 W. 225.69 feet to an iron; thence N. 75-24-24 W. 30.60 feet to a point in the westerly margin of South Johnston Street; thence with the westerly margin of South Johnston Street N. 25-56-54 E. 231.66 feet to a point in the southerly margin of West Third Street; thence with the southerly margin of West Third Street S. 64-09 E. 30.0 feet to the point or place of beginning.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be filed in the office of the Register of Deeds of Mecklenburg County, North Carolina.

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 28th day of June, 1971, the reference having been made in Minute Book 55, at Page , and recorded in full in Resolution Book 7, at Pages 381-382.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of June, 1971.

Ruth Armstrong, City Clerk

June 28, 1971
Resolution Book 7 - Page 383

A RESOLUTION FIXING DATE OF PUBLIC HEARING ON REQUEST FOR
ISSUANCE OF ONE CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
TO OPERATE A TAXICAB IN THE CITY OF CHARLOTTE.

BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that a public hearing on the request of Leonard E. Crump for the issuance of one (1) Certificate of Public Convenience and Necessity for the operation of a taxicab in the City of Charlotte will be held at the regular Council meeting beginning at 3:00 o'clock p.m., on Monday, July 12, 1971.

BE IT FURTHER RESOLVED that notice of said hearing shall be published one at least ten (10) days prior to said July 12, 1971, in a newspaper published in the City of Charlotte.

Approved as to form:

Henry W. Underhill Jr.
City Attorney
by W.A.W.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of June, 1971, the reference having been made in Minute Book 55, at Page , and recorded in full in Resolution Book 7, at Page 383.

Ruth Armstrong
City Clerk

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

WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 71-53 through 71-63 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 26th day of July, 1971 on petitions for zoning changes numbered 71-53 through 71-63.

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

APPROVED AS TO FORM:

Henry W. Underhill, Jr.
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 28th day of June, 1971, the reference having been made in Minute Book 55, at Page , and recorded in full in Resolution Book 7, at Page 384.

Ruth Armstrong
City Clerk

RESOLUTION
OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, N. C.
AUTHORIZING FILING OF APPLICATION
FOR GRANT TO ACQUIRE AND DEVELOP OPEN-SPACE LAND

WHEREAS Title VII of the Housing Act of 1961, as amended, provides for the making of grants by the Secretary of Housing and Urban Development to States and local public bodies to assist them in the acquisition and development of permanent interests in land for open-space uses where such assistance is needed for carrying out a unified or officially coordinated program for the provision and development of open-space land as part of the comprehensively planned development of the urban area; and

WHEREAS the City of Charlotte (herein sometimes referred to as "Applicant") desires to acquire and develop an urban park in the Belmont Neighborhood along Sugar Creek and certain land in the Third Ward section of the Model Neighborhood, which land is to be held and used for permanent open-space land for permanent open-space; and

WHEREAS Title VI of the Civil Rights Act of 1964, and the regulations of the Department of Housing and Urban Development effectuating that Title, provide that no person shall be discriminated against because of race, color, or national origin in the use of the land acquired and/or developed; and

WHEREAS it is recognized that the contract for Federal grant will impose certain obligations and responsibilities upon the Applicant and will require among other things (1) assurances that families and individuals displaced as a result of the open-space land project are offered decent, safe and sanitary housing, (2) compliance with Federal labor standards, and (3) compliance with Federal requirements relating to equal employment opportunity; and

WHEREAS the land proposed to be developed for open-space use was acquired with a Federal grant under Title VII of the Housing Act of 1961, as amended; and

WHEREAS it is estimated that the cost of acquiring said interests will be \$10,150; and

WHEREAS it is estimated that the cost of development of said land will be \$533,108; and

WHEREAS it is estimated that the cost of necessary demolition and removal of improvements on said land will be \$850; and

WHEREAS it is estimated that the total amount of relocation payments to be made to eligible site occupants displaced from property to be acquired will be \$8,600:

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

1. That an application be made to the Department of Housing and Urban Development for a grant in an amount authorized by Title VII of the Housing Act of 1961, as amended, which amount is presently estimated to be \$409,993, and that the applicant will pay the balance of the cost from other funds available to it.

2. That the Mayor is hereby authorized and directed to execute and to file such application with the Department of Housing and Urban Development, to provide additional information and to furnish such documents as may be required by said Department, to execute such contracts as are required by said Department, and to act as the authorized correspondent of the Applicant.

3. That the proposed acquisition and development is in accordance with plans for the allocation of land for open-space uses, and that, should said grant be made, the Applicant will acquire, develop, and retain said land for the uses designated in said application and approved by the Department of Housing and Urban Development.

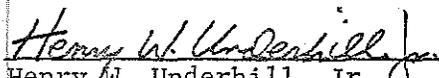
4. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the Applicant with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964.

5. That there exists in the locality an adequate amount of decent, safe, and sanitary housing which is available to persons displaced as a result of the open-space land project, at prices which are within their financial means, and which are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families, and it is the sense of this body that such displacees, if any, will be relocated in accordance with applicable regulations of the Department of Housing and Urban Development.

6. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by the Applicant with the Federal labor standards imposed under Title VII of the Housing Act of 1961, as amended.

7. That a land acquisition policy will be developed whereby every reasonable effort to acquire each property by negotiated purchase will be made before instituting eminent domain proceedings against the property. In addition, a property owner will not be required to surrender the right to possession of his property until the applicant pays, or causes to be paid, to the owner (a) the agreed purchase price arrived at by negotiation, or (b) in any case where only the amount of the payment to the owner is in dispute, not less than 75% of the appraised fair value as approved by the applicant and concurred in by the United States Department of Housing and Urban Development. Also, the applicant will not require any person lawfully occupying property to surrender possession without at least 90-days written notice from the applicant of the date on which possession will be required.

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 28th day of June, 1971, the reference having been made in Minute Book 55, at Page , and in Resolutions Book 7, at page 385.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 30th day of June, 1971.

Ruth Armstrong
City Clerk

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND RATIFYING THE EXECUTION OF GRANT AGREEMENT FOR PROJECT NO. 8-37-0012-01 BETWEEN THE UNITED STATES OF AMERICA AND THE CITY OF CHARLOTTE, NORTH CAROLINA.

BE IT RESOLVED, by the City Council 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, North Carolina.

SECTION 2. That the execution of said Grant Agreement in quadruplicate on behalf of said City of Charlotte, North Carolina by 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 to execute payment requests under this Grant Agreement on behalf of said City of Charlotte, North Carolina.

SECTION 4. That the Grant Agreement referred to hereinabove is on file in the Office of the City Clerk.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of June, 1971, the reference having been made in Minute Book 55, at Page , and recorded in full in Resolution Book 7, at Page 387.

Ruth Armstrong
City Clerk

June 28, 1971
Resolution Book 7 - Page 388

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JOHNNIE CASWELL BAKER AND WIFE, ESTELLE F. BAKER, LOCATED AT 2100 SHARON LANE IN THE CITY OF CHARLOTTE FOR THE SHARON LANE WIDENING PROJECT.

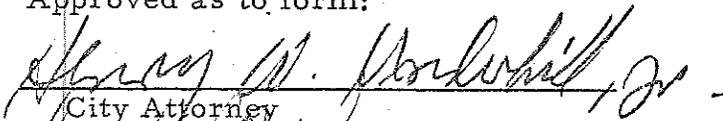
WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Johnnie Caswell Baker and wife, Estelle F. Baker, located at 2100 Sharon Lane in the City of Charlotte, Mecklenburg County, for a temporary construction easement for the Sharon Lane Widening Project; 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 of 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 Johnnie Caswell Baker and wife, Estelle F. Baker, located at 2100 Sharon Lane in the City of Charlotte, 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 \$50.00, 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 28th day of June, 1971, the reference having been made in Minute Book 55, page _____, and recorded in full in Resolutions Book 7, page 388.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 30th day of June, 1971.

Ruth Armstrong
City Clerk

Copy of a Resolution Passed by the
City Council of the City of
Charlotte, North Carolina

The following resolution was offered by Councilman Hot
and a motion was made by Councilman Hot that it be adopted;
this motion was seconded by Councilman Richens and upon
being put to a vote, was unanimously carried:

WHEREAS, the State Highway Commission and the City of Charlotte propose to make certain street and highway improvements within this Municipality consisting of the upgrading of traffic control signals on North Tryon Street (US 29) at its intersections with 16th Street, Dalton Avenue, Sylvania Avenue, 24th Street, 26th Street, 27th Street, 30th Street, 32nd Street, Atando Avenue, and 36th Street under Project 8.6100301, Mecklenburg County, as filed with the State Highway Commission in Raleigh, North Carolina; that said project is considered to be a most necessary improvement in the street and highway system within the corporate limits of this Municipality for the promotion of public safety and convenience; and,

WHEREAS, in the plans and proposals of said improvement, it is provided that this Municipality cooperate with the State Highway Commission to the extent of:

- (1) Purchasing and furnishing all required items of traffic signal equipment necessary for the project to be reimbursed by the State Highway Commission for the actual cost of such equipment.
- (2) Installing said equipment on the project in accordance with the plans and specifications of the project and in accordance with the procedures set forth in the municipal agreement subject to reimbursement by the State Highway Commission for the cost of installation.
- (3) Following the Reimbursement and Accounting Procedures as set forth in Attachment A of the Agreement.
- (4) Complying with the Required Contract Provisions for Federal Aid Contracts as set out in Attachment B of the Agreement.
- (5) Acquiring any required construction easements outside the existing right of way limits at no expense to the Commission.
- (6) Relocating and adjusting any and all public or privately owned utilities without expense to the Commission.

NOW, THEREFORE, BE IT RESOLVED that Project 8.6100301, Mecklenburg County, be and it is hereby formally approved by the City Council of the City of Charlotte, and that the Mayor and City Clerk (or Manager) of this Municipality be and they are hereby empowered to sign and execute the

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required Agreement between this Municipality and the State Highway Commission.

This Resolution was passed and adopted the 28th day of June, 1971.

I, Ruth Armstrong, Clerk (~~or Manager~~) of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and correct copy of excerpts from the minutes of the City Council of this Municipality;

WITNESS, my hand and the official seal of the City of Charlotte on this 2nd day of July, 1971.

Ruth Armstrong
CLERK (OR-MANAGER)
CITY OF CHARLOTTE
NORTH CAROLINA

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of June, 1971, the reference having been made in Minute Book 55, at Page 414, and recorded in full in Resolution Book 7, beginning on Page 389.

Ruth Armstrong
City Clerk