

RESOLUTION DECLARING AN INTENT TO CLOSE PORTIONS OF  
CANTON STREET, JOHNSON STREET, McCALL STREET, LIDDELL STREET,  
FONTANA STREET and CRAVEN LANE  
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH  
CAROLINA, AND CALLING A PUBLIC HEARING ON THE QUESTION

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, by Resolution effective May 1, 1973, the City of Charlotte abolished the Redevelopment Commission of the City of Charlotte and created in place thereof the Urban Redevelopment Department of the City of Charlotte, said Resolution reciting that the Urban Redevelopment Department was established for the purpose of exercising the powers, duties, and responsibilities heretofore exercised by the Redevelopment Commission of the City of Charlotte; and

WHEREAS, by Resolution of the City Council of the City of Charlotte passed on the 12th day of May, 1975, effective May 12, 1975, the Urban Redevelopment Department of the City of Charlotte was abolished and there was established in place thereof the Community Development Department of the City of Charlotte which succeeded to all of the powers and duties formerly exercised by the Urban Redevelopment Department of the City of Charlotte; and

WHEREAS, the Community Development Department of the City of Charlotte, by and through its Director, has requested the City to vacate and close those certain portions of Canton Street, Johnson Street, McCall Street, Liddell Street, Fontana Street and Craven Lane in the City of Charlotte, Mecklenburg County, North Carolina, as same is shown on Map of Redevelopment Commission of the City of Charlotte, Greenville Urban Renewal Area, Project No. N. C. R-78, entitled "Abandonment of Existing City Streets Right of Way" prepared by Wilbur Smith and Associates, Inc. - Design dated August 5, 1975, copies of which are available for inspection in the Office of the City Clerk in the City Hall at Charlotte, North Carolina; said portions of said streets being more particularly described in Exhibits "A-1 through A-6" attached hereto and made a part hereof; and

WHEREAS, the procedure for closing streets and public alleys as outlined in Chapter 160A, Section 299 of the General Statutes of North Carolina requires that Council first adopt a resolution declaring its intent to close the street or public alley and calling a public hearing on the question; said Statute further requires that the resolution shall be published once a week for four 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 or public alley 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 streets or public alley; and

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 March 22, 1976, that it intends to close those certain portions of Canton Street, Johnson Street, McCall Street, Liddell Street, Fontana Street and Craven Lane in the City of Charlotte, Mecklenburg

County, North Carolina, as same is shown on Map of Redevelopment Commission of the City of Charlotte, Greenville Urban Renewal Area, Project No. N. C. R-78 entitled "Abandonment of Existing City Streets Right of Way" prepared by Wilbur Smith and Associates, Inc. - Design dated August 5, 1975, copies of which are available for inspection in the Office of the City Clerk in the City Hall at Charlotte, North Carolina, said portions of said streets being more particularly described in Exhibits "A-1 through A-6" hereto attached and made a part hereof, and hereby calls a public hearing on the question to be held at 3 P. M., on Monday the 3rd day of May, 1976, 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 once a week for four successive weeks next preceding the date fixed here for such hearing as required by the provisions of Chapter 160A, Section 299 of the General Statutes of North Carolina; and further, the Petitioner is directed to send by registered or certified mail a copy of this resolution to all owners of property adjoining the said portion of the streets or public alley as shown on the county tax records as required by said Statute. The Petitioner is hereby directed to prominently post a notice of the closing and public hearing in at least two places along the said portion of the streets or public alley, as required by said Statute.

C E R T I F I C A T I O N

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 Resolutions adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of March, 1976, and the reference having been made in Minute Book 63, and recorded in full in Resolutions Book 11 at page 338-345.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 23rd day of March, 1976.

  
Ruth Armstrong, City Clerk

AUG 18 1975

GREENVILLE URBAN RENEWAL AREA

PROJECT NO. N.C. R-78

ABANDONMENT OF A PORTION OF THE EXISTING STREET RIGHT-OF-WAY

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 Abandonment of Existing City Streets Right-of-Way on a plat prepared by Wilbur Smith and Associates, Inc. - DESIGN, dated August 5, 1975, and being more particularly described as follows:

1. CANTON STREET--Between Kendrick and Johnson A-1

Beginning at the point of intersection of the east right-of-way line of Kendrick Street and the north right-of-way line of Canton Street; thence along the north right-of-way line of Canton Street, S 56°25'59" E, 490.61 feet to the point of intersection of said north right-of-way line of Canton Street with the west right-of-way line of Johnson Street; thence across the Canton Street, S 34°18'42" W, 30.00 feet to the point of intersection of the west right-of-way line of Johnson Street with the south right-of-way line of Canton Street; thence along the south right-of-way line of Canton Street, N 56°25'59" W, 490.90 feet to the point of intersection of said south right-of-way line of Canton Street with the east right-of-way line of Kendrick Street; thence across Canton Street, N 34°51'02" E, 30.00 feet to the point of beginning and containing 14,723 square feet.

2. JOHNSON STREET--From Canton to Mavis A-2

Beginning at the point of intersection of the north right-of-way line of Canton Street and the west right-of-way line of Johnson Street; thence across Johnson Street, S 56°25'59" E, 30.00 feet to a point on the east right-of-way line of Johnson Street; thence along the east right-of-way line of Johnson Street, S 35°11'18" W,

March 22, 1976  
Resolutions Book 11 - Page 341

52.80 feet to the point of intersection of said east right-of-way line of Johnson Street with the north right-of-way line of Vogel Street; thence across Vogel Street, S 42°41'02" W, 36.50 feet to the point of intersection of the south right-of-way line of Vogel Street with the east right-of-way line of Johnson Street; thence along the east right-of-way line of Johnson Street, S 33°33'09" W, 218.84 feet to a point on the east right-of-way line of Johnson Street; thence across Johnson Street, N 55°32'05" W, 26.79 feet to a point on the west right-of-way line of Johnson Street; thence along the west right-of-way line of Johnson Street, N 34°18'42" E, 277.25 feet to the point of intersection of said west right-of-way line of Johnson Street with the south right-of-way line of Canton Street; thence across Canton Street, N 34°18'42" E, 30.00 feet to the point of beginning and containing 8,059 square feet.

March 22, 1976

Resolutions Book 11 - Page 342

## GREENVILLE URBAN RENEWAL AREA

PROJECT NO. N.C. R-78

## ABANDONMENT OF A PORTION OF THE EXISTING STREET RIGHT-OF-WAY

Rec'd. By: SA

AUG 18 1975

Original To: \_\_\_\_\_

Copies To: \_\_\_\_\_

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 Abandonment of Existing City Streets Right-of-Way on a plat prepared by Wilbur Smith and Associates, Inc. - DESIGN, dated August 5, 1975 and being more particularly described as follows:

1. MC CALL STREET--From Southern R.R. to a point south of Liddell Street A-3

Beginning at the point of intersection of the south right-of-way line of Southern R.R. and the east right-of-way line of McCall Street; thence along the east right-of-way line of McCall Street, S 20°52'15" E, 276.82 feet to a point on the east right-of-way line of McCall Street; thence along the east right-of-way line of McCall Street, S 5°15'25" W, 74.56 feet to a point on the east right-of-way line of McCall Street; thence along the east right-of-way line of McCall Street, S 19°17'02" W, 507.87 feet to a point on the east right-of-way line of McCall Street; thence across McCall Street, N 70°42'58" W 40.00 feet to a point on the west right-of-way line of McCall Street; thence along the west right-of-way line of McCall Street, N 19°17'02" E, 544.17 feet to a point on the west right-of-way line of McCall Street; thence along the west right-of-way line of McCall Street, N 20°52'14" W, 275.74 feet to the intersection of said west right-of-way line of McCall Street with the south right-of-way line of Southern R.R.; thence across McCall Street N 49°12'48" E, 42.54 feet to the point of beginning and containing 33,211 square feet.

2. LIDDELL STREET--Between McCall and Statesville A-4

Beginning at the point of intersection of the east right-of-way line of McCall Street and the north right-of-way line of Liddell Street; thence along the north right-of-way line of Liddell Street,

March 22, 1976

Resolutions Book 11 - Page 343

S 67°51'45" E, 380.14 feet to the point of intersection of said north right-of-way line of Liddell Street with the west right-of-way line of Statesville Avenue; thence across Liddell Street, S 12°43'28" E, 47.67 feet to the point of intersection of the west right-of-way line of Graham Street with the south right-of-way line of Liddell Street; thence along the south right-of-way line of Liddell Street, N 67°24'37" W, 195.77 feet to a point on the south right-of-way line of Liddell Street; thence along the south right-of-way line of Liddell Street, N 29°54'33" E, 2.60 feet to a point on the south right-of-way line of Liddell Street; thence along the south right-of-way line of Liddell Street, N 67°51'45" W, 210.24 feet to the point of intersection of said south right-of-way line of Liddell Street with the east right-of-way line of McCall Street; thence across Liddell Street, N 19°17'02" E, 35.04 feet to the point of beginning and containing 14,350 square feet.

March 22, 1976  
Resolutions Book 11 - Page 344

GREENVILLE URBAN RENEWAL AREA

PROJECT NO. N.C. R-78

Rec'd. By: <i>UP</i>
AUG 18 1975
Original To: _____
Copies To: _____

ABANDONMENT OF A PORTION OF THE EXISTING STREET RIGHT-OF-WAY

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 Abandonment of Existing City Streets Right-of-Way on a plat prepared by Wilbur Smith and Associates, Inc. - DESIGN, dated August 5, 1975, and being more particularly described as follows:

1. A PORTION OF FONTANA STREET--West of Craven Lane *A-5*

Beginning at the point of intersection of the west right-of-way line of Craven Lane and the north right-of-way line of Fontana Street; thence across Fontana Street, S 67°53'29" E, 13.61 feet to the point of intersection of the east right-of-way line of Craven Lane with the north right-of-way line of Fontana Street; thence across Fontana Street, S 26°00'04" W, 30.07 feet to the point of intersection of the south right-of-way line of Fontana Street with the east right-of-way line of Craven Lane; thence across Craven Lane, N 67°53'20" W, 12.87 feet to the point of intersection of the west right-of-way line of Craven Lane with the south right-of-way line of Fontana Street; thence along the south right-of-way line of Fontana Street, N 67°53'20" W, 78.71 feet to a point on the south right-of-way line of Fontana Street; thence across Fontana Street, N 22°06'40" E, 30.00 feet to a point on the north right-of-way line of Fontana Street; thence along the north right-of-way line of Fontana Street, S 67°53'20" E, 80.00 feet to the point of beginning and containing 2,778 square feet.

2. CRAVEN LANE--Between Oaklawn Avenue and Fontana Street *A-6*

Beginning at the point of intersection of the north right-of-way line of Fontana Street and the west right-of-way line of Craven Lane;

March 22, 1976

Resolutions Book 11 - Page 345

thence along the west right-of-way line of Craven Lane, N 24°33'16" E, 217.65 feet to the point of intersection of said west right-of-way line of Craven Lane with the south right-of-way line of Oaklawn Avenue; thence across Craven Lane, S 68°21'59" E, 13.64 feet to the point of intersection of the south right-of-way line of Oaklawn Avenue with the east right-of-way line of Craven Lane; thence along the east right-of-way line of Craven Lane, S 24°33'38" W, 217.76 feet to the point of intersection of said east right-of-way line of Craven Lane with the north right-of-way line of Fontana Street; thence across Craven Lane, S 67°53'29" E, 13.61 feet to the point of beginning and containing 2,963 square feet.

WHEREAS, the Charlotte-Mecklenburg Comprehensive Plan heretofore adopted by this Council recognizes that strong inner-city neighborhoods are vital to the health of the City and that the City should make a commitment toward neighborhood preservation; and

WHEREAS, the Comprehensive Plan and a Planning Commission study of inner-city neighborhoods stress that many of those neighborhoods composed predominately of single family homes should be zoned as single family districts in order to protect those neighborhoods from destruction; and

WHEREAS, Myers Park was one of America's first planned subdivisions and is a strong inner-city neighborhood containing some of the finest remaining aspects of Charlotte's beauty and heritage;

NOW, THEREFORE, IT IS HEREBY MOVED, that the following separate amendments to the official zoning ordinances of the City of Charlotte be and hereby are proposed for adoption by the Charlotte City Council, subject to a hearing thereon and a subsequent vote of the Council:

AMENDMENT NO. 1: Area No. 1 as shown on the accompanying map, consisting of lots on each side of Dartmouth Road, Hermitage Court and Moravian Lane, change from R-6MF to R-6 and R-9.

AMENDMENT NO. 2: Area No. 2 as shown on the accompanying map, consisting of lots on each side of Hermitage Court between Area No. 1 and Providence Road, change from B-1 and O-6 to R-6.

AMENDMENT NO. 3: Area No. 3 as shown on the accompanying map, consisting of lots on each side of Queens Road between Hermitage Road and Morehead Street, change from R-6MF and R-6MF-H to R-12.

AMENDMENT NO. 4: Area No. 4, as shown on the accompanying map, consisting of lots on each side of Henley Place and Bromley Road between Queens Road and Morehead Street, change from R-6MF to R-9.

AMENDMENT NO. 5: Area No. 5 as shown on the accompanying map, consisting of lots on each side of Henley Place and between Area No. 4 and lots adjacent to Morehead Street, change from B-1 and O-6 to R-9.

AMENDMENT NO. 6: Area No. 6, as shown on the accompanying map, consisting of lots at southwestern corner of Queens Road and Queens Road West, change from R-6MF to R-12.

AMENDMENT NO. 7: Area No. 7 as shown on the accompanying map, consisting of lots at northeastern side of Queens Road between Ardsley Road and Granville Road, change from R-6MF to R-12.

March 22, 1976  
Resolutions Book 11 - Page 347

AMENDMENT NO. 8: Area No. 8, as shown on the accompanying map, consisting of lots at southeastern corner of Queens Road and Queens Road West, change from R-6MF to R-12.

AMENDMENT NO. 9: Area No. 9, as shown on the accompanying map, consisting of lots on southern side of Queens Road in middle of block between Queens Road West and Granville Road, change from R-6MF-H to R-15MF.

AMENDMENT NO. 10: Area No. 10, as shown on the accompanying map, consisting of lots at southwestern corner of Queens Road and Granville Road, change from R-6MF to R-12.

AMENDMENT NO. 11: Area No. 11, as shown on the accompanying map, consisting of lots at eastern corner of Queens Road and Granville Road, change from R-6MF-H to R-15MF.

AMENEMENT NO. 12: Area No. 12, as shown on the accompanying map, consisting of lots at western corner of Queens Road and Hopedale Avenue, change from R-6MF-H to R-15MF.

AMENDMENT NO. 13: Area No. 13, as shown on the accompanying map, consisting of lots at intersection of Queens Road and Providence Road between Hopedale Avenue and Pembroke Avenue, change from R-6MF-H to R-15MF.

AMENDMENT NO. 14: Area No. 14, as shown on the accompanying map, consisting of a lot at southwestern corner of Queens Road and Pembroke Avenue, change from R-6MF-H to R-6MF.

AMENDMENT NO. 15: Area No. 15, as shown on the accompanying map, consisting of lots on each side of Queens Road, Sharon Road, Queens Road East, Roswell Avenue and Selwyn Avenue from Myers Park Methodist Church south to near intersection of Roswell Avenue and Queens Road West, change from R-6MF and R-6MF-H to R-12.

AMENDMENT NO. 16: Area No. 16, as shown on the accompanying map, consisting of lots on each side of Selwyn Avenue between Wellesley Avenue and Bucknell Avenue, change from R-6MF to R-12.

AMENDMENT NO. 17: Area No. 17, as shown on the accompanying map, consisting of lots at the northeastern corner of Selwyn Avenue and Bucknell Avenue, change from R-6MF-H to R-15MF.

AMENDMENT NO. 18: Area No. 18, as shown on the accompanying map, consisting of lots on each side of Selwyn Avenue between Sterling Road and Lorene Avenue, change from R-6MF to R-9.

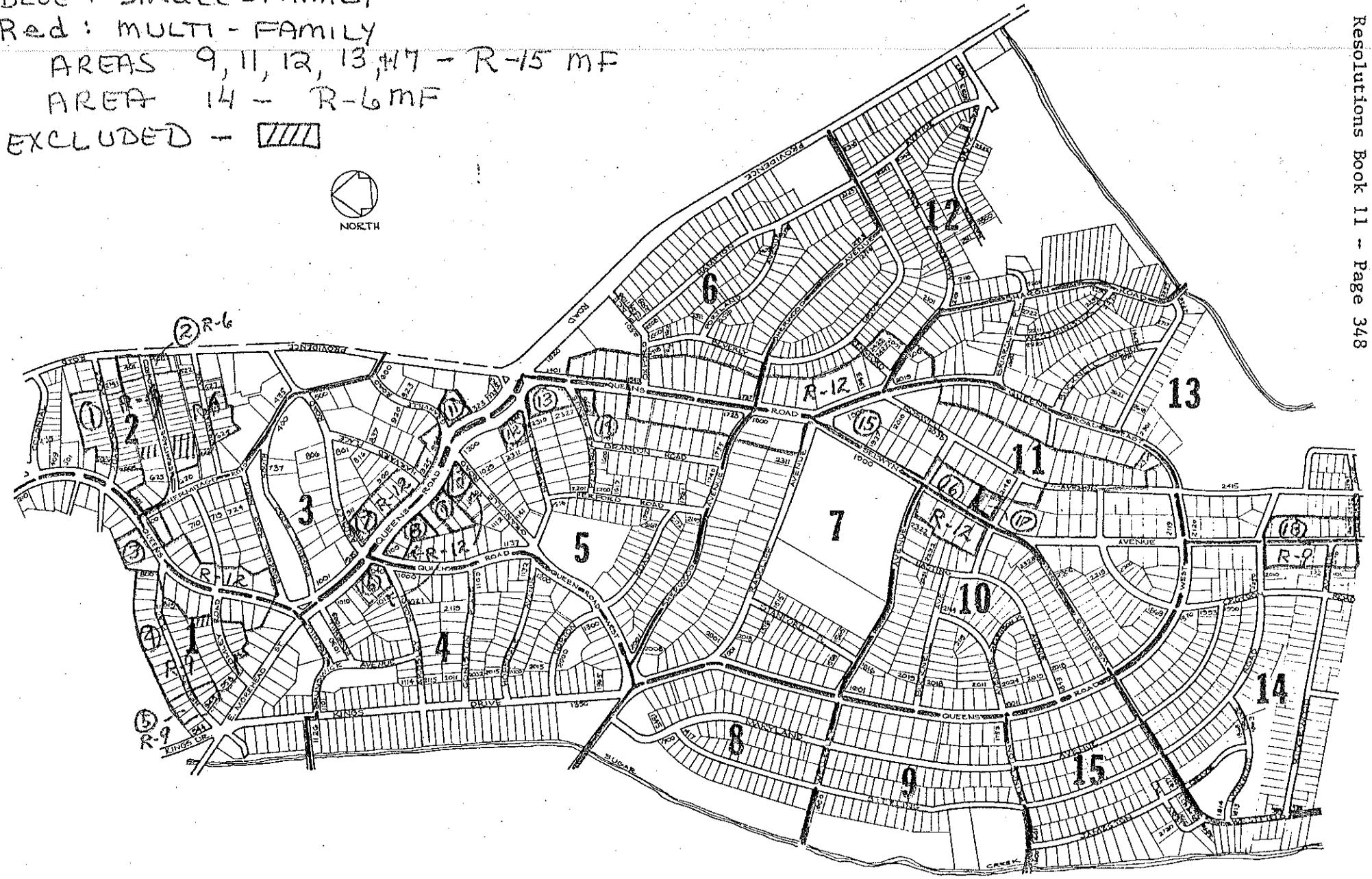
BE IT FURTHER MOVED, that the foregoing proposed amendments be considered, after such notice as is required by law, at the public rezoning hearing to be held on Monday, April 26, 1976, and that the Council, after receipt of the recommendations of the Planning Commission, take action to approve, modify or disapprove the proposed amendments within a reasonable time following such hearing.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of March, 1976, the reference having been made in Minute Book 63, and recorded in full in Resolutions Book 11, at page 346-348.

Ruth Armstrong, City Clerk

# LEGEND

BLUE : SINGLE-FAMILY  
 Red : MULTI-FAMILY  
 AREAS 9, 11, 12, 13, 17 - R-15 MF  
 AREA 14 - R-6 MF  
 EXCLUDED - [diagonal lines symbol]



## MYERS PARK HOMEOWNERS' ASSOCIATION

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

The following resolution was introduced, and Councilman Whittington moved that it be adopted. The motion was seconded by Councilwoman Locke and, upon being put to a vote, the resolution was unanimously carried;

WHEREAS, the North Carolina Board of Transportation has prepared and adopted plans to make certain street and highway improvements within this Municipality under Project W. O. 8.7367006, said plans consisting of the construction and improvement of the intersections of North Graham Street with Atando Avenue and Kennedy Street, that said project is considered to be a most necessary street and highway improvement for the promotion of public safety and convenience; and,

WHEREAS, the Board of Transportation and this Municipality propose to enter into an agreement for the above mentioned project wherein this Municipality shall cooperate with said Board to the extent of:

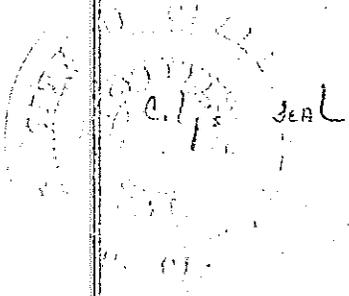
- (1) Effecting the necessary adjustments of any utilities under franchise without expense to the Board of Transportation, and providing for the adjustments of any municipally owned utilities without cost or obligation to the Board of Transportation, except that said Board will reimburse this Municipality in accordance with the Board's municipally owned utility policy.
- (2) Participating in the right of way costs incurred by the Board of Transportation to the extent of fifty (50) percent of the total cost thereof to be paid to said Board in four (4) equal annual installments with the due dates of said installments being October 1, 1976, October 1, 1977, October 1, 1978, and October 1, 1979. Payments shall be based on cost estimates to be adjusted when the actual cost figures are determined.
- (3) Reimbursing the Board of Transportation for the construction cost of the sidewalks, as shown on the project plans, with said reimbursement to be made in a lump sum amount after completion of the project and within sixty (60) days after billing by said Board.
- (4) Authorizing the Board of Transportation to withhold so much of this Municipality's share of funds allocated by the General Statutes of North Carolina, Section 136-41.1, in the event this Municipality fails to pay said Board in accordance with the provisions for payment hereinabove provided, until such time as said Board has received payment in full.
- (5) Entering into an agreement with the Board of Transportation as to establishing, maintaining, and enforcing traffic operating controls for the regulation and movement of traffic on the project.

NOW, THEREFORE, BE IT RESOLVED that Project W. O. 8.7367006, 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 required agreement between this Municipality and the Board of Transportation.

This Resolution was passed and adopted the 22nd day of March, 1976.

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 24th day of March, 1976.



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

23 a d

March 22, 1976  
Resolutions Book 11 - Page 351

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO GARY H. WATTS AND WIFE, TROY ANN WATTS AND DAVID KINNEY AND WIFE, EFFIE C. KINNEY, LOCATED AT 1005 WEST TRADE STREET IN THE CITY OF CHARLOTTE FOR THE TRADE-FOURTH CONNECTOR PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Gary H. Watts and wife, Troy Ann Watts and David Kinney and wife, Effie C. Kinney, located at 1005 West Trade Street in the City of Charlotte, Mecklenburg County, for right of way purposes and a temporary construction easement in connection with the Trade-Fourth Connector 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, 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 N. C. G. S. 160A-241, condemnation proceedings are hereby authorized to be instituted against the property of Gary H. Watts and wife, Troy Ann Watts and David Kinney and wife, Effie C. Kinney, located at 1005 West Trade Street in the City of Charlotte, Mecklenburg County. It has been determined by the City Council that it is not feasible to cut off a portion of the structure on this property without destroying the whole; therefore, this acquisition shall include all right, title and interest in the entire structure on the property affected together with the right to enter upon the surrounding land for the purpose of removing said structure pursuant to the authority vested in the plaintiff under the provisions of N. C. G. S. 160A-242, and 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 \$12,676.00, 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 22nd day of March, 1976, and the reference having been made in Minute Book 63, page         , and recorded in full in Resolutions Book 11, page 351.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of March, 1976.

Ruth Armstrong  
Ruth Armstrong, City Clerk

March 22, 1976  
Resolutions Book 11 - Page 352

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO THE MORRIS S. TATE ESTATE LOCATED AT ROSETTA STREET (OFF BEATTIES FORD ROAD) IN THE CITY OF CHARLOTTE FOR THE NORTHWEST JUNIOR HIGH SCHOOL AREA PARK SITE PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to the Morris S. Tate Estate located at Rosetta Street (off Beatties Ford Road) in the City of Charlotte, for park purposes in connection with the Northwest Junior High School Area Park Site 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, 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 the Morris S. Tate Estate located at Rosetta Street (off Beatties Ford Road) in the City of Charlotte, 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 \$1,800.00, 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. Woodhill, Jr.*  
City Attorney

*(Ruth Armstrong)* 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 22nd day of March, 1976, and the reference having been made in Minute Book 63, page         , and recorded in full in Resolutions Book 11, page 352.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of March, 1976.

*Ruth Armstrong*  
Ruth Armstrong, City Clerk

March 22, 1976  
Resolutions Book 11 - Page 353

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO CLARA J. WILSON AND HUSBAND, RICHARD E. WILSON, JR. LOCATED AT 1009 WEST TRADE STREET IN THE CITY OF CHARLOTTE FOR THE TRADE-FOURTH CONNECTOR PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Clara J. Wilson and husband, Richard E. Wilson, Jr. located at 1009 West Trade Street in the City of Charlotte, for right of way purposes and a temporary construction easement in connection with the Trade-Fourth Connector 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, 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 Clara J. Wilson and husband, Richard E. Wilson, Jr., located at 1009 West Trade Street in the City of Charlotte, 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 \$17,810.00, 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 22nd day of March, 1976, and the reference having been made in Minute Book 63, page         , and recorded in full in Resolutions Book 11, page 353.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of March, 1976.

Ruth Armstrong  
Ruth Armstrong, City Clerk

March 22, 1976  
Resolutions Book 11 - Page 354

"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 purposes 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>
17	5	Mariah Alexander	\$11,700

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of March, 1976, the reference having been made in Minute Book 63, and recorded in full in Resolutions Book 11, at Page 354.

Ruth Armstrong, City Clerk

March 22, 1976  
Resolutions Book 11 - Page 355

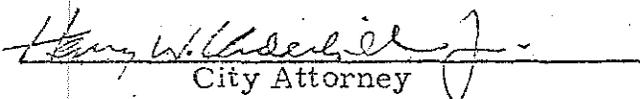
A RESOLUTION AUTHORIZING THE REFUND  
OF CERTAIN TAXES

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 22nd day of March, 19 76, 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:

  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of March, 1976, the reference having been made in Minute Book 63, and recorded in full in Resolutions Book 11, at Page 355.

Ruth Armstrong, City Clerk

March 22, 1976  
Resolutions Book 11 - Page 356

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
American Lease Plans, Inc. -Leased Vehicles	\$ 327.88	Clerical Error
Trexler World Travel Service	560.70	Clerical Error
Valley Evaporating Company	125.87	Illegal Levy
Automotive Rentals, Inc.	18.08	Clerical Error
Eli Jeremiah Fox	17.27	Clerical Error
Salim Jarjour	1.45	Illegal Levy
Andrew Jackson Jones, Jr.	44.04	Clerical Error
D. L. Peterson Trust	221.54	Clerical Error
Associated Artists	10.54	Clerical Error
Robert J. Thompson & wife, Betty C.	2.42	Clerical Error
Miriam Ruth Cunningham	29.58	Clerical Error
Charles J. Beckman & wife, Mary Jane R.	16.85	Clerical Error
George D. Bruce & wife, Carolyn C.	16.82	Clerical Error
William S. Clanton, II & First City Nat'l Bank, Trustee (Make payable to Wachovia Bank & Trust Co.)	365.02	Clerical Error
Kermit L. Purser	10.30	Illegal Levy
Elvia B. Mumpower (Mrs. W.G. Sr.)	44.00	Clerical Error
Sue B. Reynolds	19.07	Clerical Error
William H. Robertson	39.91	Illegal Levy
Alice H. Robinson	10.30	Clerical Error
American Lease Plans, Inc.	1,089.69	Clerical Error
William S. Clanton, II & First City Nat'l Bank (Make payable to Wachovia Bank & Trust Co.)	397.70	Clerical Error
Fred W. Entzminger, Jr.	<u>76.43</u>	Illegal Levy

\$3,445.46

=====

March 22, 1976  
Resolutions Book 11 - Page 357

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE THANKING GOVERNOR JAMES E. HOLSHOUSER, JR. AND CONGRESSMAN JAMES G. MARTIN FOR THEIR ASSISTANCE IN GETTING APPROPRIATE REFERENCE TO THE MECKLENBURG DECLARATION IN THE OFFICIAL BICENTENNIAL FILM.

BE IT RESOLVED by the City Council of the City of Charlotte, in regular session duly assembled, that it wishes to thank Governor James E. Holshouser, Jr. and Congressman James G. Martin for their assistance in getting appropriate reference to May 20, 1776, the date of the Mecklenburg Declaration, in the official film to be produced on the "Bicentennial In North Carolina."

Unanimously adopted this 22nd day of March, 1976.

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 22nd day of March, 1976, the reference having been made in Minute Book 63, page \_\_\_\_\_, and recorded in full in Resolutions Book 11 page 357.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of March, 1976.

Ruth Armstrong  
Ruth Armstrong, City Clerk

March 22, 1976  
Resolutions Book 11 - Page 358

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE THANKING DICK E. ELLIS, DIRECTOR OF THE NORTH CAROLINA BICENTENNIAL COMMISSION, FOR HIS ASSISTANCE IN GETTING APPROPRIATE REFERENCE TO THE MECKLENBURG DECLARATION IN THE OFFICIAL BICENTENNIAL FILM.

BE IT RESOLVED by the City Council of the City of Charlotte, in regular session duly assembled, that it wishes to thank Dick E. Ellis, Director of the North Carolina Bicentennial Commission, for his assistance in getting appropriate reference to May 20, 1776, the date of the Mecklenburg Declaration, in the official film to be produced on the "Bicentennial In North Carolina."

Unanimously adopted this 22nd day of March, 1976.

Approved as to form:

Henry W. Clendell 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 22nd day of March, 1976, the reference having been made in Minute Book 63, page \_\_\_\_\_, and recorded in full in Resolutions Book 11, page 358.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of March, 1976.

Ruth Armstrong  
Ruth Armstrong, City Clerk