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RESOLUTION OF CITY COUNCIL OF THE CITY OF CHARLOTTE,
NORTH CAROLINA, APPROVING THE COMMUNITY DEVELOPMENT PLAN,
THE REDEVELOPMENT PLAN AND THE FEASIBILITY OF
RELOCATION FOR THIRD WARD TARGET AREA

WHEREAS, Title I of the Housing and Community Development Act of 1974 (P.L. 93-383) created a new Community Development Funding Program and amended and extended laws related to housing and urban development and for other purposes; and

WHEREAS, the City of Charlotte has submitted an application in accordance with certain well-defined Federal objectives and has received approval from the United States of America for the execution of a comprehensive Community Development Program to be financed with Community Development Block Grant Funds; and

WHEREAS, one of the Community Development target areas for which such Federal funds have been allocated and the application has been approved is identified as "Third Ward Target Area" encompassing the area generally bounded by Southern Railroad on the east, Elmwood Cemetery on the north, I-77 on the west and Seaboard Railroad on the south in the City of Charlotte, State of North Carolina (herein called the "Locality"); and

WHEREAS, the City of Charlotte has made detailed studies of the location, physical condition of structures, land use, environmental influences, and social, cultural and economic conditions of the Community Development Area and has determined that the area is a "blighted area" predominantly residential in character as determined by the "Blight Survey, Third Ward Area" approved by the Charlotte-Mecklenburg Planning Commission, March 1, 1972, and that it is detrimental and a menace to the safety, health and welfare of the inhabitants and users thereof and of the Locality at large, because of extent of building dilapidation and deterioration, lack of light and air to residential buildings, and overcrowding, and the members of the City Council of the City of Charlotte (hereinafter called the "Governing Body") have been fully apprised and are aware of these facts and conditions; and

WHEREAS, there has been prepared and referred to the Governing Body for review and approval a Community Development Plan for the Third Ward Target Area, dated January, 1976; and

WHEREAS, there has been prepared and referred to the Governing Body for review and approval a Redevelopment Plan for the Third Ward Redevelopment Area, dated January, 1976, and consisting of 38 pages and 7 exhibits; and

WHEREAS, a general plan has been prepared and is recognized and used as a guide for the general development of the Locality as a whole; and

WHEREAS, the Charlotte-Mecklenburg Planning Commission, which is the duly designated and acting official planning body for the Locality, has submitted to the Governing Body its report and recommendations respecting the Redevelopment Plan for the Redevelopment Area and has certified that the Redevelopment Plan conforms to the general plan for the Locality as a whole, and the Governing Body has considered the report, recommendations and certification of the planning body; and

WHEREAS, pursuant to the State Mandatory Referral Law, the Charlotte-Mecklenburg Planning Commission has submitted to the Governing Body its approval respecting the Community Development Plan for the Target Area; and

WHEREAS, the Redevelopment Plan for the Redevelopment Area prescribes certain land uses for the Redevelopment Area and will require, among other things, changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action; and

WHEREAS, the Community Development Department has prepared and submitted a program for the relocation of individuals and families that may be displaced as a result of carrying out the Redevelopment Area in accordance with the Redevelopment Plan; and

WHEREAS, there have also been presented to the Governing Body information and data respecting the relocation program which has been prepared by the Community Development Department as a result of studies, surveys, and inspections in the Redevelopment Area and the assembling and analysis of the data and information obtained from such studies, surveys, and inspections; and

WHEREAS, the members of the Governing Body have general knowledge of the conditions prevailing in the Redevelopment Area and of the availability of proper housing in the Locality for the relocation of individuals and families that may be displaced from the Redevelopment Area and, in the light of such knowledge of local housing conditions, have carefully considered and reviewed such proposals for relocation; and

WHEREAS, it is necessary that the Governing Body take appropriate official action respecting the relocation program and the Redevelopment Plan for the Redevelopment Area in conformity with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (P.L. 91-646) and the North Carolina Urban Redevelopment Law of 1951, as amended, N.C.G.S. 160A-500 through 160A-526; and

WHEREAS, the Conditions Under Which the City of Charlotte Will Make Relocation Payments, the Schedule of Average Gross Rentals for Standard Housing in the Locality, the Schedule of Average Prices of Comparable Sales Housing in Locality, and the Fixed Relocation Payments Schedule were reviewed and considered at the meeting; and

WHEREAS, the Governing Body is cognizant of the conditions that are imposed in the undertaking and carrying out of Community Development projects with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, creed, or national origin:

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

1. That it is hereby found and determined that the Third Ward Target Area qualifies under the Community Development Block Grant Program and as an eligible Redevelopment Area under the North Carolina Urban Redevelopment Law of 1951, as amended, N.C.G.S. 160A-500 through 160A-526.
2. That the Redevelopment Plan for the Redevelopment Area, having been duly reviewed and considered, is hereby approved, and the City Clerk be and is hereby directed to file said copy of the Redevelopment Plan with the minutes of this meeting.
3. That the Community Development Plan for the Target Area, having been duly reviewed and considered, is hereby approved, and the City Clerk is hereby directed to file said copy of the Community Development Plan with the minutes of this meeting.
4. That it is hereby found and determined that the objectives of the Redevelopment Plan cannot be achieved solely through rehabilitation of the Redevelopment Area.
5. That it is hereby found and determined that the Redevelopment Plan for the Redevelopment Area conforms to the general plan of the Locality.

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6. That it is hereby found and determined that the Redevelopment Plan for the Redevelopment Area will afford maximum opportunity, consistent with the sound needs of the Locality as a whole, for the urban renewal and conservation of the Area by private enterprise.

7. That it is hereby found and determined that the Redevelopment Plan for the Redevelopment Area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.

8. That it is hereby found and determined that the program for the proper relocation of individuals and families displaced in carrying out the Community Development Project in decent, safe, and sanitary dwellings in conformity with acceptable standards is feasible and can be reasonably and timely effected to permit the proper prosecution and completion of the Project; and that such dwellings or dwelling units available or to be made available to such displaced individuals and families are at least equal in number to the number of displaced individuals and families, are not generally less desirable in regard to public utilities and public and commercial facilities than the dwellings of the displaced individuals and families in the Redevelopment Area, are available at rents or prices within the financial means of the displaced individuals and families, and are reasonably accessible to their places of employment.

9. That, in order to implement and facilitate the effectuation of the Redevelopment Plan hereby approved, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public action, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out the Redevelopment Plan; (b) requests the various officials, departments, boards, and agencies of the Locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Redevelopment Plan; and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Redevelopment Plan.

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10. That the conditions under which the City of Charlotte will make Relocation Payments are hereby in all respects approved.

11. That the Schedule of Average Annual Gross Rentals for Standard Housing in Locality is in all respects approved.

12. That the Schedule of Average Prices of Comparable Sales Housing in Locality is in all respects approved.

13. That the Fixed Relocation Payments Schedule is in all respects approved.

14. That the Director, Community Development Department, is hereby designated to approve all claims for Relocation Payments.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of March, 1976, the reference having been made in Minute Book 63, and recorded in full in Resolutions Book 11, at Page 327-331.

Ruth Armstrong
City Clerk

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AUTHORIZING THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION TO FILE AND EXECUTE AN APPLICATION PURSUANT TO FEDERAL FUNDING UNDER SECTION 9 OF THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED.

WHEREAS, the Charlotte-Mecklenburg Planning Commission has been designated by the Governor of North Carolina as the Metropolitan Planning Organization (MPO) for the Charlotte urbanized area; and

WHEREAS, the Urban Mass Transportation Administration (UMTA) requires that the designated MPO for an area be (1) the applicant for and (2) the recipient of UMTA Section 9 funding; and

WHEREAS, the Transit Planning Office of the City of Charlotte requires the use of UMTA Section 9 funding to complete a Transit Development Program for the Charlotte urbanized area (as addressed in Charlotte's Fiscal Year 1975-76 Unified Work Program); and

WHEREAS, Federal funding is requested in the amount of \$36,000 with local matching funds in the amount of \$9,000 (\$4,500 provided by the City and \$4,500 provided by the North Carolina Department of Transportation):

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

- 1) The attached resolution authorizing the filing and execution of a technical studies grant application with the United States Department of Transportation by Mr. Allen Tate, Chairman of the Charlotte-Mecklenburg Planning Commission, is hereby concurred with; and

- 2) The City of Charlotte will provide the local share of matching funds in the amount of \$4,500 (to be provided in the form of in-kind services).

Approved as to form:

Henry W. Underhill Jr.
City Attorney

Date: 2/27/76

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of March, 1976, the reference having been made in Minute Book 63, page , and recorded in full in Resolutions Book 11, page 332.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of March, 1976.

Ruth Armstrong
Ruth Armstrong, City Clerk

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A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO WILLIAM P. HORNE AND WIFE, GLORIA M. HORNE; AMERICAN COMMERCIAL BANK, TRUSTEE; AND LIBERTY LIFE INSURANCE COMPANY, LOCATED AT 3826 RANDOLPH ROAD IN THE CITY OF CHARLOTTE FOR THE RANDOLPH ROAD WIDENING PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to William P. Horne and wife, Gloria M. Horne; American Commercial Bank, Trustee; and Liberty Life Insurance Company, located at 3826 Randolph Road in the City of Charlotte, for right of way purposes and a temporary construction easement in connection with the Randolph Road 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, 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 P. Horne and wife, Gloria M. Horne; American Commercial Bank, Trustee; and Liberty Life Insurance Company, located at 3826 Randolph 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 \$4,963.00, 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:

James W. Underhill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of March, 1976, and the reference having been made in Minute Book 63, page , and recorded in full in Resolutions Book 11, page 334.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of March, 1976.

Ruth Armstrong
Ruth Armstrong, City Clerk

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A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO LAURA CAROLINA CLARK (WIDOW) LOCATED AT 900 McCORKLE ROAD (OFF MOORES CHAPEL ROAD) IN THE COUNTY OF MECKLENBURG FOR THE LONG CREEK PRESSURE LINE PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Laura Carolina Clark (Widow) located at 900 McCorkle Road (off Moores Chapel Road) in the County of Mecklenburg for a perpetual easement for a sanitary sewer in connection with the Long Creek Pressure Line 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 owner for the purchase price.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81, Chapter 713 of the 1965 Session Laws of North Carolina, being the Charter of the City of Charlotte, as amended, 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 Laura Carolina Clark (Widow) located at 900 McCorkle Road (off Mores Chapel 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 \$1,300.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of March, 1976, and the reference having been made in Minute Book 63, page _____, and recorded in full in Resolutions Book 11, page 335.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of March, 1976.

Ruth Armstrong
Ruth Armstrong, City Clerk

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A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO WILLIAM H. KOURI AND WIFE, BARBARA H. KOURI, LOCATED AT 3234 MOUNTAINBROOK ROAD IN THE CITY OF CHARLOTTE FOR THE SANITARY SEWER RIGHT OF WAY TO SERVE MOUNTAINBROOK SECTION #8 PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to William H. Kouri and wife, Barbara H. Kouri, located at 3234 Mountainbrook Road in the City of Charlotte for a perpetual easement for a sanitary sewer in connection with the sanitary sewer right of way to serve Mountainbrook Section #8 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 William H. Kouri and wife, Barbara H. Kouri, located at 3234 Mountainbrook 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 \$1,850.00, the amount of the appraised value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and exact copy of a Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 8th day of March, 1976, and the reference having been made in Minute Book 63, page _____, and recorded in full in Resolutions Book 11, page 336.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 9th day of March, 1976.

Ruth Armstrong
Ruth Armstrong, City Clerk

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE URGING THE NORTH CAROLINA BICENTENNIAL COMMISSION TO INCLUDE APPROPRIATE REFERENCES OF 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 strongly urges the North Carolina Bicentennial Commission to include appropriate references to May 20, 1775, the date of the Mecklenburg Declaration, in the official film to be produced on the "Bicentennial in North Carolina."

Unanimously adopted this 8th 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 8th day of March, 1976, the reference having been made in Minute Book 63, pages 122-123, and recorded in full in Resolutions Book 11, page 337.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of March, 1976.



Ruth Armstrong, City Clerk