

May 17, 1976

Resolutions Book 11 - Page 425

RESOLUTION DECLARING AN INTENT TO CLOSE PORTION OF
OLD McCALL STREET
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 that certain portion of OLD McCALL STREET in the City of Charlotte, Mecklenburg County, North Carolina, as same is shown on Boundary Survey map prepared by Giddings & Associates Engineering & Surveying, P.A. dated July 30, 1975 and entitled "Street Abandonment - Greenville Urban Renewal Area, Project N.C. R-78", a copy of which is available for inspection in the Office of the City Clerk in the City Hall at Charlotte, North Carolina; said portion of said streets being more particularly described in Exhibit "A" 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.

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NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of the City of Charlotte, at its regularly scheduled session of May 17, 1976, that it intends to close that certain portion of OLD McCALL STREET in the City of Charlotte, Mecklenburg County, North Carolina, as same is shown on Boundary Survey map prepared by Giddings & Associates Engineering & Surveying, P.A. dated July 30, 1975 and entitled "Street Abandonment - Greenville Urban Renewal Area, Project N.C. R-78", a copy of which is available for inspection in the Office of the City Clerk of the City of Charlotte, North Carolina, said portion of said street being more particularly described in Exhibit "A" hereto attached and made a part hereof, and hereby calls a public hearing on the question to be held at 3:00 P.M., on Monday the 14th day of June, 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 Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of May, 1976, and the reference having been made in Minute Book 63, and recorded in full in Resolutions Book 11, at Page 425-426.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of May, 1976.


Ruth Armstrong, City Clerk

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A

Abandonment of Old McCall Street
North of N. W. Expressway Ramp

Area 1 Revert to City of Charlotte:

Beginning at a point, said point being the intersection of the existing west right-of-way of Old McCall Street and the existing north right-of-way of N. W. Expressway Ramp; thence following the said street right-of-way N $19^{\circ}-38'-37''$ E 62.86 feet to a point; thence S $68^{\circ}-21'-40''$ E 18.51 feet to a point on the centerline of McCall Street; thence along the said centerline S $19^{\circ}-38'-37''$ W 62.93 feet to a point on the north right-of-way of N. W. Expressway; thence following said right-of-way N $68^{\circ}-09'-23''$ W 18.51 feet to the point of beginning and containing 1,164 square feet.

Area 2 Revert to N. C. Highway Commission:

Beginning at a point, said point being the intersection of the existing east right-of-way of Old McCall Street and the existing north right-of-way of N. W. Expressway Ramp; thence following said Expressway right-of-way N $68^{\circ}-09'-23''$ W 18.51 feet to a point on the centerline of McCall Street; thence along said centerline N $19^{\circ}-38'-37''$ E 62.93 feet to a point; thence S $68^{\circ}-21'-40''$ E 18.51 feet to a point on the east right-of-way of McCall Street; thence following said street right-of-way S $19^{\circ}-38'-37''$ W 63.0 feet to the point of beginning and containing 1,165 square feet.

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RESOLUTION DECLARING AN INTENT TO
CLOSE A PORTION OF TENSBRURY COURT
LOCATED IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA,
AND CALLING A PUBLIC HEARING ON THE
QUESTION.

WHEREAS, the Huntingtowne Farms Neighborhood Association has filed a Petition to close a portion of Tensbury Court in the City of Charlotte; and

WHEREAS, the portion of Tensbury Court petitioned to be closed lies on the northerly margin of Starbrook Drive in Sharon Township and is more particularly described as follows:

BEGINNING at a point marked by a concrete monument on the northerly margin of Starbrook Drive, said point being also the intersection of Starbrook Drive with the easterly margin of Tensbury Court; from this point thence in a westerly direction along the arc of a curve to the right, said arc having a radius of 20 feet for an arc distance of 32.94 feet to a point; thence N. 9-51-51 E., 168.55 to a point; thence N. 80-08-09 W., 50 feet to a point; thence S. 9-51-51 W., 170 feet to a point; thence in a southwesterly direction along the arc of a curve to the right, said arc having a radius of 20 feet for an arc distance of 31.42 feet to a point on Starbrook Drive, which is marked by a concrete monument. This description is shaded in green on the map attached hereto and incorporated herein.

WHEREAS, the procedure for closing streets as outlined in North Carolina General Statutes, Section 160A-299, requires that Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statute further requires that the Resolution 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 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 portion of the street; and

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NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of the City of Charlotte, at its regularly scheduled session of May 17, 1976, that it intends to close a portion of Tensbury Court in Sharon Township which lies on the northerly margin of Starbrook Drive, and being more particularly described hereinabove, and hereby calls a public hearing on the question to be held at 3:00 p.m., on Monday, the 14th day of June, 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 (4) successive weeks next preceding the date fixed here for such hearing as required by G. S. 160A-299; and further, said City Clerk is directed to send by registered or certified mail a copy of this resolution to all owners of property adjoining the said street as shown on the county tax records, as required by G. S. 160A-299. The City Engineer is hereby directed to prominently post a notice of the closing and public hearing in at least two places along the said street as required by G. S. 160A-299.

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, 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 17th day of May, 1976, and the reference having been made in Minute Book 63, and recorded in full in Resolutions Book 11, at Page 428.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of May, 1976.


Ruth Armstrong, City Clerk

May 17, 1976

Resolutions Book 11 - Page 430

RESOLUTION DECLARING AN INTENT
TO CLOSE COVERT LANE LOCATED IN
THE CITY OF CHARLOTTE, MECKLENBURG
COUNTY, NORTH CAROLINA, AND
CALLING A PUBLIC HEARING ON THE
QUESTION.

WHEREAS, the Huntingtowne Farms Neighborhood Association has filed a Petition to close Covert Lane in the City of Charlotte; and

WHEREAS, Covert Lane is a stub street lying on the southerly side of Goneaway Road in Sharon township and is more particularly described as follows:

BEGINNING at a point on the southerly margin of Goneaway Road which said point is marked by a concrete monument and is also the westerly margin of Covert Lane; from this point thence in a southeasterly direction along the arc of a curve to the right, said arc having a radius of 20 feet for an arc distance of 30.16 feet to a point; thence S. 15-59-59 E., 26.38 feet to a point; thence in a southeasterly direction along the arc of a curve to the left, said arc having a radius of 179.00 feet for an arc distance of 124.88 feet to a point; thence N. 74-00-01 E., 56.66 feet to a point; thence N. 60-01-21 E., 9.20 feet to a point; thence N. 58-33-00 W., 34.60 feet to a point; thence in a northerly direction along the arc of a curve to the right, said arc having a radius of 129.09 feet for an arc distance of 95.87 feet to a point; thence N. 15-59-59 W., 26.15 feet to a point; thence in a northeasterly direction along the arc of a curve to the right, said arc having a radius of 20 feet for an arc distance of 29.95 feet to a point on the southerly margin of Goneaway Road; thence in a westerly direction along the southerly margin of Goneaway Road for a distance of 90 feet to the point and place of BEGINNING.

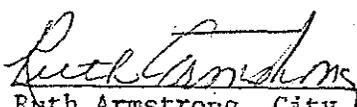
WHEREAS, the procedure for closing streets as outlined in North Carolina General Statutes, Section 160A-299, requires that Council first adopt a resolution declaring its intent to close the street and calling a public hearing on the question; said Statute further requires that the Resolution be published 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 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 street; and

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of the City of Charlotte, at its regularly scheduled session of May 17, 1976, that it intends to close Covert Lane in Sharon Township, lying off the southerly margin of Goneaway Road, and being more particularly described hereinabove, and hereby calls a public hearing on the question to be held at 3:00 p.m., on Monday, the 14th day of June, 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 (4) successive weeks next preceding the date fixed here for such hearing as required by G. S. 160A-299; and further, said City Clerk is directed to send by registered or certified mail a copy of this resolution to all owners of property adjoining the said street as shown on the county tax records, as required by G. S. 160A-299. The City Engineer is hereby directed to prominently post a notice of the closing and public hearing in at least two places along the said street as required by G. S. 160A-299.

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 Resolution adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 17th day of May, 1976, and the reference having been made in Minute Book 63, and recorded in full in Resolutions Book 11, at Page 430.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of May, 1976.


Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO ROSA MENDINGHALL LOCATED AT 2729 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 Rosa Mendinghall located at 2729 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 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 Rosa Mendinghall located at 2729 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 \$650.00, 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 17th day of May, 1976, and the reference having been made in Minute Book 63, page _____, and recorded in full in Resolutions Book 11, page 432.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of May, 1976.

Ruth Armstrong
Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING THE REFUND
OF CERTAIN TAXES

Reference is made to the schedule of "Taxpayers and Refunds Re-
quested" 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 17th day
of May, 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:

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 17th day of May, 1976,
the reference having been made in Minute Book 63, and recorded in full in
Resolutions Book 11, at Page 433.

Ruth Armstrong, City Clerk

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TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
J. C. Beatty & S. A. Benfield	\$ 28.92	Illegal Levy
Jack O. Bowman & wife, Helen C. (Make payable to NCNB MORTGAGE)	51.52	Illegal Levy
Robert Dixon	29.57	Clerical Error
Tommy Joe Long & wife, Yvonne S.	17.78	Clerical Error
Central Carolina Bank & Trust	79.77	Clerical Error
George Collins Estate	134.64	Clerical Error
Wilburn Bell Carr, Jr.	12.36	Illegal Levy
Wilburn Bell Carr, Jr.	2.52	Illegal Levy
Eugene Mabel	19.17	Clerical Error
William Kent Walker	9.59	Clerical Error
D. L. Peterson Trust	226.24	Clerical Error
Providence Hardware, Inc.	<u>23.21</u>	Clerical Error
	\$635.29	
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