

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 6th day of May, 1974, 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. Eldershill Jr.
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 6th day of May, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 9, at Page 473.

Ruth Armstrong, City Clerk

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May 6, 1974

Resolutions Book 9 - Page 474

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO EARL L. AVANT AND WIFE, PAULINE L. AVANT, LOCATED AT 2108 OAKLAWN AVENUE IN THE CITY OF CHARLOTTE FOR THE OAKLAWN AVENUE WIDENING PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Earl L. Avant and wife, Pauline L. Avant, located at 2108 Oaklawn Avenue in the City of Charlotte, Mecklenburg County, for right of way purposes and a temporary construction easement in connection with the Oaklawn Avenue 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 by N. C. G. S. 160A-241, condemnation proceedings are hereby authorized to be instituted against the property of Earl L. Avant and wife, Pauline L. Avant, located at 2108 Oaklawn Avenue 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 \$10,350.00, 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 6th day of May, 1974, the reference having been made in Minute Book 60 page _____, and recorded in full in Resolutions Book 9, page 474.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this 8th day of May, 1974.

Ruth Armstrong, City Clerk

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE CREATING THE "CHARLOTTE CLEAN CITY COMMITTEE" AND PROVIDING FOR THE APPOINTMENT OF ITS MEMBERS, THEIR TERMS OF OFFICE AND REPLACEMENT; PROVIDING FOR THE AUTHORITY AND FUNCTIONS OF SAID COMMITTEE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Charlotte has been chosen as the national demonstration city for initiation of an ACTION RESEARCH MODEL PROJECT, a pilot project for community-wide litter control on a year-round basis; and

WHEREAS, litter control is a social as well as a physical problem and requires a systematic solution; and

WHEREAS, the success of the project depends upon the effort of all segments of the City of Charlotte, including City government, business and professional groups, civic clubs, Chamber of Commerce, other groups and the general public, coordinated and directed by an entity which will have the responsibility for planning, directing and coordinating the systematic approach to the project on a continuing basis; and

WHEREAS, it is considered that the creation of a committee charged with such responsibilities is the best approach to the project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, duly assembled at its regular meeting the 6th day of May, 1974, that there is hereby created and established the "Charlotte Clean City Committee" to function in the following manner.

Sec. 1. Purpose.

The Charlotte Clean City Committee is created for the purpose of

initiating, planning, directing and coordinating the ACTION RESEARCH MODEL PROJECT, a pilot project for litter control in the City of Charlotte on a sustainable basis.

Sec. 2. Authority.

The Committee shall have the following authority:

- (a) To adopt by-laws to facilitate the attainment of its purpose and functions.
- (b) To initiate, plan, direct and coordinate the community-wide effort in the development of the project.
- (c) To solicit and accept donations and appropriations of money, services, products, property and facilities for expenditure and use by the Committee for the accomplishment of its objects.
- (d) To employ, to pay and to terminate the employment of such staff as may be required for the fulfillment of the Committee's purposes.
- (e) To make recommendations to the City Council, as well as to the private sector, with respect to containerization of man-made trash.

Sec. 3. Membership.

The Committee shall consist of not less than ten (10) members nor more than sixteen (16) members who shall be residents of the City of Charlotte and one (1) ex-officio member who shall be the Director of Public Works of the City of Charlotte, or his designated agent, and who shall serve with full rights and privileges as the appointed members. All members shall serve without remuneration. The Chairman and Vice Chairman as well as all other members

TAXPAYERS AND REFUNDS REQUESTED

NAME	AMOUNT OF REFUND REQUESTED	REASON
L. Hewell Carter and wife, Ann L.	\$ 22.31	Illegal levy
Mrs. R. S. Underwood	17.41	Clerical error
C.I.T. Service Leasing Corporation	49.64	Illegal levy
Fisher Price Toys, Div. of Quaker Oats Co.	29.24	Illegal levy
Gelco Corporation	29.24	Illegal levy
Howells Motor Freight, Inc.	444.13	Illegal levy
D. L. Peterson, Leased Vehicles	129.12	Illegal levy
Equipment Leasing Corp. of S. C.	15.51	Illegal levy
Fisher Price Toys, Inc., Div. of Quaker Oats Co.	35.15	Illegal levy
Howells Motor Freight, Inc.	297.34	Illegal levy
General Electric Credit Corp. of Ga.	171.37	Illegal levy
Fisher Price Toys, Inc., Div. of Quaker Oats Co.	<u>26.98</u>	Illegal levy
	\$1,267.44	



of the Committee shall be appointed by the Mayor.

In order to establish staggered terms, one-half of the initially appointed members shall serve a term of three years, one-fourth shall serve a term of two years and one-fourth shall serve a term of one year. Thereafter each term shall be for three years and no member may serve more than two consecutive three-year terms. The Mayor shall fill any vacancy for the unexpired term. A majority of the membership of the Committee shall constitute a quorum.

Any member who fails to attend at least 75% of the regular and special meetings held by the Committee during any one year period shall be automatically removed from said Committee. Vacancies resulting from a member's failure to attend the required number of meetings shall be filled by the same method as provided above.

Sec. 4. Limitation of Authority.

The Committee shall not have the power or authority to bind the City of Charlotte by any contract, agreement, financial obligation or indebtedness or otherwise; and no contract, agreement, financial obligation or indebtedness, incurred by the Committee shall ever be a claim or charge against the City of Charlotte.

The Committee shall not be authorized, without prior official approval of the City Council, to accept any gift, grant, bequest or devise of real property, or money, or other personal property to be applied, principal or income, for either temporary or permanent use for Committee purposes, if the acceptance

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of any such gift, grant, bequest or will subject the City of Charlotte
to additional expense of any nature or obligation of any kind.

Approved as to form:

Henry W. Underhill, Jr.
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 6th day of May, 1974,
the reference having been made in Minute Book 60, and recorded in full
in Resolutions Book 9, beginning at Page 475.

WITNESS my hand and the corporate seal of the City of Charlotte, this the
9th day of May, 1974.

Ruth Armstrong
Ruth Armstrong, City Clerk