

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 1st day of November, 1971, 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:

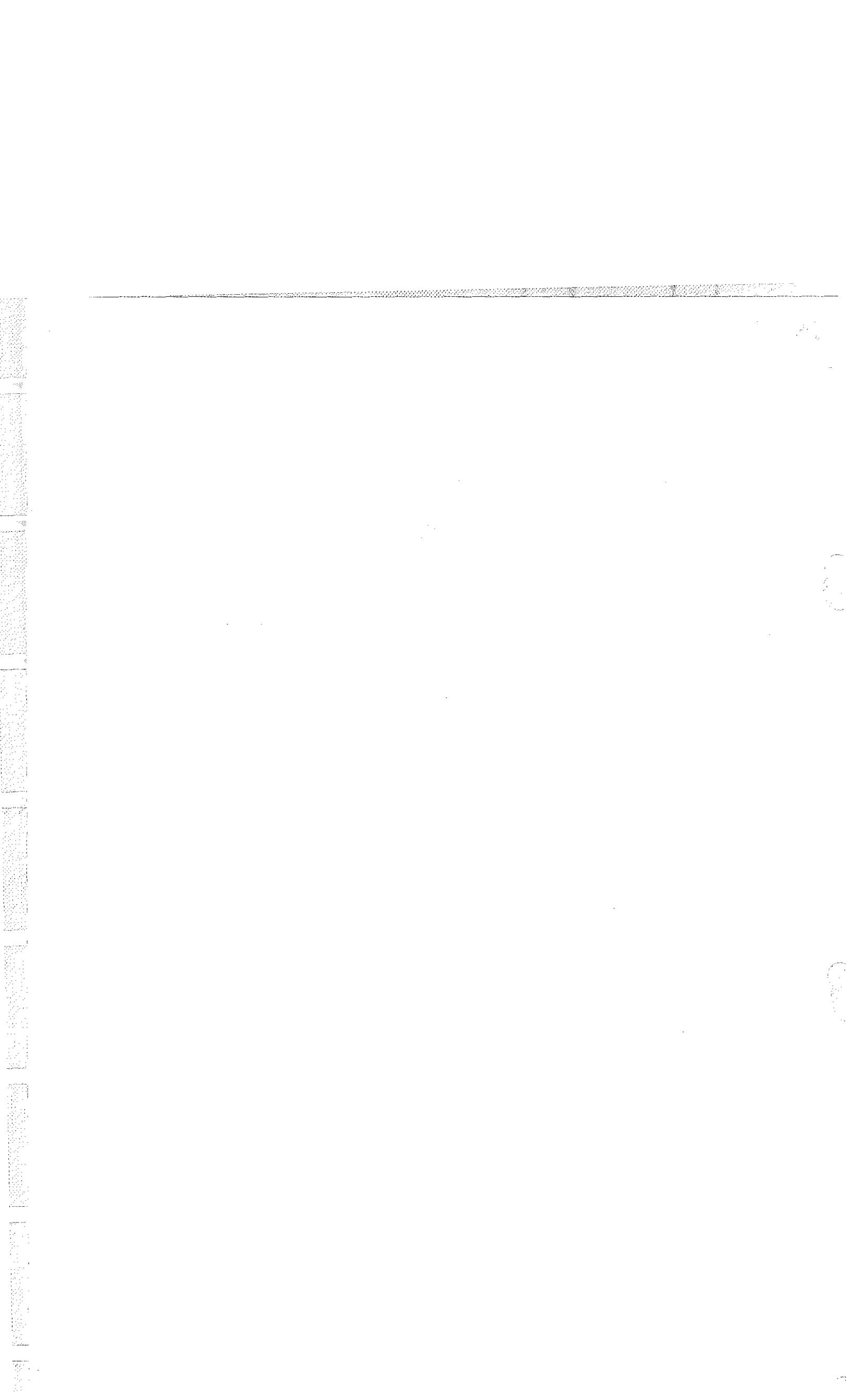
Henry W. Chadwell, Jr.  
City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 1st day of November, 1971, the reference having been made in Minute Book 56, at Page \_\_\_\_\_, and recorded in full in Resolution Book 7, at Page 470.

Ruth Armstrong  
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

NAME	AMOUNT OF REFUND REQUESTED	REASON
BRS Catered Color, Ltd.	\$ 39.00	Clerical error

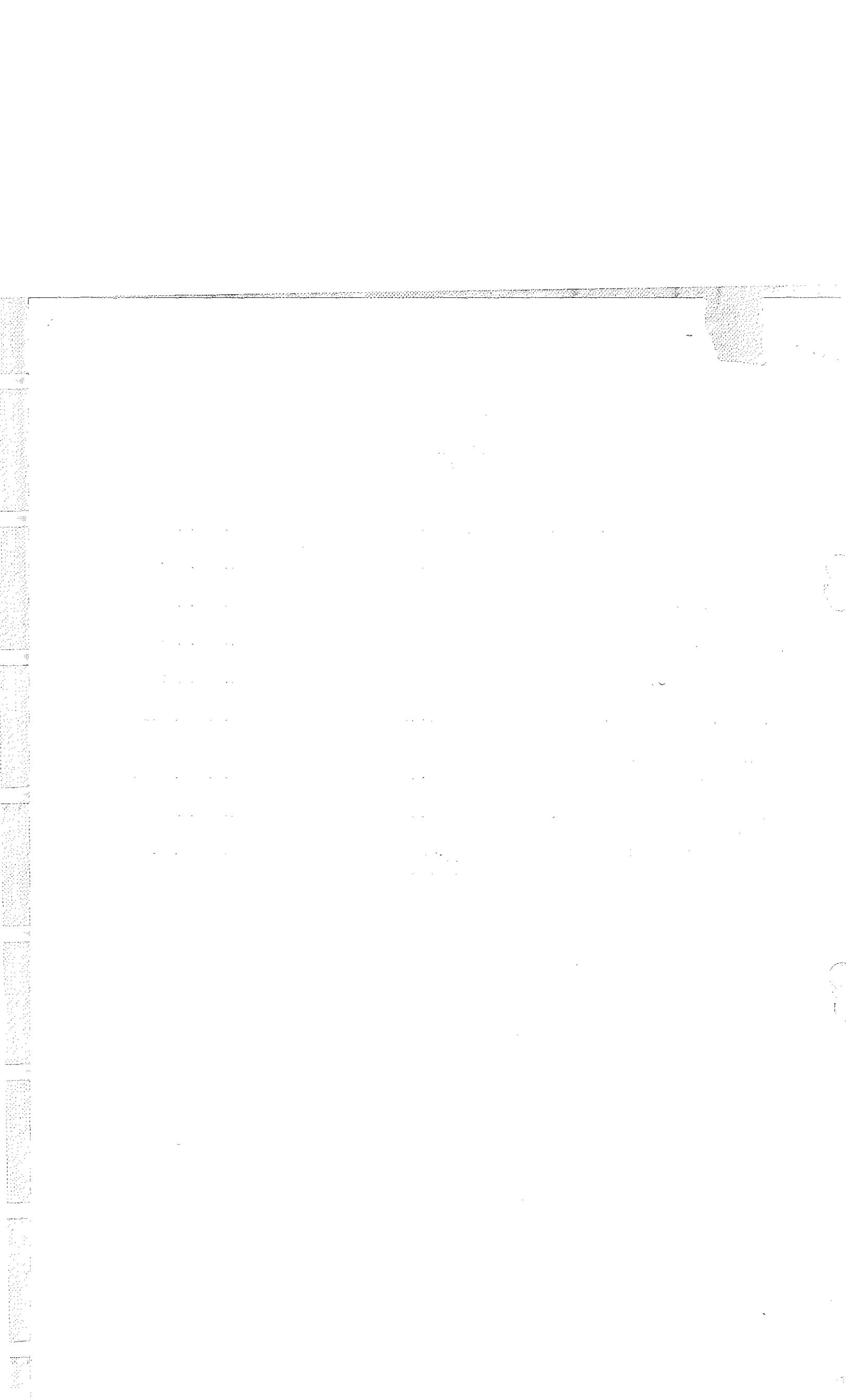


November 1, 1971

Resolution Book 7 - Page 471

TAXPAYERS AND REFUNDS REQUESTED

NAME	AMOUNT OF REFUND REQUESTED	REASON
Dictaphone Personnel Services	\$ 50.00	Illegal levy
Debbie Brace	500.00	Illegal levy
Nora Elliott	500.00	Illegal levy
Faye Koffler	500.00	Illegal levy
Patsy Wood Holmes	500.00	Illegal levy
JFG Coffee Co., Inc.	24.11	Clerical error
Merryman R. Davis and wife, Harriet B.	37.12	Clerical error
Fred Henderson Nance, Jr.	28.43	Illegal levy
Joey Sandra Beaty	13.85	Clerical error
	<u>\$2,153.51</u>	



November 1, 1971  
 Resolution Book 7 - Page 471

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 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  
 City Attorney

Read, approved and adopted by the City Council of the City  
 of Charlotte, North Carolina, in regular session convened  
 on the 1st day of November, 1971, the reference having been  
 made in Minute Book 56, at Page , and recorded in full  
 in Resolution Book 7, at Page 471.

Ruth Armstrong  
 City Clerk

RESOLUTION FIXING DATE OF PUBLIC HEARING ON PETITION  
TO CLOSE A PORTION OF GORDON STREET IN THE CITY  
OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, H. L. Smith and wife, Pearl W. Smith, and J. William Heinz and wife, Betsy B. Heinz, Petitioners, have requested the City to vacate and close (subject to the reservation of easements with respect to certain underground utilities) that certain portion of Gordon Street lying between the northerly margin of Independence Boulevard and the southerly margin of Commonwealth Avenue in the City of Charlotte, North Carolina, as shown on physical survey of the property of John F. Heinz by Maurice B. Seaver, R.S., dated November 22, 1963, said portion of Gordon Street being more particularly described as follows:

BEGINNING at the point of intersection of the northerly margin of the right of way of Independence Boulevard and the westerly margin of the right of way of Gordon Street, said point being the southeasterly corner of that certain tract or parcel of land conveyed to H. L. Smith and wife, Pearl W. Smith by Deed dated March 30, 1970, from Gulf Oil Corporation and recorded in Book 3191, at page 297 in the Mecklenburg Public Registry, and running thence from said BEGINNING point, N. 00-43 W. 110.87 feet to a point in the southerly margin of the right of way of Commonwealth Avenue; thence with the said southerly margin of the right of way of Commonwealth Avenue, S. 85-33 E. 50.20 feet to an iron; thence, S. 00-43 E. 131.25 feet to an iron in the northerly margin of the right of way of Independence Boulevard; thence, with the said northerly margin of the right of way of Independence Boulevard, N. 64-13-40 W. 55.86 feet to the point of BEGINNING.

BEING all of the street known as Gordon Street lying between the northerly margin of the right of way of Independence Boulevard and the southerly margin of the right of way of Commonwealth Avenue.

WHEREAS, the procedure for closing streets as outlined in the North Carolina General Statutes, Section 160-200(11) and Section 153-9(17), requires that the owners of the property adjoining said street who do not

join in the request for the closing of said street be notified of the time and place of the Council Meeting at which the closing of said street is to be acted upon; said Statutes further require that the notice of said meeting of the Council at which the closing of said street is to be acted upon be published in a newspaper once a week for four consecutive weeks; and

WHEREAS, the City of Charlotte is desirous of complying with the Petitioners' request.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that a public hearing on the question of closing that certain portion of Gordon Street lying between the northerly margin of Independence Boulevard and the southerly margin of Commonwealth Avenue in the City of Charlotte, North Carolina as shown on physical survey of the property of John F. Heinz by Maurice B. Seaver, R.S., dated November 22, 1963, said portion of said street being more particularly described hereinabove, shall be held at 3:00 P.M., on Monday, the 6th day of December, 1971, in the Council Chamber of the City Hall.

The City Clerk is hereby directed to publish such a notice in the "Charlotte News" once a week for four successive weeks next preceding the date fixed here for such hearing, as required by G.S. 153-9(17).

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 1st day of November, 1971, the reference having been made in Minute Book 56, at Page , and recorded in full in Resolution Book 7, at Pages 472-473.

Ruth Armstrong  
City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO EDITH SKIDMORE, JEWEL SKIDMORE AND JULIA SKIDMORE, LOCATED AT 1319 and 1323 PARKWOOD AVENUE IN THE CITY OF CHARLOTTE FOR THE BELMONT NEIGHBORHOOD IMPROVEMENT PROJECT.

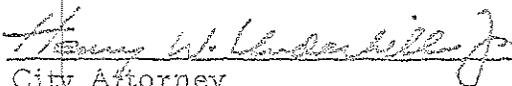
WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Edith Skidmore, Jewel Skidmore and Julia Skidmore located at 1319 and 1323 Parkwood Avenue in the City of Charlotte, Mecklenburg County, for a temporary construction easement and right of way purposes for the widening of Parkwood Avenue in connection with the Belmont Neighborhood Improvement 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 Edith Skidmore, Jewel Skidmore and Julia Skidmore located at 1319 and 1323 Parkwood Avenue 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 \$375.00, 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.

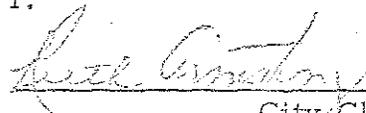
Approved as to form:

  
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 1st day of November, 1971, the reference having been made in Minute Book 56, page 150, and recorded in full in Resolutions Book 7, page 474.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 3rd day of November, 1971.

  
City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO LAWRENCE K. FARRAR AND WIFE, MARGUERITE S. FARRAR, LOCATED AT 908 BELMONT AVENUE, 919 BELMONT AVENUE AND 1025-1035 HARRILL STREET IN THE CITY OF CHARLOTTE, FOR THE BELMONT NEIGHBORHOOD IMPROVEMENT PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Lawrence K. Farrar and wife, Marguerite S. Farrar, located at 908 Belmont Avenue, 919 Belmont Avenue and 1025-1035 Harrill Street, Mecklenburg County, for a temporary construction easement in connection with the Belmont Neighborhood Improvement 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 Lawrence K. Farrar and wife, Marguerite S. Farrar, located at 908 Belmont Avenue, 919 Belmont Avenue and 1025-1035 Harrill Street in the City of Charlotte, for the Belmont Neighborhood Improvement Project, 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 \$3.00, 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. Cuddeheill 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 1st day of November, 1971, the reference having been made in Minute Book 56, page 150, and recorded in full in Resolutions Book 7, page 475.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 3rd day of November, 1971.

Ruth Armstrong  
Ruth Armstrong, City Clerk

November 1, 1971  
 Resolution Book 7 - Page 476

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO THE HEIRS OF MARY L. KERR, LOCATED AT 1205 PARKWOOD AVENUE IN THE CITY OF CHARLOTTE, FOR THE BELMONT NEIGHBORHOOD IMPROVEMENT PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to the Heirs of Mary L. Kerr, located at 1205 Parkwood Avenue, Mecklenburg County, for a temporary construction easement and right of way purposes for the widening of Parkwood Avenue in connection with the Belmont Neighborhood Improvement 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 the Heirs of Mary L. Kerr, located at 1205 Parkwood Avenue 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 \$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. Lumberhill 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 1st day of November, 1971, the reference having been made in Minute Book 56, page 151, and recorded in full in Resolutions Book 7, page 476.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 3rd day of November, 1971.

Ruth Armstrong  
 Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO WATERS CONSTRUCTION COMPANY, INC., KNOWN AS PARCEL 38, LOCATED ON SOUTH SHARONVIEW ROAD IN THE CITY OF CHARLOTTE FOR THE MC MULLEN CREEK OUTFALL PROJECT.

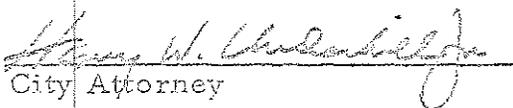
WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Waters Construction Company, Inc. known as parcel 38, located on South Sharonview Road in the City of Charlotte, Mecklenburg County, for a perpetual sewer easement for the McMullen Creek Outfall Project; 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 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 Waters Construction Company, Inc., known as Parcel 38 located on South Sharonview Road 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 \$600.00, 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.

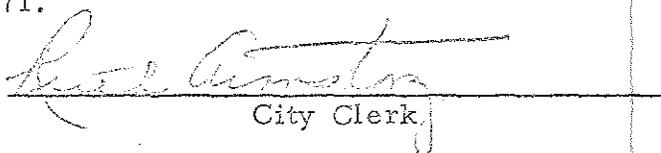
Approved as to form:

  
City Attorney

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 3rd day of November, 1971.

  
City Clerk

November 1, 1971  
 Resolution Book 7 - Page 478

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO WATERS CONSTRUCTION COMPANY, INC., KNOWN AS PARCEL 39 LOCATED OFF CAMBRIA ROAD, AND PARCEL 41 LOCATED OFF SHAKER DRIVE IN THE CITY OF CHARLOTTE FOR THE MC MULLEN CREEK OUTFALL PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Waters Construction Company, Inc., known as Parcel 39 located off Cambria Road, and Parcel 41 located off Shaker Drive in Mecklenburg County, for a perpetual sewer easement in connection with the McMullen Creek Outfall 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 Waters Construction Company, Inc., known as Parcel 39 located off Cambria Road and Parcel 41 located off Shaker Drive 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 \$492.00, 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.

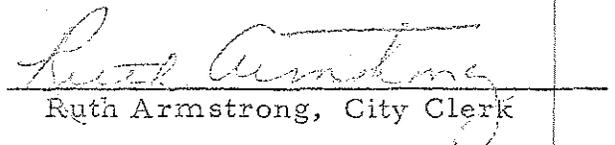
Approved as to form:

  
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