

RESOLUTION DECLARING AN INTENT TO CLOSE PORTIONS OF PEARL STREET
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH
CAROLINA, AND CALLING A PUBLIC HEARING ON THE QUESTION

WHEREAS, by Resolution of the City Council of the City of Charlotte adopted on July 15, 1974, the City agreed, at no cost or expense to the Brooklyn Urban Renewal Project No. N.C. R-43, and on the request of the Urban Redevelopment Department of the City of Charlotte, to 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 Plan.

WHEREAS, the Urban Redevelopment Department of the City of Charlotte, by and through its Director, has requested the City to vacate and close those certain portions of Pearl Street in the City of Charlotte, Mecklenburg County, North Carolina, as same are shown on Map of Redevelopment Commission of the City of Charlotte, Brooklyn Urban Renewal Area, Project No. N. C. R-43, entitled "Abandonment of a Portion of Pearl Street Right of Way" prepared by Wilbur Smith and Associates, Inc. - Design dated December 13, 1973, Revised December 19, 1973, a copy of which is available for inspection in the Office of the City Clerk in the City Hall at Charlotte, North Carolina; said portions of said street 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.

NOW, THEREFORE, BE IT RESOLVED AND DECLARED by the City Council of the City of Charlotte, at its regularly scheduled session of September 9, 1974, that it intends to close those certain portions of Pearl Street in the City of Charlotte, Mecklenburg County, North Carolina, as same is shown on Map of Redevelopment Commission of the City of Charlotte, Brooklyn Urban Renewal Area, Project No. N. C. R-43 entitled "Abandonment of a Portion of Pearl Street Right of Way" prepared by Wilbur Smith and Associates, Inc. - Design dated December 13, 1973, revised December 19, 1973, a copy of which is available for inspection in the Office of the City Clerk in the City Hall at Charlotte, North Carolina, said portions 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 7th day of October, 1974, 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 portions of the street 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 portions of the street or public alley, as required by said Statute.

BY ORDER OF THE CITY COUNCIL

Ruth Armstrong
City Clerk

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of September, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 10, at Page 107.

Ruth Armstrong, City Clerk

September 9, 1974
Resolutions Book 10 - Page 108

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 9th day of October, 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:

Thomas G. L. [Signature]
/ City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular meeting on the 9th day of September, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 10, at Page 108.

Ruth Armstrong, City Clerk

TAXPAYERS AND REFUNDS REQUESTED

NAME	AMOUNT OF REFUND REQUESTED	REASON
Jane W. Macomber	\$ 1.97	Clerical error
P. B. Melton	9.03	Clerical error
Wilbert Locklear, Jr.	45.17	Clerical error
Jane W. Macomber	2.03	Clerical error
P. B. Melton	9.30	Clerical error
Jane W. Macomber	2.03	Clerical error
P. B. Melton	9.37	Clerical error
	<hr/> \$ 78.90	

170

171

172

September 9, 1974
Resolutions Book 10 - Page 109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
AUTHORIZING THE EXCHANGE OF CERTAIN REAL PROPERTY OWNED
BY THE CITY FOR CERTAIN REAL PROPERTY OWNED BY SEABOARD
COAST LINE RAILROAD COMPANY.

WHEREAS, the City of Charlotte and Seaboard Coast Line Railroad Company own contiguous tracts of land in Paw Creek Township, Mecklenburg County; and

WHEREAS, in order to straighten out the common boundary lines, Seaboard has proposed to convey a 2.37 acre tract to the City in exchange for the conveyance by the City of a 2.37 acre tract; and

WHEREAS, both tracts proposed to be exchanged have an equal fair market value of \$23,700.00; and

WHEREAS, the City Council, pursuant to the provisions of G. S. 160A-271, has duly caused to be advertised its intent to authorize said exchange of properties.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session duly assembled, that it does hereby authorize the exchange of certain property described in the deed of conveyance and belonging to the City, consisting of 2.37 acres for certain property described in the deed of conveyance and belonging to Seaboard Coast Line Railroad Company, consisting of 2.37 acres and hereby authorizes the Mayor to execute the deed on behalf of the City.

RESOLVED this 9th day of September, 1974.

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 9th day of September, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 10, at Page 109.

Ruth Armstrong, City Clerk

September 9, 1974
Resolutions Book 10 - Page 110

"RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE
FIRST WARD URBAN RENEWAL PROJECT NO. N. C. R-79"

WHEREAS the City of Charlotte has undertaken the execution of Project No. N. C. R-79, the same being an Urban Redevelopment Project, to be executed in accordance with the provisions of Article 37 of Chapter 160 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 Project No. N. C. R-79 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 37 of Chapter 160 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 herein-after 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 power 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>
15	4	Graham Estate	\$ 4,600
15	8	Clement Memorial AME Zion Church	45,000
15	11	Butler	14,500
15	14	Stewart	5,500
21	3	Alverson	5,000
21	4	Gravatt	5,000
39	12	Lowery Heirs	6,500

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of September, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 10, at Page 110.

136

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO DAVID KINNEY AND WIFE, EFFIE C. KINNEY; JAMES W. ALLISON, TRUSTEE; AND SAMUEL J. BRAMLETT AND WIFE, ANNIE M. BRAMLETT, LOCATED AT 929 NORTH CALDWELL STREET IN THE CITY OF CHARLOTTE FOR THE CALDWELL-BREVARD CONNECTOR PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to David Kinney and wife, Effie C. Kinney; James W. Allison, Trustee; and Samuel J. Bramlett and wife, Annie M. Bramlett, located at 929 North Caldwell Street in the City of Charlotte for the Caldwell-Brevard Connector Project.

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 David Kinney and wife, Effie C. Kinney; James W. Allison, Trustee; and Samuel J. Bramlett and wife, Annie M. Bramlett, located at 929 North Caldwell 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 \$5,850.00, 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 9th day of ~~August~~^{September}, 1974, and the reference having been made in Minute Book 60, page _____, and recorded in full in Resolutions Book 10, page 111.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of ~~August~~^{September}, 1974.

Ruth Armstrong, City Clerk

September 9, 1974

Resolutions Book 10 - Page 112

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO DAVID KINNEY AND WIFE, EFFIE C. KINNEY, LOCATED AT 937 AND 933 NORTH CALDWELL STREET IN THE CITY OF CHARLOTTE FOR THE CALDWELL-BREVARD CONNECTOR PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to David Kinney and wife, Effie C. Kinney, located at 937 and 933 North Caldwell Street in the City of Charlotte for the Caldwell- Brevard Street 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 condemnation proceedings are hereby authorized to be instituted against the property of David Kinney and wife, Effie C. Kinney, located at 937 and 933 North Caldwell 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 \$8,449.00, 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 Count, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

Henry W. Chisholm 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 9th day of ~~August~~^{September}, 1974, and the reference having been made in Minute Book 60, page _____, and recorded in full in Resolutions Book 10, page 112.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of ~~August~~^{September}, 1974.

Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO DOUBLE TRIANGLE PROPERTIES, INC., LOCATED AT 933 CALVINE STREET IN THE CITY OF CHARLOTTE FOR THE CALDWELL-BREVARD STREET CONNECTOR PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Double Triangle Properties, Inc., located at 933 Calvine Street in the City of Charlotte for the Caldwell-Brevard Street 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 Double Triangle Properties, Inc., located at 933 Calvine 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 \$1,418.00, 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:

[Handwritten Signature]
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 9th day of September 1974, and the reference having been made in Minute Book 60, page _____, and recorded in full in Resolutions Book 10, page 113.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of September, 1974.

Ruth Armstrong, City Clerk

September 9, 1974
Resolutions Book 10 - Page 114

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO BUNYON W. BAKER, JR. AND WIFE, LOIS L. BAKER, LOCATED AT 5911 NATIONS FORD ROAD IN THE CITY OF CHARLOTTE FOR THE ANNEXATION AREA I (11) SANITARY SEWER TRUNKS PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Bunyon W. Baker, Jr. and wife, Lois L. Baker, located at 5911 Nations Ford Road in the City of Charlotte for a perpetual easement for a sanitary sewer in connection with the Annexation Area I (11) Sanitary Sewer Trunks; 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 Bunyon W. Baker, Jr. and wife, Lois L. Baker, located at 5911 Nations 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 \$175.00, 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:

Harmon W. Landrum
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 9th day of September, 1974, and the reference having been made in Minute Book 60, page _____, and recorded in full in Resolutions Book 10, page 114.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of September, 1974.

Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO ELBERT J. BAKER AND WIFE, ELIZABETH M. BAKER; WILLIAM J. BAKER AND WIFE, VIRGINIA M. BAKER; GEORGE W. BAKER AND WIFE, CALLIE G. BAKER; OREN M. BAKER AND WIFE, HELEN W. BAKER; BUNYON W. BAKER, JR. AND WIFE, LOIS L. BAKER; AND ETHEL BAKER EAKIN AND HUSBAND, OWEN C. EAKEN, LOCATED AT 5840 NATIONS FORD ROAD IN THE CITY OF CHARLOTTE FOR THE ANNEXATION AREA I (11) SANITARY SEWER TRUNKS PROJECT.

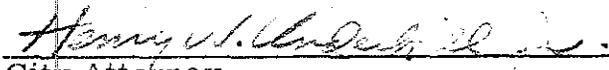
WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Elbert J. Baker and wife, Elizabeth M. Baker; William J. Baker and wife, Virginia M. Baker; George W. Baker and wife, Callie G. Baker; Oren M. Baker and wife, Helen W. Baker; Bunyon W. Baker, Jr. and wife, Lois L. Baker; and Ethel Baker Eakin and husband Owen C. Eaken, located at 5840 Nations Ford Road in the City of Charlotte for a perpetual easement for a sanitary sewer in connection with the Annexation Area I (11) Sanitary Sewer Trunks; 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 Elbert J. Baker and wife, Elizabeth M. Baker; William J. Baker and wife, Virginia M. Baker; George W. Baker and wife, Callie G. Baker; Oren M. Baker and wife, Helen W. Baker; Bunyon W. Baker, Jr. and wife, Lois L. Baker; and Ethel Baker Eakin and husband Owen C. Eaken, located at 5840 Nations 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 \$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:


 City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 9th day of September, 1974, the reference having been made in Minute Book 60, and recorded in full in Resolutions Book 10, at Page 115.

Ruth Armstrong, City Clerk

September 9, 1974
Resolutions Book 10 - Page 116

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO BUNYON W. BAKER, JR. AND WIFE, LOIS L. BAKER, LOCATED AT 5909 NATIONS FORD ROAD IN THE CITY OF CHARLOTTE FOR THE ANNEXATION AREA I (11) SANITARY SEWER TRUNKS PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Bunyon W. Baker, Jr. and wife, Lois L. Baker, located at 5909 Nations Ford Road in the City of Charlotte for a perpetual easement for a sanitary sewer in connection with the Annexation Area I (11) Sanitary Sewer Trunks; 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 Bunyon W. Baker, Jr. and wife, Lois L. Baker, located at 5909 Nations 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 \$150.00, 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:

Ruth Armstrong
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 9th day of September, 1974, and the reference having been made in Minute Book 60, page _____, and recorded in full in Resolutions Book 10, page 116.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 10th day of September, 1974.

Ruth Armstrong, City Clerk