

RESOLUTION CLOSING PORTION OF LYDIA STREET IN THE CITY OF
CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, a petition has been filed and received in accordance with the provisions of the General Statutes of North Carolina, Chapter 153, Section 9-17, and Chapter 160.A, Section 299, requesting the closing of a portion of Lydia Street in the city of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the City Council has caused to be published once a week for four consecutive weeks in a newspaper published in Mecklenburg County, N. C. a notice of public hearing on said petition, and has in all other respects complied with the provisions of said Statutes with regard to the giving of notice and holding of public hearing; and

WHEREAS, said public hearing was held on the 17th day of April, 1972; and

WHEREAS, the petitioners, Bill Johnson and wife, Mildred H. Johnson; Warren C. Elmore and wife, Ruby L. Elmore; Willie J. Robeson and wife, Mary A. Robeson; and Lurene B. Harris, own all of the land abutting upon said portion of Lydia Street, or the affected portions thereof; and

WHEREAS, no persons or parties in interest have appeared in opposition to the closing of said street or the portion thereof; and

WHEREAS, it has been made to appear to the satisfaction of the City Council that the closing and abandonment of said portion of Lydia Street is not contrary to the public interest and that no individuals, firms, or corporations owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the City Council hereby orders the

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closing and abandonment of that portion of Lydia Street located in the City of Charlotte, Mecklenburg County, North Carolina, designated in the aforesaid petition and more particularly described as follows:

BEGINNING at the point of intersection of the Easterly margin of Lydia Street with the Southerly margin of Matheson Avenue (formerly Westley Avenue) said point of BEGINNING also being the Northwesterly corner of Lot 1 in Block 17 A all as shown on map recorded in Map Book 1166, page 471, and running thence from said beginning point as thus established S. 10-27 W. along the Easterly margin of Lydia Street a distance of 356.04 feet to a point in the Northerly margin of Leigh Avenue, said point also being the intersection of the Easterly margin of Lydia Street with the Northerly margin of Leigh Avenue, and also being the Southwesterly corner of Lot 1 in Block C of Plaza Hills, all as shown on map recorded in Map Book 1166, page 239, of the Mecklenburg County Public Registry; thence N. 79-33 W. 45 feet to a point in the Northerly margin of Leigh Avenue, said point being the intersection of the Northerly margin of Leigh Avenue with the westerly margin of Lydia Street and also being the Southeasterly corner of Lot 6 in Block B of Plaza Hills, all as shown on map recorded in Map Book 1166, page 239; thence along the westerly margin of Lydia Street N. 10-27 E. a distance of 359.54 feet to a point in the Southerly margin of Matheson Avenue (formerly Westley Avenue), said point being the intersection of the Westerly margin of Lydia Street with the Southerly margin of Matheson Avenue (formerly Westley Avenue) and also being the Northeasterly corner of Lot 7 in Block 18-A, all as shown on map recorded in Map Book 1166, page 471, of the Mecklenburg County Public Registry; running thence S. 75-06 E. 45 feet to a point in the Southerly margin of Matheson Avenue (formerly Westley Avenue), the point or place of BEGINNING.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed in the office of the Register of Deeds of Mecklenburg County, North Carolina.

Approved as to form:

City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, in regular session convened on the 17th day of April, the reference having been made in Minute Book 57, and recorded in full in Resolutions Book 8, at Pages 229 and 230.

Ruth Armstrong
City Clerk

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A RESOLUTION PROVIDING FOR PUBLIC
HEARINGS ON PETITIONS FOR ZONING CHANGES.

WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 72-21 through 72-23 are on record in the Office of the City Clerk, and

WHEREAS, the City Council deems it in the public interest that hearings be held on said petitions,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that public hearings will be held in the Council Chamber on the Second Floor of the Charlotte City Hall beginning at 2:00 o'clock P.M., on Monday the 15th day of May, 1972 on petitions for zoning changes numbered 72-21 through 72-23.

BE IT FURTHER RESOLVED that notice of said hearings be published as required by law.

Approved as to Form:

Henry Underhill, 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 April, the reference having been made in Minute Book 57, and recorded in full in Resolutions Book 8, at Page 231.

Ruth Armstrong
City Clerk

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A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO A. LLOYD GOODE CONTRACTING COMPANY, LOCATED AT 117 EAST FIFTH STREET IN THE CITY OF CHARLOTTE FOR THE WIDENING OF EAST FIFTH STREET.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to A. Lloyd Goode Contracting Company, located at 117 East Fifth Street in the City of Charlotte for right of way purpose for the widening of East Fifth Street; 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 the A. Lloyd Goode Contracting Company, located at 117 East Fifth Street 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 \$2,900.00, 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 a regular session convened on the 17th day of April, 1972, the reference having been made in Minute Book 57, page _____, and recorded in full in Resolutions Book 8, page 232.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina this 18th day of April, 1972.

Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO HENRY G. NASH, JR. AND WIFE, ROSA S. NASH, LOCATED AT THE SOUTHEASTERN INTERSECTION OF NATIONS FORD ROAD AND HEBRON STREET IN THE CITY OF CHARLOTTE FOR THE KINGS BRANCH OUTFALL SANITARY SEWER CONSTRUCTION.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Henry G. Nash, Jr. and wife, Rosa S., located at the southeastern intersection of Nations Ford Road and Hebron Street in the City of Charlotte for right of way purposes for a perpetual sewer easement in connection with the construction of a sanitary sewer to serve the Kings Branch Outfall; 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 Henry G. Nash, Jr. and wife, Rosa S., located at the southeastern intersection of Nations Ford Road and Hebron Street 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 \$1,150.00, 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:

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 a regular session convened on the 17th day of April, 1972, the reference having been made in Minute Book 57, page _____, and recorded in full in Resolutions Book 8, page 233.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina this 18th day of April, 1972.

Ruth Armstrong, City Clerk

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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 17th day of April, 19 72, 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 April, the reference having been made in Minute Book 57, and recorded in full in Resolutions Book 8, at Page 234.

Ruth Armstrong, City Clerk

TAXPAYERS AND REFUNDS REQUESTED

NAME	AMOUNT OF REFUND REQUESTED	REASON
Harven Associates	\$ 50.00	Illegal levy

