

A RESOLUTION PROVIDING FOR A PUBLIC HEARING  
TO CONSIDER THE ADOPTION OF ZONING TEXT AND  
ZONING DISTRICTS FOR AREAS ANNEXED BY THE CITY  
OF CHARLOTTE, NORTH CAROLINA

WHEREAS, the City Council of the City of Charlotte wishes to consider the adoption of an ordinance, involving both the adoption of a zoning text and assignment of zoning districts for the ten areas annexed by the City of Charlotte effective on December 1, 1977; and

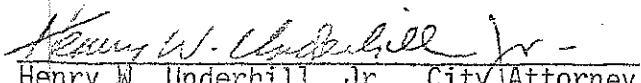
WHEREAS, the City Council deems it in the public interest that a public hearing be held on said proposal;

NOW, THEREFORE, BE IT RESOLVED by the City Council that a public hearing be held in the

beginning at \_\_\_\_\_ on \_\_\_\_\_ the day of \_\_\_\_\_  
to consider the adoption of zoning regulations for the annexed areas.

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

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 12th day of December, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 13, at Page 130.

Ruth Armstrong  
City Clerk

December 12, 1977  
Resolutions Book 13 - Page 131

A RESOLUTION PROVIDING FOR A PUBLIC HEARING  
TO CONSIDER THE ADOPTION OF A SUBDIVISION ORDINANCE  
FOR AREAS ANNEXED BY THE CITY OF CHARLOTTE, NORTH CAROLINA

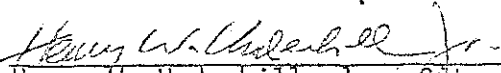
WHEREAS, the City Council of the City of Charlotte wishes to consider the adoption of a subdivision ordinance for the ten areas annexed by the City of Charlotte effective on \_\_\_\_\_, and

WHEREAS, the City Council deems it in the public interest that a public hearing be held on said proposal,

NOW, THEREFORE, BE IT RESOLVED by the City Council that a public hearing be held in the \_\_\_\_\_ on the \_\_\_\_\_ beginning at \_\_\_\_\_ p.m. on \_\_\_\_\_, the day of \_\_\_\_\_ to consider the adoption of subdivision regulations for the amended areas.

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

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 12th day of December, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 13, at page 131.

Ruth Armstrong  
City Clerk

December 12, 1977  
Resolutions Book 13 - Page 132

"RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE  
FIVE POINTS COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS the City of Charlotte has undertaken the execution of the Five Points Community Development Target Area, the same being an Urban Redevelopment Project, to be executed in accordance with the provisions of Article 22 of Chapter 160A 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 Five Points Community Development Target Area 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 purpose of the law as set out in said Article 22 of Chapter 160A 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 hereinafter 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 powers 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>
30	14	Claudia Allen Heirs	\$ 2,750
32	15	Emma Brown	1,500

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 13, at Page 132.

Ruth Armstrong  
City Clerk

"RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE  
WEST MOREHEAD COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS the City of Charlotte has undertaken the execution of the West Morehead Community Development Target Area, the same being an Urban Redevelopment Project, to be executed in accordance with the provisions of Article 22 of Chapter 160A 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 West Morehead Community Development Target Area 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 purpose of the law as set out in said Article 22 of Chapter 160A 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 hereinafter 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 powers 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>
40	1	Doris V. Dillon	\$15,500

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 13, at Page 133.

Ruth Armstrong  
City Clerk

December 12, 1977  
Resolutions Book 13 - Page 134

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO SYNDICATED INVESTMENTS, INC. LOCATED AT 13501 STUMPTOWN ROAD, HUNTERSVILLE, NC. IN THE COUNTY OF MECKLENBURG FOR THE TORRENCE CREEK OUTFALL - PHASE III PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Syndicated Investments, Inc., located at 13501 Stumptown Road, Huntersville, N. C. in the County of Mecklenburg for a perpetual easement for a sanitary sewer in connection with the Torrence Creek Outfall - Phase III 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 Syndicated Investments, Inc., located at 13501 Stumptown Road, Huntersville, N. C. in the County of Mecklenburg, 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 \$1,550.00, 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. Chamberlin 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 12th day of December, 1977, and the reference having been made in Minute Book 66, page         , and recorded in full in Resolutions Book 13, page 134.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1977.

Ruth Armstrong  
Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO THE ESTATE OF FRANK O. RATCLIFFE AT 110 6th STREET IN THE CITY OF CHARLOTTE FOR THE DISCOVERY PLACE PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to the Estate of Frank O. Ratcliffe located at 110 6th Street in the City of Charlotte for recreational purposes in connection with the Discovery Place 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 the Estate of Frank O. Ratcliffe located at 110 6th 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 \$72,000.00, 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 12th day of December, 1977, and the reference having been made in Minute Book 66, page         , and recorded in full in Resolutions Book 13, page 135.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1977.

Ruth Armstrong  
Ruth Armstrong, City Clerk

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

WHEREAS, the St. Luke's United Methodist Church of 2019 Shamrock Drive, of the City of Charlotte, Mecklenburg County, North Carolina, presently plans to erect a Gymnasium as an addition to the physical plant of said Church; and,

WHEREAS, the said gymnasium is to be erected on Church property, in close proximity to certain portions of Globe Court; and,

WHEREAS, the said portions of Globe Court requested to be closed and abandoned lie from a point approximately 287.38 feet to the north of Shamrock Drive to and including that portion of Globe Court ending in a cul-de-sac; and,

WHEREAS, the said portions of Globe Court requested to be closed and abandoned are more accurately described in a metes and bound description on file for inspection in the Office of the City Clerk of the City of Charlotte, Mecklenburg County, North Carolina; and,

WHEREAS, the procedure for closing streets as outlined in Chapter 160A Section 299, Sub-section (a), requires that the Council first adopt a Resolution declaring its intent to close said street and calling a Public Hearing on the question; said Statute further requiring that the Resolution be published once a week for four (4) consecutive weeks prior to said hearing; said Statute further requiring that a copy of said Resolution be sent by registered or certified mail to all owners of property adjoining said street as shown on the County Tax Records; said Statute further requiring that a Notice of the Closing and Public Hearing be prominently posted in at least two places along said street; and,

WHEREAS, the St. Luke's United Methodist Church is desirous of closing said portions of Globe Court.

NOW THEREFORE, BE IT RESOLVED AND DECLARED BY THE City Council of the City of Charlotte, at its regularly scheduled session of Monday  
December 12, 1977, that it intends to close these certain portions

of Globe Court hereinabove described, and being more particularly described in a metes and bound description, on file for inspection in the Office of the City Clerk of the City of Charlotte, and hereby calls a public hearing on the question to be held at 3:00 P.M. on Monday the 9th day of January, 1978, 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) consecutive weeks next preceding the date fixed here for such hearing, as required by Chapter 160A, Section 299, Sub-section (a); 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 as shown on the county tax records, as required by the abovementioned Statute. The Petitioner is hereby directed to prominently post and display a Notice of the Closing and Public Hearing in at least two places along the said portions of the street, as required by the abovementioned Statute.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 12th day of December, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 13, at Page 136-137.

Ruth Armstrong  
City Clerk



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 12th day of December, 19 77, 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 12th day of December, 1977, the reference having been made in Minute Book 66, and is recorded in full in Resolutions Book 13, at Page 138-139. Ruth Armstrong, City Clerk

## TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Tic Toc Market	\$ 37.80	Clerical Error
Seven Eleven Store	199.17	Clerical Error
Carolina Industrial Battery	147.18	Illegal Levy
Great Atlantic & Pacific Tea Co.	3,983.50	Illegal Levy
Seven Eleven Store	199.31	Illegal Levy
Harriette Lee Smyth	45.32	Illegal Levy
Crown Pipe & Supply Co.	4.39	Clerical Error
Dic-Mar Leasing Co.	31.50	Clerical Error
Donlen Leasing Corp.	28.38	Clerical Error
Arthur Glenn Bartlett	18.88	Clerical Error
Arthur Glenn Bartlett, Jr.	21.54	Clerical Error
Arthur Glenn Bartlett, Jr.	27.87	Clerical Error
Elizabeth Stratford Newitt	50.53	Clerical Error
Seven Eleven Store	192.99	Clerical Error
Beatties Ford Rd. 66	<u>29.50</u>	Illegal Levy
	\$5,017.86	
	=====	

December 12, 1977  
Resolutions Book 13 - Page 140

A RESOLUTION TO RESCIND AUTHORIZATION TO INSTITUTE CONDEMNATION PROCEEDINGS AGAINST PROPERTY BELONGING TO ROGER PAGE, JR., NORWOOD ROBINSON, TRUSTEE AND CAMELOT HOMES, INC. FOR THE DISCOVERY PLACE PROJECT.

WHEREAS, on November 28, 1977, the City Council of the City of Charlotte did authorize the institution of condemnation proceedings for the acquisition of property belonging to Roger Page, Jr.; Norwood Robinson, Trustee and Camelot Homes, Inc., for the Discovery Place Project; and

WHEREAS, since this action had been taken, the above named parties have, by written agreement, granted the City the necessary easement required to complete the work of this project, making it no longer necessary to institute condemnation proceedings against these owners.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that authorization previously granted to institute condemnation proceedings against the parties named above, is hereby rescinded.

Approved as to form:

Henry W. Cheshire 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 12th day of December, 1977, and the reference having been made in Minute Book 66, page         , and recorded in full in Resolutions Book 13, page 140.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 14th day of December, 1977.

Ruth Armstrong  
Ruth Armstrong, City Clerk