

RESOLUTION CLOSING A CERTAIN PORTION OF
TWO (2) ALLEYWAYS OFF OF THOMAS AVENUE IN THE CITY OF CHARLOTTE
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, a Petition has been filed and received in accordance with the provisions of Chapter 160A, Section 299 of the General Statutes of North Carolina, requesting the closing of certain portions of two (2) alleyways in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the City Council has caused to be published a Resolution of Intent to close certain portions of two (2) alleyways, all in accordance with said Statute; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to close certain portions of two (2) alleyways to be sent by registered or certified mail to all owners of property adjoining the said alleyways, and prominently posted a notice of the closing and public hearing in at least two places along said alleyways, all in accordance with said Statute; and

WHEREAS, said public hearing was held on the 10th day of January, 1983; and

WHEREAS, no persons, firms, or corporations or parties in interest have appeared in opposition to the closing of said portions of said alleyways;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of January 10, 1983, that the Council hereby orders the closing of portions of two (2) alleyways in the City of Charlotte, Mecklenburg County, North Carolina as described below:

ALLEYWAY 1

BEGINNING at an old iron in the westerly right of way margin of Thomas Avenue (60' R/W), said old iron being located in two (2) courses measured along the said westerly R/W margin of Thomas Avenue from the southerly R/W margin of Central Avenue as follows: (1) $S0^{\circ}-30'-43''E$, 91.17 feet. (2) $S0^{\circ}-32'-00''E$, 52.57 feet, and running thence with the westerly R/W margin of Thomas Avenue $S0^{\circ}-32'-00''E$, 12.44 feet to a point; thence with the southerly margin of a 12.5± foot alleyway $N85^{\circ}-25'-30''W$, 139.90 feet to a point; thence with the easterly margin of a 15-foot alleyway $N1^{\circ}-47'-37''W$, 12.82 feet to a point; thence with the northerly margin of said 12.5± foot alleyway $S85^{\circ}-14'-53''E$, 140.00 feet to the point or place of beginning. Containing 1764 sq. ft. all as shown on a map prepared by the City of Charlotte, Engineering Department dated August 16, 1982 to which reference is hereby made.

ALLEYWAY 2

BEGINNING at an old iron in the westerly R/W margin of Thomas Avenue (60'R/W), said old iron being located $S0^{\circ}-30'-43''E$, 82.92 feet measured along the westerly R/W margin of Thomas Avenue from the southerly R/W margin of Central Avenue, and running thence with the westerly R/W margin of Thomas Avenue $S0^{\circ}-30'-43''E$, 8.25 feet to an old iron; thence with the southerly margin of an eight-foot alleyway $N85^{\circ}-14'-55''W$, 75.80 feet to a point; thence with a new line, crossing said eight-foot alleyway $N4^{\circ}-45'-07''E$, 8.05 feet to an old iron. Thence with the northerly margin of an eight-foot alleyway $S85^{\circ}-22'-24''E$, 75.04 feet to the point or place of beginning. Containing 614 sq. ft. all as shown on a map prepared by the City of Charlotte, Engineering Department, dated August 16, 1982 to which reference is hereby made.

BE IT FURTHER RESOLVED that a certain portion of Alleyway Number 2 be reserved as an 8-foot utility easement for the purpose of maintaining a 2-inch gas main, and the City of Charlotte does hereby specifically reserve a utility easement, said utility easement being shown on a plat entitled "Alleys to be Abandoned, Central Plaza Area, Property of City of Charlotte", prepared by City of Charlotte, Engineering Department, dated August 16, 1982, a copy of which is hereto attached and marked Exhibit "A" and incorporated herein by this reference.

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

Approved as to form:

Henry W. Zolner Jr.
City Attorney

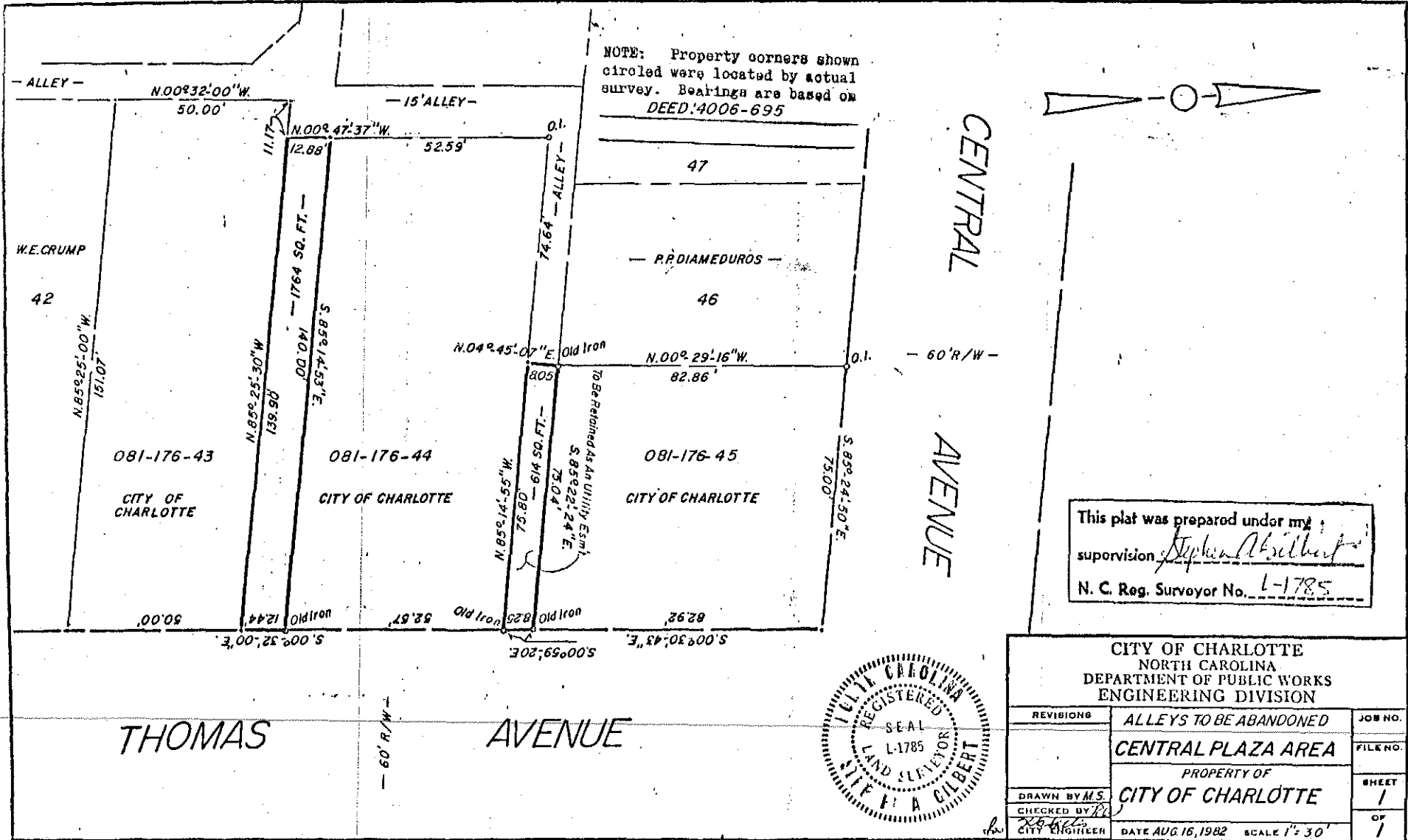
CERTIFICATION

I, Pat Sharkey, 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 10th day of January, 1983, the reference having been made in Minute Book 79, page 1-3, and recorded in full in Resolution Book 19, page 1-3.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of January, 1983.

Pat Sharkey, City Clerk

EXHIBIT "A"



4
January 10, 1983
Resolution Book 19 - Page 4

A RESOLUTION OF THE CHARLOTTE CITY COUNCIL EXTENDING THE MASTER LEASE PURCHASE AGREEMENT WITH FIRST UNION NATIONAL BANK.

WHEREAS, on August 9, 1982, the City entered into a Master Lease/Purchase Agreement with First Union National Bank for the lease/purchase of certain equipment; and

WHEREAS, the City is desirous of extending the Master Lease/Purchase Agreement, under the same terms as set forth previously, for the lease/purchase of additional equipment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte in regular session duly assembled, that the Master Lease/Purchase Agreement between the City and First Union National Bank be extended and is hereby ratified, confirmed, and approved; and

BE IT FURTHER RESOLVED that the Mayor, Mayor Pro Tem, or City Manager is hereby authorized, empowered and directed to sign on its behalf the Agreement and any addenda, schedules, notes, UCC financing statements or other instruments issued under the provisions of the Agreement and any other instrument or document which may be necessary or expedient in connection with agreement upon or fulfillment of the provisions of the Agreement.

Approved as to form:

Henry W. Chandler Jr.
City Attorney

CERTIFICATION

I, Pat Sharkey, 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 10th day of January, 1983, the reference being made in Minute Book 79, Page , and is recorded in full in Resolution Book 19, Page 4.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of January, 1983.

Pat Sharkey, City Clerk

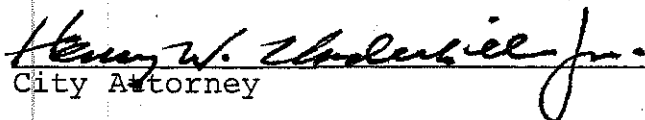
A RESOLUTION TO RESCIND AUTHORIZATION TO INSTITUTE CONDEMNATION PROCEEDINGS AGAINST PROPERTY BELONGING TO EMORY H. BLANTON AND WIFE, MARILLYN T. BLANTON, OWNERS; RAY W. BRADLEY, ET AL., TRUSTEES FOR HOME FEDERAL SAVINGS AND LOAN ASSOCIATION, FOR THE SARDIS ROAD WIDENING PROJECT.

WHEREAS, on October 25, 1982, the City Council of the City of Charlotte did authorize the institution of condemnation proceedings for the acquisition of property belonging to Emory H. Blanton and wife, Marillyn T. Blanton; Ray W. Bradley, et al., Trustees for Home Federal Savings and Loan Association, for the Sardis Road Widening 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:


City Attorney

CERTIFICATION

I, Pat Sharkey, 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 10th day of January, 1983, and the reference having been made in Minute Book 79, page _____, and recorded in full in Resolutions Book 19, page 5.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of January, 1983.

Pat Sharkey, City Clerk

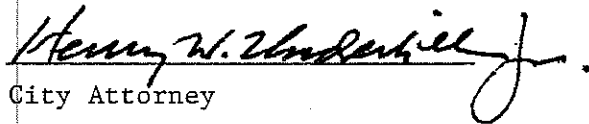
A RESOLUTION AUTHORIZING THE
REFUND OF CERTAIN TAXES

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 has collected certain taxes from the taxpayers set out on the list attached to the Docket.
2. The City Tax Collector has certified that those taxpayers have made proper 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 10th day of January, 1983, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

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 10th day of January, 1983, the reference having been made in Minute Book 79 and recorded in full in Resolution Book 19, page(s) 6-7.

Pat Sharkey
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Caldwell, George E. and wife, R. H. Caldwell	\$ 6.56	Clerical Error
Reid, Les J. and wife, Mary M. Reid	67.88	Clerical Error
Caldwell, George E. and wife, R. H. Caldwell	5.21	Clerical Error
Mellon, John	43.65	Clerical Error
Reid, Les J. and wife, Mary M. Reid	67.88	Clerical Error
Gelco Corporation	78.29	Clerical Error
Holly Farms Fried Chicken #573	680.99	Clerical Error
Lathe, Wallace Simpson	28.29	Clerical Error
Stegall, Patricia Honeycutt	21.92	Clerical Error
Stegall, Patricia Honeycutt	52.79	Clerical Error
Peterson, D. L. Trust Add	73.59	Illegal Levy
Bagley, Harold Jeffrey	13.62	Clerical Error
Dixon, Inez C.	76.93	Clerical Error
Moshiri, Kamal Ghanizadeh	5.12	Illegal Levy
Roscoe, Julian T. and wife, Shirley G.	51.59	Clerical Error
Smith, Robert Thomas and wife, Lula R.	76.93	Clerical Error
Guardsman Lease Plan, Inc.	43.01	Clerical Error
United States Fleet Leasing, Incorporated	27.62	Clerical Error
Barclays American Leasing Lsd Veh-Addl for 1981	49.30	Illegal Levy
TOTAL	<u>\$1,471.17</u>	

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 Finance Director collected taxes from the taxpayers set out on the list attached to the Docket.
2. The City Finance Director has certified that those taxpayers have made proper 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 10th day of January, 1983, that those taxpayers listed on the schedule of "Taxpayers and Refunds Requested" be refunded in the amounts therein set out and that the schedule and this resolution be spread upon the minutes of this meeting.

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 10th day of January, 1983, the reference having been made in Minute Book 79 and recorded in full in Resolution Book 19, page(s) 8.

Pat Sharkey
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

<u>NAME</u>	<u>AMOUNT OF REFUND REQUESTED</u>	<u>REASON</u>
Lib Alley	<u>\$15.00</u>	Clerical Error
TOTAL	<u>\$15.00</u>	

9
January 10, 1983
Resolution Book 19 - Page 9

A RESOLUTION PROVIDING FOR PUBLIC HEARING
ON PETITION FOR SPECIAL USE PERMIT

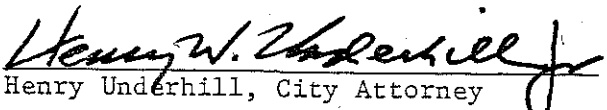
WHEREAS, the City Council has received a petition for a Special Use Permit, which petition is numbered SUP 82-3 and is on record in the Office of the City Clerk, and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that a public hearing will be held in the City Council Chambers on the Second Floor of City Hall at 600 East Trade Street beginning at 4:00 o'clock P. M. on Tuesday, the 1st day of February, 1983 on petition numbered SUP 82-3.

BE IT FURTHER RESOLVED that notice of said hearing 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 10th day of January, 1983, the reference having been made in Minute Book 79 and is recorded in full in Resolutions Book 19 at Page 9.

Pat Sharkey
City Clerk

January 10, 1983
Resolution Book 19 - Page 10

Extracts from minutes of meeting of the City Council of the City of
of Charlotte, North Carolina held on the 10th day of January,
1983.

RESOLUTION

Be it resolved by the City Council in regular meeting assembled that
the Mayor of said City be, and he hereby is, authorized to enter into an
agreement with the SEABOARD COAST LINE RAILROAD COMPANY and to sign same
on behalf of said City whereby said Railroad Company grants unto said
City a temporary construction easement for grading purposes to restore
or provide banks in a good and workmanlike manner incident to the North
Tryon Street and North Church Street Connector Project, through, on and
over the following land owned by Grantor, at Charlotte, Mecklenburg County,
North Carolina, as more particularly described in said agreement.

I certify the above to be a true and correct copy.

Pat Sharkey, City Clerk, City of Charlotte

Read, approved and adopted by the City Council of the City of Charlotte,
North Carolina, in regular session convened on the 10th day of January,
1983, the reference having been made in Minute Book 79 and is recorded
in Resolutions Book 19 at Page 10.

Pat Sharkey
City Clerk

Approved as to form:

Henry W. Underhill, Jr.
Henry W. Underhill, Jr., City Attorney

RE: North Tryon/North Church Connector
Parcel 12

January 10, 1983
Resolution Book 19 - Page 11.

Extracts from minutes of meeting of the City Council of the City of Charlotte, North Carolina held on the 10th day of January, 1983.

RESOLUTION

Be it resolved by the City Council in regular meeting assembled that the Mayor of said City be, and he hereby is, authorized to enter into an agreement with the PLANTATION PIPE LINE COMPANY and to sign same on behalf of said City whereby said Pipe Line Company grants unto said City a right of way agreement for the purpose of installing and maintaining sanitary sewer line incident to the 1980 Annexation Sewer - Coulwood Area Project, through, on and over the following land owned by the Grantor, at Charlotte, Mecklenburg County, North Carolina, as more particularly described in said agreement.

I certify the above to be a true and correct copy.

Pat Sharkey, City Clerk, City of Charlotte

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 10th day of January, 1983, the reference having been made in Minute Book 79 and is recorded in Resolutions Book 19 at Page 11.

Pat Sharkey
City Clerk

Approved as to form:

Henry W. Underhill, Jr.
Henry W. Underhill, Jr. City Attorney

RE: 1980 Annexation Sewer - Coulwood Area
Parcel 86
Job No. 633.21 516-82-101

January 10, 1983
Resolution Book 19 - Page 12

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO FRED F. HASTINGS, SR. AND WIFE, LOTTIE I. HASTINGS; FRED F. HASTINGS, JR. AND WIFE, PEGGY L. HASTINGS AND (SSAC, Inc. LESSEE) LOCATED AT 317-319 NORTH COLLEGE STREET, IN THE CITY OF CHARLOTTE FOR PARKING AT SPIRIT SQUARE

WHEREAS, the City Council finds as a fact that it is necessary to acquire all of the property belonging to FRED F. HASTINGS, SR. AND WIFE, LOTTIE I. HASTINGS; FRED F. HASTINGS, JR. AND WIFE, PEGGY L. HASTINGS AND (SSAC, Inc., LESSEE), located at 317-319 North College Street, in The City of Charlotte, for parking for Spirit Square; 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 North Carolina General Statutes 160A-241, condemnation proceedings are hereby authorized to be instituted against the property of FRED F. HASTINGS, SR. AND WIFE, LOTTIE I. HASTINGS; FRED F. HASTINGS, JR. AND WIFE, PEGGY L. HASTINGS AND (SSAC, Inc, LESSEE), located at 317-319 North College Street, in The City of Charlotte, Mecklenburg County, North Carolina, under the procedures set forth in Chapter 40A of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$119,900.00, 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:

J. H. Michael, Jr.
Deputy City Attorney

CERTIFICATION

I, PAT SHARKEY 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 10th day of January, 1983, and the reference having been made in Minute Book 79, Page , and recorded in full in Resolutions Book 19, Page 12.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 12th day of January, 1983.

City Clerk

"RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE
FIVE POINTS NEIGHBORHOOD STRATEGY AREA"

WHEREAS the City of Charlotte has undertaken the Redevelopment of the Five Points Neighborhood Strategy area, an Urban Redevelopment Project, in accordance with the provisions of Article 22 of Chapter 160A of the General Statutes of North Carolina; and

WHEREAS the Urban Redevelopment 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 Neighborhood Strategy 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 to achieve and accomplish the purpose of the law as set out in said Article 22 of Chapter 160A, such purpose 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, pursuant to the applicable laws and regulations, has endeavored to establish a fair market value on properties within the area, and has made a good faith effort through its proper agents to negotiate for the acquisition of properties within the fair market value thereof; and

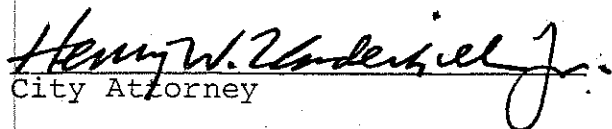
WHEREAS the City of Charlotte, after such fair negotiations, has of this date been unable to acquire properties as hereinafter set out and recognizes that such acquisition is essential to the achievement of the plans and accomplishment of the purpose of the redevelopment law as the same relates thereto; 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:

Block 14, Parcel 9 - Fannie T. Springs (owner)
Fair Market Value - \$16,500.00

Approved as to form:


City Attorney

CERTIFICATION

I, Pat Sharkey, 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 10th day of January, 1983, the reference having been made in Minute Book 79, and recorded in full in Resolution Book 19 at Page 13.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 12th day of January, 1983.

Pat Sharkey, City Clerk

January 10, 1983
Resolution Book 19 - Page 14

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO STANLEY M. STEINBERGER AND CHARLES W. GLICK AND (CROWN CENTRAL PETROLEUM CORPORATION, LESSEE) LOCATED AT 325-329 NORTH COLLEGE STREET, IN THE CITY OF CHARLOTTE FOR PARKING AT SPIRIT SQUARE

WHEREAS, the City Council finds as a fact that it is necessary to acquire all of the property belonging to STANLEY STEINBERGER AND CHARLES W. GLICK AND (CROWN CENTRAL PETROLEUM CORPORATION, LESSEE), located at 325-329 North College Street, in The City of Charlotte, for parking for Spirit Square; 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 North Carolina General Statutes 160A-241, condemnation proceedings are hereby authorized to be instituted against the property of STANLEY M. STEINBERGER AND CHARLES W. GLICK AND (CROWN CENTRAL PETROLEUM CORPORATION, LESSEE), located at 325-329 North College Street, in The City of Charlotte, Mecklenburg County, North Carolina, under the procedures set forth in Chapter 40A of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that \$84,400.00, 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:

H. Michael
Deputy City Attorney

CERTIFICATION

I, PAT SHARKEY 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 10th day of January, 1983, and the reference having been made in Minute Book 79, Page 1, and recorded in full in Resolutions Book 19, Page 14.

WITNESS my hand and the corporate seal of The City of Charlotte, North Carolina, this the 12th day of January, 1983.

City Clerk