

January 18, 1971

Resolution Book 7 - Page 225

RESOLUTION CLOSING PORTIONS OF THE STRIPS
OF LAND KNOWN AS "A" STREET AND FIRST 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, §9(17), and Chapter 160, §20-11, requesting the closing within the meaning of said Statutes of a portion of the strip of land sometimes known as "A" Street and a portion of the strip of land sometimes known as East First 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, North Carolina, 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 a public hearing; and

WHEREAS, said public hearing was held on the 18th day of
January, 1971, and

WHEREAS, the petitioner, Southern Railway Company, and Georgia Industrial Realty Company own all of the land abutting upon said portions of said strips of land or the affected portions thereof except the portions owned by the Redevelopment Commission of the City of Charlotte, and except the portions owned by North Carolina Railroad Company; and

WHEREAS, said Redevelopment Commission of the City of Charlotte and said North Carolina Railroad Company have been duly notified of said hearing as required by said statutes, and no persons or parties in interest have appeared in opposition to the closing within the meaning of said statutes the closing of said portions of said strips of land; and

WHEREAS, it appears that said strips of land have never been opened up or used for street purposes or any other purpose by the City of Charlotte, that the same have been for many years adversely occupied by Southern Railway Company and its predecessors and that more than 100 years have elapsed since said strips of land first became known or called "A" Street and East First Street and there has been no acceptance of either by the City of Charlotte for street purposes, and it is recognized by the City of Charlotte that it no longer has any title or interest in said strips.

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

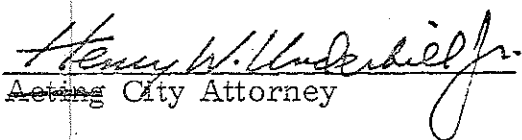
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NOW, THEREFORE, be it resolved by the City Council of the City of Charlotte, North Carolina, that the City Council hereby orders the closing of said portions of said strips of land within the meaning of said statutes, the same being located in the City of Charlotte, Mecklenburg County, North Carolina, being designated in the aforesaid petition and being more particularly described as follows:

That section of the strip, sometimes known as "A" Street, lying between Stonewall and East Trade Streets and that section of the strip, sometimes known as East First Street, lying between South College Street and the property of Blythe Brothers Company conveyed to it by deed at Book 1008, page 515, dated May 3, 1940 and shown on maps prepared by Ralph Whitehead & Associates, Consulting Engineers, captioned "Railway Property and Right-of-Way Map, East 12th Street to East Bland Street, Charlotte, North Carolina", dated September 19, 1968, and revised in February, 1969, Drawings No. D-1097.3, .4, and .5 (it being the intention of this description to cover the location of said sections of said strips of land wherever the same may be found by various surveyors to be located, it being a matter of dispute from surveyor to surveyor as to the exact locations of "A" Street and East First Street in the vicinity of said sections of strips, the same never having been used for street purposes).

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:


Acting City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of January, 1971, the reference having been made in Minute Book 54, at Page , and recorded in full in Resolution Book 7, at Pages 225-226.

Ruth Armstrong
City Clerk

January 18, 1971
Resolution Book 7 - Page 227

RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO BUFORD WEBSTER DIXON AND WIFE, LUCY LOWERY DIXON, LOCATED AT 1200 NORTH ALEXANDER STREET FOR THE SUGAR CREEK-IRWIN CREEK OPEN SPACE PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Buford Webster Dixon and wife, Lucy Lowery Dixon, located at 1200 North Alexander Street in the City of Charlotte for the purpose of establishing, maintaining and building a public park; 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, and the North Carolina General Statutes 160-204 and 205, condemnation proceedings are hereby authorized to be instituted against the property of Buford Webster Dixon and wife, Lucy Lowery Dixon, located at 1200 North Alexander Street in Mecklenburg County, under the procedures set forth in Article 2, Chapter 40 of the General Statutes of North Carolina, as amended.

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 18th day of January, 1971, reference having been made in Minute Book 54, page , and recorded in full in Resolutions Book 7, at page 227.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 20th day of January, 1971.

Ruth Armstrong
Ruth Armstrong, City Clerk

January 18, 1971
Resolution Book 7 - Page 228

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

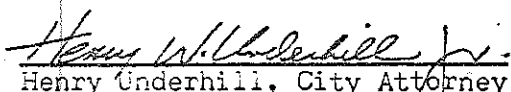
WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 71-8 through 71-11 are on record in the Office of the City Clerk, and

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 22nd day of February, 1971 on petitions for zoning changes numbered 71-8 through 71-11.

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 18th day of January, 1971, the reference having been made in Minute Book 54, at Page , and recorded in full in Resolution Book 7, at Page 228.

Ruth Armstrong
City Clerk

January 13, 1971
Resolution Book 7 - Page 229

"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
APPROVING SALE OF LAND TO NORTH CAROLINA NATIONAL BANK
AS TRUSTEE OF MANAGEMENT TRUST UNDER TRUST AGREEMENT
DATED SEPTEMBER 10, 1951, EXECUTED BY ISABELLE WADE
REYNOLDS IN REDEVELOPMENT SECTION NO. 5,
PROJECT NO. N. C. R-60"

WHEREAS, on the 13th day of January, 1971, the Redevelopment Commission of the City of Charlotte received from North Carolina National Bank as Trustee of Management Trust Under Trust Agreement Dated September 10, 1951, Executed by Isabelle Wade Reynolds, a proposal to purchase and develop 21,749 square feet of land known as Disposition Parcels Nos. 9 and 10, as designated on a map entitled "Brooklyn Urban Renewal Area, Redevelopment Section No. 5, Project No. N. C. R-60, Parcels Nos. 9, 10, A, B, C and D," dated September 19, 1969, prepared by Wilbur Smith & Associates, Inc., Design, with increased parking facilities, which is in accordance with the Redevelopment Plan for this project, dated May, 1966, amended June, 1970; and

WHEREAS, the proposed developer has submitted a Purchase Contract, a letter, in lieu of Redeveloper's Statement for Public Disclosure and Redeveloper's Statement of Qualifications and Financial Responsibility, which a trustee under North Carolina law may not disclose, wherein the Trust Department of the North Carolina National Bank states that there are ample funds in the trust for the redevelopment, and a good faith deposit in the amount of \$3,759.27, representing 10% of the total purchase price of the land; and

WHEREAS, the Redevelopment Commission of the City of Charlotte, at a regular meeting convened on the 13th day of January, 1971, by Resolution accepted said proposal submitted by North Carolina National Bank as Trustee of Management Trust Under Trust Agreement Dated September 10, 1951, Executed by Isabelle Wade Reynolds, and recommends to the Governing Body of the City of Charlotte that it approve the sale of 21,749 square feet of land in said Parcels Nos. 9 and 10 to the North Carolina National Bank as Trustee of Management Trust Under Trust Agreement Dated September 10, 1951, Executed by Isabelle Wade Reynolds; and

WHEREAS, Section 160-464 (d) of the North Carolina Urban Redevelopment Law, as amended, requires that the sale of all land by the Commission shall be subject to the approval of the Governing Body of the Municipality.

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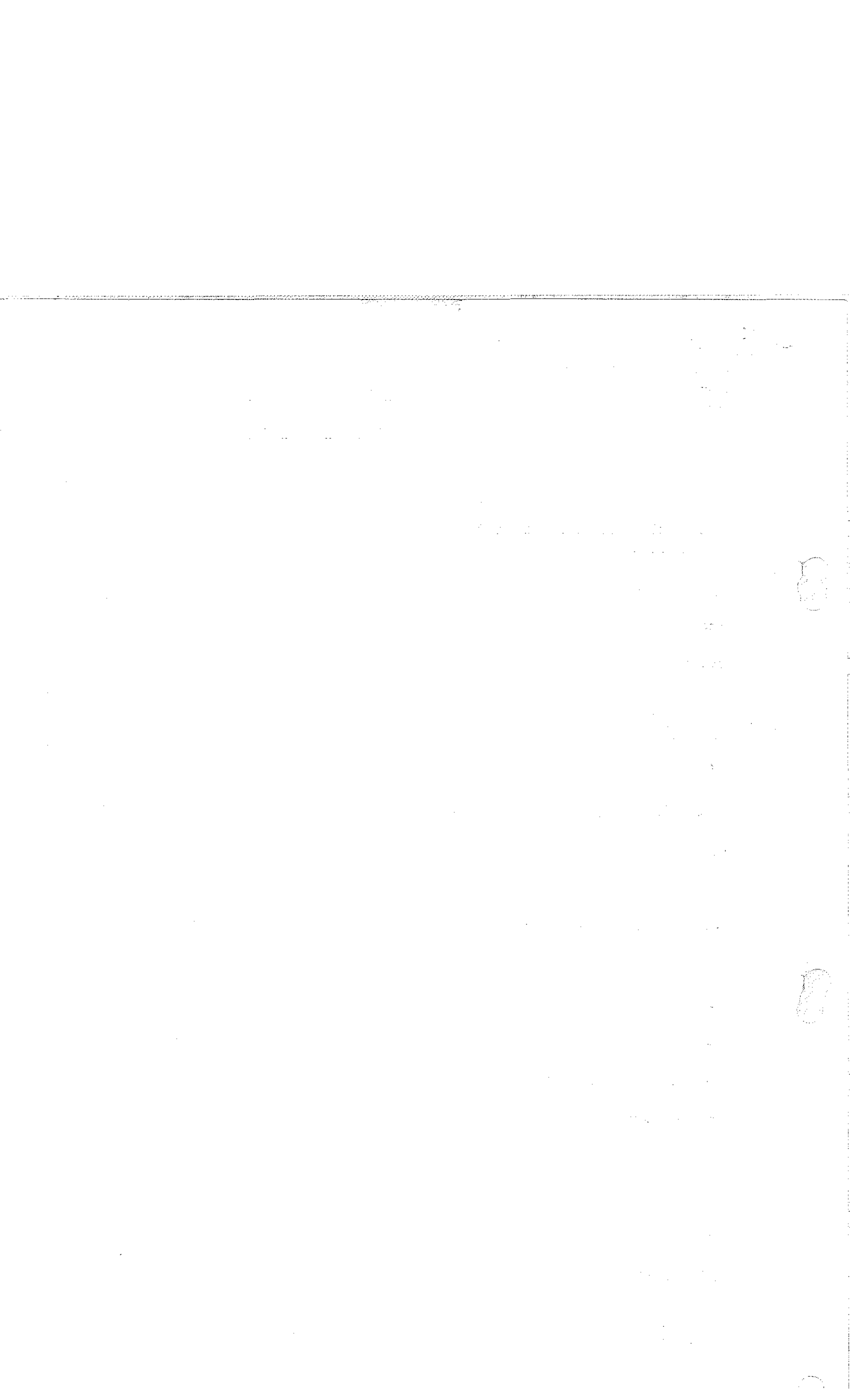
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte does hereby approve the sale of 21,749 square feet of land in Disposition Parcels Nos. 9 and 10 in Redevelopment Section No. 5, Project No. N. C. R-60, to North Carolina National Bank as Trustee of Management Trust Under Trust Agreement Dated September 10, 1951, Executed by Isabelle Wade Reynolds to be developed as increased parking facilities, which is in accordance with the Redevelopment Plan for the Project dated May, 1966, amended June, 1970.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of January, 1971, the reference having been made in Minute Book 54, at Page , and recorded in full in Resolution Book 7, at Pages 229-230.

Ruth Armstrong
City Clerk

TAXPAYERS AND REFUNDS REQUESTED

NAME	AMOUNT OF REFUND REQUESTED	REASON
Automatic Sprinkler Corporation of America	\$75.00	Clerical error



January 18, 1971
Resolution Book 7 - Page 231

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 18th day of January, 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:


City Attorney

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 18th day of January, 1971, the reference having been made in Minute Book 54, at Page , and recorded in full in Resolution Book 7, at Page 231.

Ruth Armstrong
City Clerk

January 18, 1971

Resolution Book 7 - Page 232

A RESOLUTION AUTHORIZING THE INSTITUTION OF AN EVICTION ACTION FOR SUMMARY EJECTMENT AGAINST THE ODES REDMOND COMPANY AT THE DOUGLAS MUNICIPAL AIRPORT.

WHEREAS, on February 13, 1970, a lease agreement for Airport Buildings #256 and #289 was submitted to the present tenant, Odes Redmond, doing business as the Odes Redmond Company; and

WHEREAS, this lease was in accordance with the policy of the Airport Department and was of six (6) months' duration effective March 1, 1970; and

WHEREAS, in accordance with this same policy, Odes Redmond was requested to place on deposit with the City of Charlotte, a sum equal to one (1) month's rent to be held as a non-interest bearing security deposit until the said lease was terminated; and

WHEREAS, Odes Redmond, after having been contacted on several occasions, has refused to execute a lease for these said buildings, has refused to place with the City a security deposit, and has refused to vacate the said buildings; and

WHEREAS, Odes Redmond having been taken through Magistrate's Court and into District Court, and the Judge of the District Court having found as a fact that the City Council of the City of Charlotte had never adopted a specific resolution authorizing the institution and prosecution of this ejectment action, the case against him was dismissed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled meeting of January 18, 1971, that the Airport Department of the City of Charlotte is hereby authorized to give proper notice to the Odes Redmond Company to terminate its leasehold interest in Airport Buildings #256 and #289 located at the Douglas Municipal Airport, and should it fail to vacate said premises after proper notice, the City Attorney's Office is hereby authorized to institute an action for summary ejectment against Odes Redmond, doing business as Odes Redmond Company.

This the 20th day of January, 1971.

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 18th day of January, 1971, the reference having been made in Minute Book 54, at Page , and recorded in full in Resolution Book 7, at Page 232.

Ruth Armstrong, City Clerk