

RESOLUTION OF THE CHARLOTTE CITY COUNCIL APPROVING A  
REQUEST FROM MR. AND MRS. DAVID STITH FOR A SANITARY  
SEWER CONNECTION TO A CHARLOTTE -MECKLENBURG UTILITY  
DEPARTMENT SEWER TRUNK LINE TO SERVE THEIR PROPERTY  
LOCATED IN THE STRATFORDSHIRE SUBDIVISION.

WHEREAS, Mr. and Mrs. David Stith own an 11-acre tract of land located in the Stratfordshire Subdivision at the northern end of Trafalgar Place upon which they are presently constructing a home; and

WHEREAS, the Charlotte-Mecklenburg Utility Department (CMUD) has a sanitary sewer trunk line presently under construction through the Stith property; and

WHEREAS, on August 23, 1979 Mr. Stith and City real estate officials reached an agreement allowing the City to install the sewer line on the Stith property, and at that time Mr. Stith was verbally assured that he would be allowed a tap onto the sewer line to serve his residence once the sewer line was completed; and

WHEREAS, the Stith property was voluntarily annexed into the town of Matthews on February 25, 1980; and

WHEREAS, the Town Board of the Town of Matthews has formally indicated that it does not object to the Stiths seeking a sewer connection to the sewer trunk in question; and

WHEREAS, the City Council Planning and Public Works Committee met on July 3, 1980 to consider the request of Mr. and Mrs. Stith and adopted unanimously the following motion:

"Recommend to Council that because a verbal contract was made between Mr. David Stith and the City of Charlotte, on August 23, 1979, prior to his annexation into the Town of Matthews, to allow a tap on to a CMUD-owned sewer line to be installed on his property and that subsequent to that verbal contract Mr. Stith in good faith and reliance thereof began development of his property, that Mr. Stith be allowed to tap onto that line, subject to payment of all normally required fees."

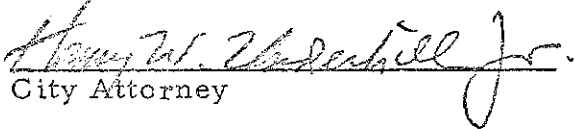
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session duly assembled, that it hereby approves the request of Mr. and Mrs. David Stith to tap onto the sewer trunk line presently under construction on their property,

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subject to payment of all normally required fees, for the reason that a verbal contract for a tap was made between Mr. and Mrs. Stith and the City of Charlotte on August 23, 1979 prior to the annexation of the Stith property into the town of Matthews, and the Stiths began development of their property in reliance upon said verbal contract.

This 14th day of July, 1980.

Approved as to form:

  
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 14th day of July, 1980, the reference having been made in Minute Book 74, page \_\_\_\_\_, and recorded in full in Resolutions Book 16, page s 135-136.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of July, 1980.

\_\_\_\_\_  
Ruth Armstrong, City Clerk

RESOLUTION OF THE CHARLOTTE CITY COUNCIL AUTHORIZING THE  
COMMUNITY FACILITIES COMMITTEE TO PREPARE FOR COUNCIL  
CONSIDERATION A POLICY FOR WATER AND SEWER SYSTEM EXTENSIONS  
AND CONNECTIONS TO INDIVIDUAL PROPERTIES WITHIN THE LIMITS  
OF OTHER MUNICIPALITIES IN MECKLENBURG COUNTY.

WHEREAS, the Charlotte-Mecklenburg Utility Department has recently received several requests to extend or connect the water and sewer system to individual properties located within the city limits of other municipalities in the county; and

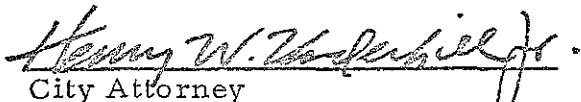
WHEREAS, neither the 1972 Merger Agreement between the City of Charlotte and Mecklenburg County establishing the Charlotte-Mecklenburg Utility Department, nor the existing water and sewer extension policy directly address requests of this nature; and

WHEREAS, the Charlotte-Mecklenburg Utility Department is holding all such requests in abeyance pending clarification of its authority to provide the requested service.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session duly assembled, that it hereby authorizes and requests the Community Facilities Committee to study and prepare, for City Council consideration, a policy for water/sewer extensions and connections to individual properties within the limits of other municipalities in Mecklenburg County.

This 14th day of July, 1980.

Approved as to form:

  
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 14th day of July, 1980, the reference having been made in Minute Book 74, page \_\_\_\_\_, and recorded in full in Resolutions Book 16, page 137.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of July, 1980.

\_\_\_\_\_  
Ruth Armstrong, City Clerk

RESOLUTION OF THE CHARLOTTE CITY COUNCIL AMENDING THE  
PROCEDURE FOR THE NOMINATION, CONSIDERATION AND ELEC-  
TION OF PERSONS TO CITY BOARDS, AGENCIES, COMMITTEES  
AND COMMISSIONS.

WHEREAS, the City Council by resolution dated May 29, 1978, established a procedure for the nomination, consideration and election of persons to City boards, agencies, committees and commissions; and

WHEREAS, the City Council on December 11, 1979, amended the May 29, 1978 resolution; and

WHEREAS, the City Council now desire to amend further the May 29, 1978 resolution to provide for the election of nominees when only one person has been nominated for a position.

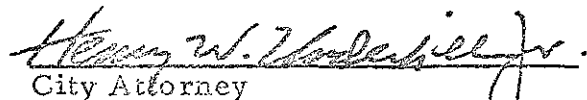
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, in regular session duly assembled, that it hereby further amends the resolution of May 29, 1978, as amended December 11, 1978, in the following manner:

By the addition of the following sentence at the end of paragraph 2:

"In the event only one person is nominated for election, the Council may conduct the election at the same meeting at which the nominations were made."

This 14th day of July, 1980.

Approved as to form:

  
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 14th day of July, 1980, the reference having been made in Minute Book 74, page \_\_\_\_\_, and recorded in full in Resolutions Book 16, page 138.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of July, 1980.

\_\_\_\_\_  
Ruth Armstrong, City Clerk

RESOLUTION AMENDING THE PERSONNEL  
RULES AND REGULATIONS

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BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina, that the Personnel Rules and Regulations heretofore adopted by the City Council and as amended on February 5, 1973 to include Rule IX. CIVIL SERVICE, be further amended by deleting Paragraph (3) of Section 3 of Rule IX, and inserting the following for Paragraph (3):

"The Civil Service Board shall conduct hearings whenever a police officer or firefighter has appealed to the Board from a suspension from active duty or whenever the chief of the police or fire departments has cited the officer or firefighter to the Board for alleged violations of department rules and regulations; for inability to perform assigned duties because of permanent disability; or for proposed demotion in rank. If at the completion of the hearing, the Board shall find that an officer or firefighter has not committed the offense or offenses with which he/she is charged, the Board may restore the officer or firefighter to full duty with reimbursement of any pay lost during the period of suspension. If the Board shall find that an officer or firefighter has committed the offense or offenses with which he/she is charged, the Board may dismiss the officer or firefighter; suspend the officer or firefighter for up to 90 days without pay; or impose such lesser punishment as it deems proper. The Board may suspend its dismissal or suspension and place the officer or firefighter on probation for a period of up to one year on such reasonable terms and conditions as the Board deems appropriate. If an officer or firefighter has been cited for inability to perform assigned duties because of a permanent disability, the Board may dismiss such officer or firefighter if it finds he/she is no longer able to perform his/her duty because of a permanent disability. If an officer or firefighter is cited to the board for demotion upon written charges preferred by the police or fire departments, the Board may demote the officer or firefighter in rank by a majority vote.

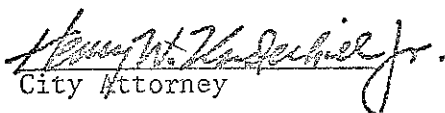
During hearings the City Attorney shall provide a member of his staff to serve as legal advisor to the Board. The police or fire department shall have the right to select an attorney to prepare and present its case before the Board."

And by deleting subparagraph (f) of Paragraph (6) of Section (5) of Rule IX and inserting the following for subparagraph (f):

"Any candidate who believes that any phase of the examination process was conducted improperly or unfairly, or who desires to challenge a selection decision, may within ten days after the examination or announcement of the selection decision, make a written request to appear before the Civil Service Board at its regular meeting."

BE IT FURTHER RESOLVED that this resolution be effective upon its adoption.

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 14th day of July, 1980 the reference having been made in Minute Book 16 and is recorded in full in Resolution Book 16 at Page 139.

Ruth Armstrong  
City Clerk

A RESOLUTION AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE AN ENCROACHMENT AGREEMENT WITH NORFOLK SOUTHERN RAILWAY COMPANY - EVERETTE KEITH ROAD (SR 2458)  
516-80-241 2972

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BE IT RESOLVED by the City Council of the City of Charlotte, that the Mayor and City Clerk are hereby authorized to execute an Encroachment Agreement with the Norfolk Southern Railway Company to construct and maintain an 8 inch water pipe line crossing, located 1,845 feet east of Milepost 12 near Charlotte, North Carolina. The City is to pay Fifty Dollars (\$50.00) to the railroad for administrative cost.

APPROVED AS TO FORM:

  
City Attorney

CERTIFICATION

I, Ruth Armstrong, City Clerk for 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 11th day of July, 1980, the reference having been made in Minute Book 74, page \_\_\_\_\_, and recorded in full in Resolutions Book 16, page 140.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of July, 1980.

\_\_\_\_\_  
Ruth Armstrong, City Clerk

"RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF CHARLOTTE APPROVING SALE OF LAND TO  
MARTIN MCQUIRE, INC. IN THE FOURTH WARD REDEVELOPMENT AREA"

WHEREAS, on the 10th day of June, 1980, the City of Charlotte received from Martin McGuire, Inc. a proposal to purchase a parcel of property identified as Block No. 22, Parcel No. 16, on "City of Charlotte, North Carolina, Department of Public Works, Engineering Division, Property of City of Charlotte, West Eighth Street, Fourth Ward Community Development Area," prepared under the supervision of Stephen A. Gilbert, N. C. Registered Surveyor, dated March 12, 1980, consisting of 641 square feet of land; and

WHEREAS, the proposed developer has submitted a Purchase Contract and a Good Faith Deposit representing 10% of the total bid price for the land; and

WHEREAS, Section 160A-514(d) of the North Carolina Urban Redevelopment Law, as amended, requires that the sale of all urban redevelopment land shall be subject to the approval of the Governing Body of the Municipality.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte does hereby approve the sale of 641 square feet of land known as Block No. 22, Parcel No. 16, in the Fourth Ward Redevelopment Area, to Martin McGuire, Inc., the sales price of which shall be \$200.00, to be developed as landscaped open space and courtyard for one of the townhouses of a medium-density residential development planned for adjacent property, which is in accordance with the Redevelopment Plan for the Project dated December, 1975, amended May, 1978.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 14th day of July, 1980 the reference having been made in Minute Book 16 and is recorded in full in Resolution Book 16 at Page 141.

Ruth Armstrong  
City Clerk

"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE  
APPROVING SALE OF LAND TO PAUL M. LEAF, JR., MICHAEL W. TRENT  
AND SUSAN M. TRENT IN THE FOURTH WARD REDEVELOPMENT AREA"

WHEREAS, on the 10th day of June, 1980, the City of Charlotte received from Paul M. Leaf, Jr., Michael W. Trent and Susan M. Trent a proposal to purchase a parcel of property identified as Block No. 22, Parcel No. 15, on "City of Charlotte, North Carolina, Department of Public Works, Engineering Division, Property of City of Charlotte, West Eighth Street, Fourth Ward Community Development Area," prepared under the supervision of Stephen A. Gilbert, N. C. Registered Surveyor, dated March 12, 1980, consisting of 1,756 square feet of land; and

WHEREAS, the proposed developers have submitted a Purchase Contract and a Good Faith Deposit representing 10% of the total bid price for the land; and

WHEREAS, Section 160A-514(d) of the North Carolina Urban Redevelopment Law, as amended, requires that the sale of all urban redevelopment land shall be subject to the approval of the Governing Body of the Municipality.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Charlotte does hereby approve the sale of 1,756 square feet of land known as Block No. 22, Parcel No. 15, in the Fourth Ward Redevelopment Area, to Paul M. Leaf, Jr., Michael W. Trent and Susan M. Trent, the sales price of which shall be \$500.00, to be developed as walled courtyard gardens and off-street parking for the Poplar Place Townhomes to be constructed on adjacent property, which is in accordance with the Redevelopment Plan for the Project dated December, 1975, amended May, 1978.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina in regular session convened on the 14th day of July, 1980 the reference having been made in Minute Book 16 and is recorded in full in Resolution Book 16 at Page 142.

Ruth Armstrong  
City Clerk



STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

RESOLUTION DECLARING AN INTENT  
TO CLOSE A PORTION OF MOCKINGBIRD LANE  
WHICH LIES EAST OF HEDGEMORE  
DRIVE IN THE CITY OF CHARLOTTE,  
MECKLENBURG COUNTY, NORTH CAROLINA,  
CALLING FOR A PUBLIC HEARING ON THE QUESTION

\* \* \* \* \*

WHEREAS, the petitioners, HEDGEMORE ENTERPRISES, a North Carolina general partnership, HEDGEMORE CORPORATION, a North Carolina corporation, and CARL G. McCRAW, JR. and wife, GEORGE-ANNE T. McGRAW, all of Mecklenburg County, North Carolina, have filed a petition requesting that a portion of Mockingbird Lane lying east of Hedgemore Drive, in the City of Charlotte, North Carolina, be closed and abandoned; and

WHEREAS, the City Engineer recommends that the City close the said portion of Mockingbird Lane for reasons more particularly described in said petition; and

WHEREAS, the said open portion of Mockingbird Lane recommended to be closed is that portion east of Hedgemore Drive, and more particularly shown on a map recorded in Map Book 17, page 153, Mecklenburg Public Registry, and described as follows:

SEE EXHIBIT A ATTACHED HERETO; and

WHEREAS, the procedure for closing streets is outlined in North Carolina General Statutes, section 299, subsection (a), and requires that the City Council first adopt a resolution declaring its intent to close the street, and calling for a public hearing on the question; said statute further requires that the resolution shall be published once a week for four (4) consecutive weeks prior to the hearing, and requires that a copy thereof be sent by registered or certified mail to all owners of property adjoining the street, such ownership to be determined by the county tax records; and a notice of the closing and public hearing shall be promptly posted in at least two (2) places along said street; and

WHEREAS, the City of Charlotte is desirous of closing said open portion of Mockingbird Lane, as recommended by the City Engineer;

NOW, THEREFORE, BE IT RESOLVED and declared by the City Council of the City of Charlotte, at its regularly scheduled session on July 14, 1980, that it intends to close the open portion of Mockingbird Lane, which portion is 60 feet in width, and runs in an easterly direction from Hedgemore Drive, said street being more particularly described hereinabove, and hereby calls for a public hearing on the question, to be held on Monday, the 11th day of August, 1980, at 3:00 o'clock p.m. at the City Council chambers at City Hall. The City Clerk is hereby directed to publish a copy of this resolution The Mecklenburg Times once a week for four (4) consecutive weeks next preceding the date fixed herein for such hearing, as required by North Carolina General Statutes 160-A, section 299, subsection (a); further, the petitioners are required to send by registered or certified mail a copy of this resolution to all owners of property adjoining the said portion of Mockingbird Lane, as shown on the county tax records, as required by North Carolina General Statutes 160-A, section 299. The petitioners are hereby directed to promptly post a notice of public hearing and closing at at least two (2) places along said portion of Mockingbird Lane, as required by G. S. 160-A-299.

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 14th day of July, 1980, the reference having been made in Minute Book 74 and recorded in full in Resolution Book 16, at Pages 143-145.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 15th day of July, 1980.


  
\_\_\_\_\_  
Ruth Armstrong, City Clerk

EXHIBIT A

DESCRIPTION OF PORTION OF  
MOCKINGBIRD LANE, AS SHOWN ON  
MAP RECORDED IN MAP BOOK 17, PAGE 153  
MECKLENBURG PUBLIC REGISTRY

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BEGINNING at a point on the easterly margin of Hedgemore Drive, which beginning point is located as follows: Commencing at the northwesterly corner of the property belonging to Associated Brokers, Inc., and thence following the arc of a circular curve to the left, in a northerly direction, with a radius of 984.93 feet, an arc distance of 111.28 feet, to the point or place of Beginning; thence from said point or place of Beginning so located, and with the arc of a circular curve to the right, with a radius of 20 feet, an arc distance of 31.77 feet to a point; thence in an easterly direction, and following the arc of a circular curve to the right, with a radius of 295.00 feet, an arc distance of 103.80 feet to a point; thence S. 68-12-47 E. 186.65 feet to a point; thence with the arc of a circular curve to the right, with a radius of 40.0 feet, an arc distance of 27.18 feet; thence with the arc of a circular curve to the right, with a radius of 50.0 feet, an arc distance of 47.40 feet; thence with the arc on a circular curve <sup>14</sup> the left, with a radius of 50.0 feet, an arc distance of 100 feet; thence with the arc of a circular curve to the left, with a radius of 50.0 feet, an arc distance of 77.65 feet; thence with the arc of a circular curve to the right, with a radius of 40.0 feet, an arc distance of 27.18 feet to a point; thence N. 68-12-47 W. 186.65 feet to a point; thence with the arc of a circular curve to the left, with a radius of 355.0 feet, an arc distance of 131.32 feet to a point; thence with the arc of a circular curve to the right, with a radius of 20.0 feet, an arc distance of 29.43 feet to a point; thence in a southerly direction, and with the arc of a circular curve to the right, with a radius of 984.93 feet, an arc distance of 98.21 feet to the point or place of Beginning.

RESOLUTION DECLARING AN INTENT TO MAKE  
STORM DRAINAGE IMPROVEMENTS BETWEEN  
1738 BRANDON ROAD AND 1659 HERTFORD ROAD  
IN THE CITY OF CHARLOTTE, MECKLENBURG  
COUNTY, NORTH CAROLINA

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WHEREAS, Marion H. Ward has filed a Petition to make storm drainage improvements between 1738 Brandon Road and 1659 Hertford Road in the City of Charlotte; and

WHEREAS, the properties on which the storm drainage improvements shall be made lie on Brandon Road having Mecklenburg County tax identifications of 153-062-05 and 153-062-06, and on Hertford Road having Mecklenburg County tax identifications of 153-062-23 and 153-062-24, as shown on a map marked "EXHIBIT A" which is available for inspection in the Office of the City Clerk, City Hall, Charlotte, North Carolina.

WHEREAS, one-third of the cost of the storm drainage improvements constructed in accordance with City standards, of a character, size, type, and material to be determined by the City and including grading or regrading, exclusive of the cost incurred in maintained street rights of way and the share of railroads (if any) and the State of North Carolina (if any), be assessed upon the lots and parcels of lands in the drainage basin as authorized by N. C. G. S. 160A-218 and listed on the preliminary assessment roll marked "EXHIBIT B" which is available for inspection in the Office of the City Clerk, City Hall, Charlotte, North Carolina.

WHEREAS, the final assessments, based on the actual cost of constructing the improvements, and published by the Mecklenburg County Tax Collector, may be paid without interest within 30 days of the publication, or in annual installments over 10 years accruing 8% interest on the unpaid balance, due and payable each year on the date property taxes are due.

WHEREAS, the procedure for making storm drainage improvements as outlined in North Carolina General Statutes, Section 160A-223, requires that City Council first adopt a resolution declaring its intent to make the improvements and calling a public hearing on the matter; said statute further requires that the resolution shall be published at least 10 days prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property subject to assessment as shown on the County tax records; and

July 14, 1980  
Resolution Book 16 - Page 147

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of July 14, 1980, that it intends to make storm drainage improvements between 1738 Brandon Road and 1659 Hertford Road, said location being more particularly described on a map available for inspection in the City Clerk's Office, and hereby calls a public hearing on the matter to be held at 3:00 p. m., on Monday, the 11th day of August, 1980, at Council Chamber, City Hall. The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times at least 10 days preceding the date fixed here for such hearing, as required by N. C. G. S. 160A-223.

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 14th day of July, 1980 the reference having been made in Minute Book 74 and is recorded in full in Resolution Book 16 at Pages 146-147.

Ruth Armstrong  
City Clerk