

March 20, 1978
Resolutions Book 13 - Page 205

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
AUTHORIZING THE CHARLOTTE-MECKLENBURG PLANNING COMMISSION
TO FILE AND EXECUTE AN APPLICATION PURSUANT TO FEDERAL
FUNDING UNDER SECTION 9 OF THE URBAN MASS TRANSPORTATION
ACT OF 1964, AS AMENDED.

WHEREAS, the Charlotte-Mecklenburg Planning Commission has been designated by the Governor of North Carolina as the Metropolitan Planning Organization (MPO) for the Charlotte urbanized area; and

WHEREAS, the Urban Mass Transportation Administration (UMTA) requires that the designated MPO for an area be (1) the applicant for and (2) the recipient of UMTA Section 9 funding; and

WHEREAS, the Transit Planning Office of the City of Charlotte requires the use of UMTA Section 9 funding to complete work addressed in Charlotte's fiscal year 1979 Unified Work Program; and

WHEREAS, Federal funding is requested in the amount of \$60,000; with local matching funds in the amount of \$15,000;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, in regular session, duly assembled, that:

- (1) It concurs with the filing of an application for Section 9 technical studies funds (as referenced in the FY-79 Unified Work Program for the Charlotte Urbanized Area) to the United States Department of Transportation Urban Mass Transportation Administration by the Chairman, or Acting Chairman, of the Charlotte-Mecklenburg Planning Commission; and
- (2) The City of Charlotte assures the availability of the local share of the money to perform this work

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in the amount of \$15,000 or 20% of eligible project costs subject to final approval in the City's annual appropriation process.

Approved as to form:

Henry W. Chesbrough
City Attorney

DATE: 3-10-78

C E R T I F I C A T I O N

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 20th day of March, 1978, the reference having been made in Minute Book 67, Page .

Witness my hand and corporate seal of the City of Charlotte, North Carolina, this the 21st day of March, 1978.

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>
*39	9	Paul C. Chambers	\$ 1,200
*40	5	C & F Realty Company	4,200

*Partial Take of Land & Construction Easement

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 1978, the reference having been made in Minute Book 67, and is recorded in full in Resolutions Book 13, at page 207.

Ruth Armstrong
City Clerk

"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE, NORTH CAROLINA, ANNOUNCING ITS INTENT TO EXCHANGE LAND IN THE FOURTH WARD URBAN RENEWAL AREA WITH ROBERT C. WHITTON AND WIFE, SUSAN S. WHITTON"

WHEREAS, the City Council of the City of Charlotte has approved the Fourth Ward Urban Renewal Plan which includes development of a public park in the block bounded by West 7th, North Poplar, West 6th, and North Pine Streets in the City of Charlotte; and

WHEREAS, land owned by Robert C. Whitton and wife, Susan S. Whitton, is adjacent to land owned by the City of Charlotte, upon which land the park is to be developed; and

WHEREAS, it would be in the best interest of the City to exchange a portion of its park land for a portion of the Whitton land which would result in a better alignment or squaring off of the property lines and permit better utilization of the property for park purposes; and

WHEREAS, negotiation with the private owners has disclosed that the owners are willing to exchange the portion of their property needed for better alignment or squaring off of property lines for City-owned land and to pay the difference in value between the two parcels; and

WHEREAS, N. C. G. S. 160A-271 requires the publication of a 10-days' public notice of the Council's intent to authorize the exchange of property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHARLOTTE:

1. That on Monday, April 3, 1978, the City Council shall give consideration to authorizing the exchange of property by and between the City of Charlotte and Robert C. Whitton and wife, Susan S. Whitton.

2. The land of the City of Charlotte proposed to be exchanged for the land of Robert C. Whitton and wife, Susan S. Whitton, is land in the City of Charlotte, County of Mecklenburg, State of North Carolina, described as follows:

TRACT D

BEGINNING at a point in the present southerly right-of-way margin of West Seventh Street, said point being located N 41°-02'-40" W 137.32 feet measured along the present southerly right-of-way margin of West Seventh Street from a point where the present westerly right-of-way margin of North Poplar Street intersects with the present southerly right-of-way

margin of West Seventh Street and running thence in a southwesterly direction following along the centerline of an 8 foot alleyway S 50°-49'-09" W 121.51 feet to a point; thence N 41°-03'-33" W 4.00 feet to a point in the westerly margin of said 8 foot alleyway; thence N 40°-52'-49" W 19.72 feet to a point. Thence with a new line N 50°-34'-44" E 121.45 feet to a point located in the present southerly right-of-way margin of West Seventh Street; thence in a southeasterly direction following along the present southerly right-of-way margin of West Seventh Street S 41°-02'-40" E 23.89 feet to the point or place of beginning and containing approximately 2,891 square feet. All as shown on map made by the City of Charlotte, Public Works Department, Engineering Division, dated November 29, 1977, to which reference is hereby made.

The above described property being a portion of the property conveyed by James Loo and wife, Cheung Lan Hoi, to the City of Charlotte and recorded in Deed Book 3948, at Page 965, of the Mecklenburg County North Carolina Public Registry.

This land has an appraised value of \$6,065.00.

3. The land of Robert C. Whitton and wife, Susan S. Whitton, proposed to be exchanged for the land of the City, described above, is land in the City of Charlotte, County of Mecklenburg, State of North Carolina, described as follows:

TRACT B

BEGINNING at an old iron, a corner of the City of Charlotte and the Robert C. Whitton and wife, Susan S. Whitton, property as described in Deed Book 3948, at Page 965, and running thence S 40°-52'-49" E 24.66 feet to a point; thence with a new line S 50°-44'-34" W 62.92 feet to a point; thence N 40°-53'-11" W 24.00 feet to an old iron; thence N 50°-12'-00" E 69.71 feet to the point or place of beginning and containing approximately 1,696 square feet. All as shown on map made by the City of Charlotte, Public Works Department, Engineering Division, dated November 29, 1977, to which reference is hereby made.

The above described property being a portion of the property conveyed by Joseph W. Grier, Jr. and wife, Catherine S. Grier, to Robert C. Whitton and wife, Susan S. Whitton, and recorded in Deed Book 3894, at Page 113, of the Mecklenburg County North Carolina Public Registry.

This land has an appraised value of \$3,550.00. A further consideration to be furnished by Robert C. Whitton and wife, Susan S. Whitton, in the proposed exchange is to pay to the City, in addition to the exchange of land, the sum of \$2,515.00, which

is the difference between the value of the City-owned land and the Robert C. Whitton and wife, Susan S. Whitton, land which the City Council finds to be a full and fair consideration in exchange for said City land.

4. A plat depicting the parcels described above is available for public inspection in the Community Development Department of the City of Charlotte, 301 South McDowell Street, Suite 510, Charlotte, North Carolina.

5. This Resolution shall be published ten days before the regular meeting at which approval of this exchange shall be considered.

6. The foregoing Resolution was adopted by the City Council of the City of Charlotte, North Carolina, on March 20, 1978.

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 20th day of March, 1978, the reference having been made in Minute Book 67, and is recorded in full in Resolutions Book 13, at page 208-210.

Ruth Armstrong
City Clerk

RESOLUTION (GRANT AMENDMENT)

EXTRACT FROM THE MINUTES OF A regular
MEETING OF THE City Council
HELD ON March 20 19 78

The following Resolution was introduced by Councilman Short
seconded by Councilwoman Locke read in full, considered and adopted:

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND RATIFYING
THE EXECUTION OF AMENDMENT NO. 1 TO GRANT AGREEMENT FOR PROJECT NO.
8-37-0012-10 BETWEEN THE UNITED STATES OF AMERICA AND the City
of Charlotte, North Carolina :

BE IT RESOLVED, by the City Council of the City
of Charlotte, North Carolina :

SECTION 1. That said City Council hereby authorizes,
adopts, approves, accepts and ratifies the execution of Amendment No. 1
to Grant Agreement between the Federal Aviation Administration on behalf
of the United States of America and the City of Charlotte,
North Carolina

SECTION 2. That the execution of said Amendment to Grant Agreement
in quadruplicate on behalf of said City Council
by Kenneth R. Harris, Mayor,
and the impression of the official seal of the City of Charlotte, North Carolina
(If there is no seal, so state.)
and the attestation of said execution by Ruth Armstrong,
City Clerk is hereby authorized, adopted, approved,
accepted and ratified.

SECTION 3. That a true copy of the Amendment to the Grant Agreement
referred to hereinabove is hereto attached and made a part of this
Resolution as though it were fully copied herein.

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UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION

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Contract No. DOT-FA-75-SO-9299

Douglas Municipal Airport

Charlotte, North Carolina

AMENDMENT NO. 1 TO GRANT AGREEMENT FOR PROJECT NO. 8-37-0012-10

WHEREAS, the Federal Aviation Administration (hereinafter referred to as the "FAA") has determined it to be in the interest of the United States that the Grant Agreement between the FAA, acting for and on behalf of the United States, and the City of Charlotte, North Carolina (hereinafter referred to as the sponsor) accepted by said sponsor on the 17th day of June, 1975, be amended as hereinafter provided.

NOW THEREFORE WITNESSETH:

That, in consideration of the benefits to accrue to the parties hereto, the FAA on behalf of the United States, on the one part, and the sponsor, on the other part, do hereby mutually agree that the terms and conditions of the Grant Agreement between the United States and the sponsor, accepted by said sponsor on the 17th day of June, 1975, be amended as follows:

1. Revise work description under the second WHEREAS clause on page 1 to delete approach clearing.
2. The revised work description reads as follows:

"Install high intensity runway edge lights, centerline and touch-down zone lights on Runway 18R/36L; install centerline and medium intensity taxiway edge lights, on high speed turnoffs, parallel and connecting taxiways serving Runway 18R/36L; install emergency generator; construct airfield lighting vault;"

It is understood and agreed that all the other terms and conditions of the Grant Agreement remain in full force and effect and are not changed or altered except as hereinabove provided.

The United States shall not be obligated under any provision hereof unless this Amendment has been executed by the sponsor on or before March 31, 1978, or such subsequent date as may be prescribed in writing by the Administrator.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to the Grant Agreement to be duly executed as of 20th day of MARCH, 19 78.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION

By Robert E. Harris

Title Chief, Airports District Office

Acting

City of Charlotte, North Carolina
Sponsor

(SEAL)

By [Signature]

Title Mayor

Attest: [Signature]

Title CITY CLERK

CERTIFICATE OF SPONSOR'S ATTORNEY

I, W A WATTS, acting as Attorney for the City of Charlotte, North Carolina (hereinafter referred to as "Sponsor") do hereby certify:

That I have examined the foregoing Amendment to Grant Agreement, and the proceedings taken by said Sponsor relating thereto, and find that the execution thereof by said Sponsor has been duly authorized and is in all respects due and proper and in accordance with the laws of the State of North Carolina, and further that, in my opinion, said Amendment to Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____, this 20th day of MARCH, 19 78.

[Signature]

Title DEPUTY CITY ATTORNEY

RESOLUTION (GRANT AMENDMENT)

EXTRACT FROM THE MINUTES OF A regular
MEETING OF THE City Council
HELD ON March 20 19 78

The following Resolution was introduced by Councilman Short
seconded by Councilwoman Locke read in full, considered and adopted:

RESOLUTION AUTHORIZING, ADOPTING, APPROVING, ACCEPTING AND RATIFYING
THE EXECUTION OF AMENDMENT NO. 1 TO GRANT AGREEMENT FOR PROJECT NO.
8-37-0012-09 BETWEEN THE UNITED STATES OF AMERICA AND the City of
Charlotte, North Carolina :

BE IT RESOLVED, by the City Council of the City
of Charlotte, North Carolina :

SECTION 1. That said City Council hereby authorizes,
adopts, approves, accepts and ratifies the execution of Amendment No. 1
to Grant Agreement between the Federal Aviation Administration on behalf
of the United States of America and the City of Charlotte,
North Carolina .

SECTION 2. That the execution of said Amendment to Grant Agreement
in quadruplicate on behalf of said City Council
by Kenneth R. Harris, Mayor,
and the impression of the official seal of the City of Charlotte, North Carolina
(If there is no seal, so state.)
and the attestation of said execution by Ruth Armstrong,
City Clerk is hereby authorized, adopted, approved,
accepted and ratified.

SECTION 3. That a true copy of the Amendment to the Grant Agreement
referred to hereinabove is hereto attached and made a part of this
Resolution as though it were fully copied herein.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION

Page 1 of 3 Pages

Contract No. DOT-FA-75-80-9271

Douglas Municipal Airport

Charlotte, North Carolina

AMENDMENT NO. 1 TO GRANT AGREEMENT FOR PROJECT NO. 8-37-0012-09

WHEREAS, the Federal Aviation Administration (hereinafter referred to as the "FAA") has determined it to be in the interest of the United States that the Grant Agreement between the FAA, acting for and on behalf of the United States, and the City of Charlotte, North Carolina (hereinafter referred to as the sponsor), accepted by said sponsor on the 23rd day of April, 1975, be amended as hereinafter provided.

NOW THEREFORE WITNESSETH:

That, in consideration of the benefits to accrue to the parties hereto, the FAA on behalf of the United States, on the one part, and the sponsor, on the other part, do hereby mutually agree that the terms and conditions of the Grant Agreement between the United States and the sponsor, accepted by said sponsor on the 23rd day of April, 1975, be amended as follows:

1. Revise work description under the second WHEREAS clause on page 1 to delete the base course for Runway 18R/36L and its parallel and connecting taxiways.
2. The revised work description reads as follows:

"Pave and mark Runway 18R/36L (10,000' x 150') and parallel and connecting taxiways (excluding base course); pave and mark high speed diagonal taxiways; install conduit and bases for runway and taxiway centerline and edge lighting and touch-down zone lighting; construct blast pads, Runway 18R/36L ends; pave taxiway shoulders (curved sections of taxiways shoulders that are subject to potential jet blast);"

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It is understood and agreed that all the other terms and conditions of the Grant Agreement remain in full force and effect and are not changed or altered except as hereinabove provided.

The United States shall not be obligated under any provision hereof unless this Amendment has been executed by the sponsor on or before March 31, 1978, or such subsequent date as may be prescribed in writing by the Administrator.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to the Grant Agreement to be duly executed as of 20th day of MARCH 19 78.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION

By [Signature]

Title Chief, Airports District Office

City of Charlotte, North Carolina
Sponsor

(SEAL)

By

Title

[Handwritten Signature]
Mayor

Attest:

Title

[Handwritten Signature]
City Clerk

CERTIFICATE OF SPONSOR'S ATTORNEY

I, WAWATTS, acting as Attorney for the City of Charlotte, North Carolina (hereinafter referred to as "Sponsor") do hereby certify:

That I have examined the foregoing Amendment to Grant Agreement, and the proceedings taken by said Sponsor relating thereto, and find that the execution thereof by said Sponsor has been duly authorized and is in all respects due and proper and in accordance with the laws of the State of North Carolina, and further that, in my opinion, said Amendment to Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____, this 20 day of MARCH, 19 78.

[Handwritten Signature]

Title _____

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A RESOLUTION PROVIDING FOR PUBLIC
HEARINGS ON PETITIONS FOR ZONING CHANGES

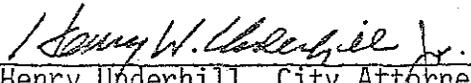
WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 78-18 through 78-22 are on record in the Office of the City Clerk, and

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 2:30 o'clock P. M. on Monday the 24th day of April, 1978 on petitions for zoning changes numbered 78-18 through 78-22.

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 20th day of March, 1978, the reference having been made in Minute Book 67, and is recorded in full in Resolutions Book 13, at page 219.

Ruth Armstrong
City Clerk