

March 28, 1977

Resolutions Book 12 - Page 334

RESOLUTION CLOSING A PORTION OF BARTOW COURT
IN THE CITY OF CHARLOTTE, MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, MJMG Realty, Inc. has petitioned the City Council of the City of Charlotte to close a portion of Bartow Court in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, pursuant to the provisions of Section 160A-299 of the General Statutes of North Carolina, the City has caused to be published a Resolution Of Intent To Close A Portion Of Bartow Court, which calls for a public hearing on the question; and

WHEREAS, the Petitioner has sent a copy of the Resolution Of Intent To Close A Portion Of Bartow Court by certified mail to all owners of property adjoining the portion of such street, and the Petitioner prominently posted a notice of the closing and public hearing in at least two places along such portion of Bartow Court, all as required by Section 160A-299; and

WHEREAS, the Petitioner has agreed to construct a cul-de-sac for turnaround purposes at the end of that portion of Bartow Court which will remain open, the design of such cul-de-sac to be approved by the Public Works Department of the City of Charlotte, and the Petitioner has agreed to pay the costs of constructing such cul-de-sac and to convey to the City of Charlotte or dedicate to the public such property owned by the Petitioner as shall be necessary for the construction of the cul-de-sac; and

WHEREAS, the Petitioner has agreed to pay the costs of such relocation of water facilities as may be required upon the closing of the portion of Bartow Court and to grant to the City an easement 15 feet in width for the portion of the water and sewer lines which will remain; and

WHEREAS, the Petitioner has agreed to grant to the City or dedicate to the public an easement for a pedestrian walkway over the property of the Petitioner connecting Travis Avenue and the portion of Bartow Court which will remain open; and

WHEREAS, said public hearing was held on the 28th day of March, 1977; and

WHEREAS, the City Council has determined that the closing of said portion of Bartow Court is not contrary to the public interest, and that no individual, firm or corporation owning property in the vicinity thereof will be deprived of reasonable means of ingress and egress to his or its property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of March 28, 1977, that the Council hereby orders the closing of that portion of Bartow Court in the City of Charlotte, Mecklenburg County, North Carolina described below, but reserves unto the City a right of way 15 feet in width for any existing water or sewer line which remains within said portion of the street:

Beginning at the intersection of the northwesterly margin of Travis Avenue and the northeasterly margin of Bartow Court, said point of Beginning being located 183.25 feet along the northwesterly margin of Travis Avenue from the intersection of the northwesterly margin of Travis Avenue and the southwesterly margin of Park Drive, and runs from said point of Beginning S. 35-57-00 W. 20.05 feet to the intersection of the northwesterly margin of

Travis Avenue and the southwesterly margin of Bartow Court; thence with the southwesterly margin of Bartow Court, N. 45-10-35 W. 127.26 feet to a point at which Bartow Court widens; thence with the margin of Bartow Court, S. 45-55-55 W. 7.95 feet to a point in the southwesterly margin of Bartow Court; thence with the southwesterly margin of Bartow Court, N. 45-14-50 W. 52.65 feet; thence with the margin of a proposed cul-de-sac to be located at that end of Bartow Court which will remain open, in an arc to the left extending in a generally northeast direction and having a radius of 33 feet an arc distance of 31.16 feet to a point in the northeasterly margin of Bartow Court; thence with the northeasterly margin of Bartow Court, S. 45-09-30 E. 53.25 feet to a point in said southwesterly margin of Bartow Court; thence with the margin of Bartow Court, S. 47-07-30 W. 1.81 feet to a point in the northeasterly margin of Bartow Court; thence with the northeasterly margin of Bartow Court, S. 45-00-25 E. 123.82 feet to the point or place of Beginning, and containing 4023.38 square feet or .092 acres, as shown on a survey dated March 23, 1977 prepared by R. B. Pharr, Registered Surveyor.

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:


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 28th day of March, 1977, and the reference having been made in Minute Book 65, Page , and recorded in full in Resolution Book 12, Page 334.

WITNESS MY HAND and the corporate seal of the City of Charlotte, North Carolina, this the 29th day of March, 1977.


Ruth Armstrong

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A RESOLUTION PROVIDING FOR PUBLIC
HEARING ON PETITIONS FOR ZONING CHANGES

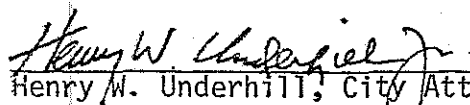
WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 77-10 through 77-12 are on record in the Office of the City Clerk, and

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 Board Meeting Room on the Fourth Floor of the Education Center at 701 East Second Street beginning at 7:30 P. M. on Monday, the 18th day of April, 1977 on petitions for zoning changes numbered 77-10 through 77-12.

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 28th day of March, 1977, the reference having been made in Minute Book 65, and is recorded in full in Resolutions Book 12, at Page 336.

Ruth Armstrong
City Clerk

March 28, 1977
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"RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE
THIRD WARD COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS the City of Charlotte has undertaken the execution of the Third Ward 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 re-planning, 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 Third Ward 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 herein-after 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>
19	9	Charles T. Jackson	\$ 9,100

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of March, 1977, the reference having been made in Minute Book 65, and is recorded in full in Resolutions Book 12, at Page 337.

Ruth Armstrong
City Clerk

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"RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CHARLOTTE FOR CONDEMNATION ACTION IN THE
GRIER HEIGHTS COMMUNITY DEVELOPMENT TARGET AREA"

WHEREAS the City of Charlotte has undertaken the execution of the Grier Heights 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 Grier Heights 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>
*6	38	Samuel L. Strause & Leonard Strause	\$ 2,200

*Partial Take of Land & Permanent Drainage Easement

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of March, 1977, the reference having been made in Minute Book 65, and is recorded in full in Resolutions Book 12, at Page 338.

Ruth Armstrong, City Clerk

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"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
FOR CONDEMNATION ACTION IN THE FOURTH WARD URBAN RENEWAL AREA"

WHEREAS the City of Charlotte has undertaken the execution of the Fourth Ward Urban Renewal 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 Fourth Ward Urban Renewal 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 that 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>
36	16	Mrs. Kent Blair Davidson	\$ 1,000

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 28th day of March, 1977, the reference having been made in Minute Book 65, and is recorded in full in Resolutions Book 12, at Page 339.

Ruth Armstrong, City Clerk