

May 23, 1983
Resolution Book 19 - Page 219

RESOLUTION CLOSING A CERTAIN PORTION OF
AN ALLEYWAY IN THE FIRST WARD URBAN RENEWAL AREA
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 portion of an alleyway 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 a certain portion of an alleyway, all in accordance with said Statute; and

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

WHEREAS, said public hearing was held on the 23rd day of May, 1983; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, North Carolina at its regularly assembled meeting of May 23, 1983, that the Council hereby orders the closing of portion of an alleyway in the City of Charlotte, Mecklenburg County, North Carolina as described below:

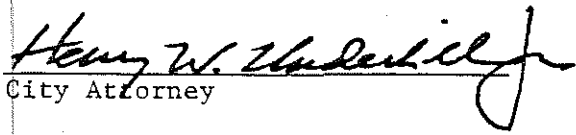
A parcel of land in Charlotte Township, Mecklenburg County, North Carolina, located in the First Ward Urban Renewal Area, shown on a plat entitled "First Ward Urban Renewal Area Alleyway to be Abandoned E. Ninth Street", prepared by City of Charlotte, Engineering Department, dated June 9, 1982, and being more particularly described as follows:

BEGINNING at a point in the northerly right of way margin of East Ninth Street, said point being located S43°-10'-52"E, 107.96 feet from a point where the northerly right of way margin of East Ninth Street intersects with the southerly right of way margin of East Tenth Street Extension and running thence with the westerly margin of a 10-foot alleyway N84°-30'-00"E, 150.00 feet to a point; thence S43°-10'-52"E, 10.00 feet to a point; thence with the easterly margin of a 10-foot alleyway S84°-30'-00"W, 150.00 feet to a point in the northerly right of way margin of East Ninth Street; thence with the northerly right of way margin of East Ninth Street N43°-10'-52"W, 10.00 feet to the point or place of beginning. Containing 1,184 square feet or 0.027 acres all as shown on a map prepared by the City of Charlotte, Engineering Department, dated June 9, 1982 to which reference is hereby made.

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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:


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 23rd day of May, 1983, the reference having been made in Minute Book 80, page , and recorded in full in Resolution Book 19, page 219-220.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of May, 1983.

Pat Sharkey, City Clerk

May 23, 1983
Resolution Book 19 - Page 221

RESOLUTION CLOSING Hill Top Drive
LOCATED BETWEEN Terissa Drive and Lake Way Drive
IN THE CITY OF CHARLOTTE, MECKLENEBURG COUNTY,
NORTH CAROLINA.

WHEREAS, pursuant to the provisions of Chapter 160A-299 of the General Statutes of North Carolina, the City Council has caused to be published a Resolution of Intent to Close Hill Top Drive which calls for a public hearing on the question; and

WHEREAS, the petitioner has caused a copy of the Resolution of Intent to Close Hill-Top Drive to be sent by registered or certified mail to all owners of property adjoining the said street (or portion thereof), and prominently posted a notice of the closing and public hearing in at least two places along Hill-Top Drive, all as required by G. S. 160-299; and

WHEREAS, the public hearing was held on the 23rd day of May, 1983, and City Council determined that the closing of Hill-Top Drive 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 May 23, 1983, that the Council hereby orders the closing of Hill-Top Drive in the City of Charlotte, Mecklenburg County, North Carolina as described below:

Beginning at an old iron bar which marks the intersection of the Northerly R/W of Paw Creek Road (60' R/W) and the Westerly R/W of Hill-Top Drive (30' R/W), said iron being the Southerly corner of Lot 175 of the subdivision known as West View Hills as recorded in Map Book 6 Page 671 in the Register of Deed Office of Mecklenburg County, N. C.; thence with the Westerly R/W of Hill-Top Drive N. 10-20-00 E. 200.00 feet to an old iron pipe; thence S.66-30-00 E. 30.30 feet to an iron bar on the Easterly R/W of Hill-Top Drive; thence with said R/W S.10-20-00 W. 200.00 feet to an iron bar on which marks the intersection of the Northerly R/W of Paw Creek Road; thence with said R/W N. 66-30-00 W. 30.80 feet to the point of beginning, containing 6,000 square feet more or less, all according to a Survey and Map by John D. Campbell, R.L.S. dated February 3, 1983.

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.

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 23rd day of May, 1983, the reference having been made in Minute Book 80, page , and recorded in full in Resolution Book 19, Page 221.

WITNESS my hand the the corporate seal of the City of Charlotte, North Carolina this the 24th day of May, 1983.

Pat Sharkey, City Clerk

May 23, 1983
Resolution Book 19 - Page 222

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CHARLOTTE
AUTHORIZING RENTAL CREDITS OR REFUNDS

WHEREAS, the Department of Housing and Urban Development, on September 26, 1979, adopted a regulatory amendment to the Relocation and Real Property Acquisition Policies Act of 1970 and set forth the requirement that rent charged and utility costs incurred by a household cannot exceed twenty five percent of the average monthly gross income of that household between the date the property is acquired by the City and the date the household relocates from that property.

WHEREAS, the Department of Housing and Urban Development, by letter dated March 16, 1983, advised the City that it had not correctly calculated rental charges for persons renting City-owned property subsequent to September 26, 1979.

WHEREAS, staff has audited and calculated rental credit due on accounts to those who currently reside in City-owned units and have been overcharged according to the regulatory amendment to the Relocation and Real Property Acquisitions Policies Act of 1970.

WHEREAS, the City must allow the option of a credit amount of the overcharged rent to be applied to the tenant rental account or allow the tenant to receive the rent overcharge in a lump sum payment from the City.

WHEREAS, the total amount due to active rental tenants is \$4,385.02.

NOW THEREFORE, be it resolved by the City Council of Charlotte that:

1. A total amount of \$4,385.02 be authorized for credit or refund to overcharged tenants.
2. The provisions of this Resolution shall become effective upon approval of the City Council of Charlotte, North Carolina.

APPROVED AS TO FORM:

Henry W. Underhill, Jr.
Henry W. Underhill, 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 23rd day of May, 1983, the reference having been made in Minute Book 80, and recorded in full in Resolution Book 19 at Page 222.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of May, 1983.

Pat Sharkey, City Clerk

May 23, 1983
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RESOLUTION

A motion was made by Councilmember Charlie S. Dannelly and
(Name and Title)

seconded by Councilmember Minette Trosch for the adoption of the
(Name and Title)
following resolution, and upon being put to a vote was duly accepted:

WHEREAS, a grant in the amount of \$ 100,000.00 has been approved by the
Department; and

WHEREAS, an amount equal to or greater than the approved grant has been
appropriated by the Sponsor for this Project.

NOW THEREFORE, BE AND IT IS HEREBY RESOLVED THAT THE Mayor
(Title)

of the Sponsor be and he hereby is authorized and empowered to enter into a Grant
Agreement with the Department, thereby binding the Sponsor to the fulfillment of
its obligation incurred under this Grant Agreement.

I, Pat Sharkey, City Clerk of the City of Charlotte,
(Name and Title) (Sponsor)

North Carolina do hereby certify that the above is a true and correct
copy of an excerpt from the minutes of the City Council of the City of Charlotte,
(Sponsor)
of a meeting duly and regularly held on the 23rd day of May, 1983.

WITNESS my hand the official seal of the Sponsor City of Charlotte.

This, the 24th day of May, 1983.

Signed: _____

Title: City Clerk

Of The: City of Charlotte, North Carolina

SEAL

May 23, 1983
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A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN ENCROACHMENT AGREEMENT WITH SOUTHERN RAILWAY SYSTEM FOR A FAA EASEMENT ACROSS SOUTHERN RAILWAY SYSTEM TRACKS ON AIRPORT PROPERTY

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 Southern Railway System to construct and maintain an undergrade wireline and conduit crossing under the tracks of Southern Railway System 526.5 feet west of Mile Post 384 at 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, Pat Sharkey, 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 23rd day of May, 1983, the reference having been made in Minute Book 80, page _____, and recorded in full in Resolutions Book 19, page 224.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of May, 1983.

City Clerk

May 23, 1983
Resolution Book 19 - Page 225

"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

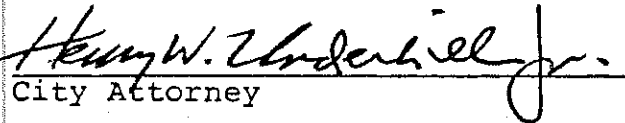
WHEREAS it therefore appears that it will be necessary for the City of Charlotte to institute condemnation proceedings under the provisions of the North Carolina Law of Eminent Domain and the exercise of powers thereunder.

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 23, Parcel 5 - 428 Biddle Street - Fair Market Value: \$700.00

SEE EXHIBIT "A" FOR LIST OF HEIRS:

Approved as to form:


City Attorney

(Certification on Back)

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EXHIBIT "A"

Heirs of Henry Alexander, Sr.

1. Beatrice Alexander Wilson and husband, Authur Wilson
2. Lavinia Alexander Blakeney and husband, Lewis S. Blakeney
3. Henry Alexander, Jr., and wife, Roberta Alexander
4. Athalia Byers
5. Eddie B. Byers, Jr. and wife, Lois H. Byers
6. Alexander H. Byers and wife, Rachel Byers
7. The unknown heirs of Henry Alexander, Sr.

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 23rd day of May, 1983, and the reference having been made in Minute Book 80, Page , and recorded in full in Resolutions Book 19, Page 225-226.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of May, 1983.

City Clerk

May 23, 1983
Resolution Book 19 - Page 227

RESOLUTION DECLARING AN INTENT TO ABANDON AND CLOSE
A PORTION OF AVANT STREET LOCATED BETWEEN
LUTHER STREET AND MAIN STREET IN THE CITY OF CHARLOTTE,
MECKLENBURG COUNTY, NORTH CAROLINA

WHEREAS, the Community Development Department has filed a Petition to close a portion of Avant Street in the City of Charlotte, Mecklenburg County, North Carolina; and

WHEREAS, the portion of Avant Street petitioned to be closed lies within the boundaries of the Cherry Community Development Area as shown on a map marked Exhibit "A", and is more particularly described by metes and bounds in a document marked Exhibit "B", all of which are available for inspection in the Office of the City Clerk, City Hall, Charlotte, North Carolina.

WHEREAS, the procedure for closing streets and public alleyways as outlined in North Carolina General Statutes, Chapter 160A, Section 299 requires that Council adopt a Resolution declaring its intent to close the street or public alleyway and calling a public hearing on the question; said Statute further requires that the Resolution shall be published once a week for four (4) successive weeks prior to the hearing, and a copy thereof be sent by registered or certified mail to all owners of property adjoining the street or public alleyway as shown on the County tax records, and a notice of the closing and public hearing shall be prominently posted in at least two (2) places along said street or public alleyway; and

WHEREAS, the City of Charlotte is desirous of complying with the Petitioner's request.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, at its regularly scheduled session of May 23, 1983, that it intends to close a portion of Avant Street, said street being more particularly described on a map and by a metes and bound description available for inspection in the City Clerk's Office, and hereby calls a public hearing on the question to be held at 3:00 p.m., on Monday, the 27th day of June, 1983, at City Hall. The City Clerk is hereby directed to publish a copy of this resolution in the Mecklenburg Times once a week for four successive weeks next preceding the date fixed here for such hearing, as required by N.C.G.S. 160A-299.

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 23rd day of May, 1983, the reference having been made in Minute Book 80, page 227, and recorded in full in Resolution Book 19, page 227.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of May, 1983.

Pat Sharkey, City Clerk