WHEREAS, the City Council has received petitions for zoning changes, which petitions, numbered 68-90 through 68-98 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 16th day of December, 1968 on petitions for zoning changes numbered 68-90 through 68-98.

BE IT FURTHER RESOLVED that notice of said hearings be published as required by law.

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 November, 1968, the reference having been made in Minute Book 51, at page , and recorded in full in Resolutions Book 6, at page 210.

Ruth Armstrong
City Clerk
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 November, 1968, 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:

______________________________
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 November, 1968, the reference having been made in Minute Book 51, at page , and recorded in full in Resolutions Book 6, at page 211.

Ruth Armstrong
City Clerk
Resolution Book 5 - Page 212
November 18, 1968

RESOLUTION FIXING DATE OF PUBLIC HEARING
ON THE PETITION REQUESTING THE ANNEXATION
OF PROPERTY TO THE CITY OF CHARLOTTE
PURSUANT TO G. S. 160-452, AS AMENDED.

WHEREAS, a petition requesting the annexation of the area described
herein has been received; and

WHEREAS, certification by the City Clerk as to the sufficiency of
said petition has been made.

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

Section 1. That a public hearing on the question of annexation of
the area described herein will be held in the Auditorium at Harding Senior High
School, Charlotte, N. C., at 7:30 o'clock P. M., on the 2nd
day of December, 1968.

Section 2. The area proposed for annexation is described as follows:

BEGINNING at an iron on the northerly margin of West
Boulevard, which iron is located at the point of intersection of the
northerly margin of West Boulevard with the westerly margin of the right
of way of Southern Railway Company, runs thence with the northerly margin
of West Boulevard, S. 70-18-45 W. 201.84 feet to an iron stake in the
westerly margin of Holabird Lane where it intersects the northerly margin
of West Boulevard; thence continuing along the northerly margin of West
Boulevard crossing Holabird Lane 60.90 feet to an iron stake on the west
margin of Holabird Lane; thence continuing with the northerly margin of
West Boulevard S. 70-18-45 W. 512.91 feet to an iron stake; thence N.
19-41-15 W. 175 feet to an iron stake; thence S. 70-18-45 W. 225 feet to
an iron stake; thence S. 19-41-15 E. 175 feet to an iron stake on the northerly
margin of West Boulevard; thence with said margin of West
Boulevard S. 70-18-45 W. 27.50 feet to an iron stake; thence N. 19-41-15 W.
175 feet to an iron stake; thence S. 70-18-45 W. 112.50 feet to an iron stake;
thence S. 19-41-15 E. 175 feet to an iron stake on the northerly margin of
West Boulevard; thence with the northerly margin of West Boulevard S.
70-18-45 W. 1553.60 feet to an iron stake; thence N. 16-36-05 W. 785.67
feet to an old iron; thence N. 27-25-05 W. 546.51 feet to an iron by a
stone; thence N. 5-03-10 E. 180.62 feet to an iron by a stone; thence
N. 51-02 E. 198.50 feet to an iron by a stone; thence N. 8-02-10 E. 539
feet to an old iron by a stone; thence N. 39-46-30 E. 251.08 feet to an
old iron by a stone; thence S. 56-57-20 E. 1073.24 feet to an iron in a
stump hole; thence along the channel of a branch as follows: N. 11-03-20 E.
33-53 feet; S. 85-14 E. 77.60 feet; N. 36-19 E. 63.30 feet; N. 75-08 E. 82
feet; S. 77-33 E. 48 feet; N. 44-29 E. 59 feet; N. 21-07 E. 39 feet;
N. 28-12 E. 71 feet; N. 12-15 E. 32 feet; N. 33-49 E. 75 feet; S. 67-30 E.
56 feet; N. 54-52 E. 51 feet; N. 85-03 E. 102 feet; S. 16-52 E. 25 feet;
S. 49-48 E. 49 feet; N. 70-24 E. 67 feet; N. 81-49 E. 43 feet; S. 5-17 E.
31 feet; N. 72-45 E. 20 feet; N. 34-15 E. 59 feet; N. 42-55 E. 80.88 feet;
thence S. 10-26 E. 1069.13 feet to an iron stake; thence N. 55-47 E. 493.14
feet to an iron stake on the westerly margin of Holabird Lane; thence
crossing Holabird Lane N. 59-47 E. 65.10 feet to an iron stake on the
westerly margin of Holabird Lane; thence N. 55-47 E. 232.60 feet to an iron
stake on the westerly margin of the right of way of Southern Railroad Company;
thence with the westerly margin of said right of way along the arc of a curve
to the left with a radius of 3913.83 feet a distance of 328.81 feet; thence
continuing with the westerly margin of said railroad right of way S. 9-32 E.
## TAXPAYERS AND REFUNDS REQUESTED

<table>
<thead>
<tr>
<th>NAME OF TAXPAYER</th>
<th>AMOUNT OF REFUND REQUESTED</th>
<th>REASON</th>
</tr>
</thead>
<tbody>
<tr>
<td>Starmount Esso Service</td>
<td>10.00</td>
<td>Illegally levied</td>
</tr>
<tr>
<td>6635 South Boulevard</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Madison Park Texaco Service</td>
<td>10.00</td>
<td>Illegally levied</td>
</tr>
<tr>
<td>5238 South Boulevard</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

$20.00
Section 3. Legal notice of said public hearing shall be published in *The Charlotte News*, a newspaper having general circulation in the City of Charlotte, at least ten (10) days prior to the date of said public hearing.

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 November, 1968, the reference having been made in Minute Book 51, at page , and recorded in full in Resolutions Book 6, at pages 212-213.

Ruth Armstrong
City Clerk
RESOLUTION FIXING DATE OF PUBLIC HEARING ON PETITION TO CLOSE A PORTION OF LAND ON THE WESTERLY SIDE OF BARCLAY DOWNS DRIVE IN THE CITY OF CHARLOTTE.

WHEREAS, a petition has been filed by the United States Steel and Carnegie Pension Fund, a Pennsylvania nonstock corporation for the closing and abandonment by the public of a certain parcel of land on the westerly side of Barclay Downs Drive, shown as Parcel #1 on the map entitled "Barclay Downs Drive, Revised August 19, 1968", attached hereto and made a part hereof, and is more particularly described as follows:

BEGINNING at a corner formed by the intersection of the northerly boundary of Fairview Road and the existing westerly boundary of Barclay Downs Drive, thence northerly along Barclay Downs Drive, N. 21 deg. 18' E., a distance of 612.92 feet; thence on a curve to the left with a radius of 904.93 feet, a distance of 313.64 feet to a point, thence southerly on a curve to the right, tangent to the first curve at this point, with a radius of 1059.70 feet, a distance of 316.87 feet, thence S. 15 deg. 34' 27" W., a distance of 612.76 feet to the northerly boundary of Fairview Road, thence westerly along Fairview Road on a curve to the left with a radius of 1186.89 feet, a distance of 37.17 feet to the point of BEGINNING.

WHEREAS, the procedure for closing or changing streets as outlined in North Carolina General Statutes, Section 160-200 (11) and Section 153-9 (17), requires a public hearing after notice to the abutting land owners not joining in the petition and after publication in a newspaper once a week for four consecutive weeks.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that a public hearing on the question of closing and abandoning that portion of land on the westerly side of Barclay Downs Drive formerly dedicated for street purposes, and being more particularly described above, will be held at 2:00 o'clock p.m., on Monday, the 16th day of December, 1968, in the Council Chamber of the City Hall. The City Clerk is hereby directed to publish such a notice in the "Charlotte News" once a week for four successive weeks next preceding the date fixed here for such hearing, as required by G. S. 153-9 (17).

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 November, 1968, the reference having been made in Minute Book 51, at page and recorded in full in Resolutions Book 6, at page 214.

Ruth Armstrong
City Clerk
Copy of a Resolution Passed by the
City Council of the City of
Charlotte, North Carolina

The following resolution was offered by Councilman ________
and a motion was made by Councilman ________ that it be
adopted; this motion was seconded by Councilman ________
and upon being put to a vote, was ________ carried;

WHEREAS, the Municipality has prepared and the Commission has
approved plans to make certain street and highway improvements
within the City of Charlotte, consisting of the construction and
improvement of Barclay Downs Drive as shown on the plans of Project
W. O. 9.8100335, Mecklenburg County; said project having right of
way widths as shown on the plans of Project W. O. 9.8100335,
Mecklenburg County, as filed with the State Highway Commission in
Raleigh, North Carolina; that said project is considered to be a
most necessary improvement in the street and highway system within
the corporate limits of this Municipality for the promotion of
public safety and convenience; and,

WHEREAS, the Commission will bear the total construction cost
of the project, except as hereinafter set out;

WHEREAS, in the plans and proposals of said improvement, it
is provided that this Municipality cooperate with the State Highway
Commission to the extent of:

(1) Effecting the necessary changing, adjusting, or relocating
of telephone, telegraph, electric power lines, underground
cables and gas lines, or any privately or publicly owned
utilities without expense to the State Highway Commission
and without cost to said Commission, provide for the
laying, changing, relaying, or repairing of any necessary
municipally owned electric lines, water, sewer, gas or
other pipes lines or conduits, together with all necessary
house or lot connections or services extending to the
outer edges of said project whether made necessary by
the widening of existing or the construction of new or
relocated streets or sidewalks;

(2) Acquiring all the rights of way necessary for the location
and construction of said project, and the removal therefrom
of all obstructions and encroachments of any kind of
character; furnishing the necessary rights of way free of
all encroachments and obstructions to the State Highway
Commission without any cost or liability whatsoever to
said Commission and to save said Commission harmless from
any and all claims for damages that might arise on account of the acquisition of right of way and drainage and slope easements in construction of said project in accordance with the plans on file with the State Highway Commission in Raleigh, North Carolina.

(3) Bearing all costs for new sidewalk construction without any cost whatsoever to the Commission.

(4) Constructing the project in accordance with the plans and specifications of said project as filed and approved by the Commission, and the following procedures shall be followed:

(a) The Municipality will enter into such contract or contracts as may be necessary to construct the project.

(b) Proposals for any work covered by this Agreement to be performed by contract shall be submitted to the Commission for approval prior to advertising and the Commission shall approve the award of all contracts; further, upon award of the project to contract, the Municipality will furnish to the Commission a copy of the approved proposal and contract.

(5) Furnishing all the construction engineering and all supervision.

(6) Agreeing that the Commission shall have the right to inspect the project at all times.

(7) Providing the Commission with one complete set of As-Built plans upon completion of the project.

(8) Agreeing that upon completion of Project W. O. 9.8100335 that the portion of Barclay Downs Drive that was constructed and improved under said project, will remain a part of the North Carolina State Highway System.

(9) Entering into an agreement with the State Highway Commission as to establishing and maintaining traffic operating controls for the regulation of movement of traffic on said project.

NOW, THEREFORE, BE IT RESOLVED that Project W. O. 9.8100335, Mecklenburg County, be and it is hereby formally approved by the City Council of this City of Charlotte, and that the Mayor and City Clerk (or Manager) of this Municipality be and they are hereby empowered to sign and execute the required Agreement between this Municipality and the State Highway Commission.

This Resolution was passed and adopted the 18th day of November, 1968.

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 November, 1968, the record having been made in Minutes Book 55, at page 215 and recorded in full in Resolutions Book 6, at pages 215-216.

Ruth Armstrong
"RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE
APPROVING REQUEST OF THE E. C. GRIFFITH COMPANY TO CHANGE
DEVELOPMENT PROPOSALS IN REDEVELOPMENT PROJECT NO. N. C. R-37"

WHEREAS, the Redevelopment Commission of the City of
Charlotte, at a special meeting held on September 27, 1967,
accepted a proposal by E. C. Griffith Company to purchase and
develop 101,600 square feet of land in Disposition Parcel No. 5,
Redevelopment Section No. 3, Project No. N. C. R-37, Brooklyn
Urban Renewal Area, with a multi-story office building in accor­
dance with the Redevelopment Plan, dated March, 1964, Amended
January, 1966, and September, 1966; and

WHEREAS, the Redevelopment Commission of the City of
Charlotte, in accordance with Section 160-464(b) of the North
Carolina Urban Redevelopment Law, as amended, recommended to
the City Council of the City of Charlotte that it approve the
said proposal of the E. C. Griffith Company; and

WHEREAS, the City Council of the City of Charlotte, at
a meeting held on October 2, 1967, did approve said proposal of
the E. C. Griffith Company to purchase and develop said land by
construction of a multi-story office building; and

WHEREAS, since the approvals of the Redevelopment Commiss­
ion of the City of Charlotte and the City Council of the City of
Charlotte, the E. C. Griffith Company has requested, by letter
dated November 7, 1968, that the Redevelopment Commission approve
the abandonment of the multi-story office building proposal and
approve the construction of a multi-story motor inn on said land;
and

WHEREAS, the Redevelopment Commission of the City of
Charlotte, at a regular meeting held on November 13, 1968, ap­
proved the request of the E. C. Griffith Company to abandon the
multi-story office building proposal and approved the request of
said Company to construct a multi-story motor inn on said land,
and recommended that this request be submitted to the City Council
of the City of Charlotte for consideration and approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of
the City of Charlotte does hereby approve the request of E. C.
Griffith Company to abandon the multi-story office building pro­
posal and does approve the request of said Company to construct
a multi-story motor inn on the 101,600 square feet of land in
Disposition Parcel No. 5, Redevelopment Section No. 3, Project
No. N. C. R-37, Brooklyn Urban Renewal Area, in accordance with
the Redevelopment Plan, dated March, 1964, Amended January, 1966,
and September, 1966.

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 November,
1968, the reference having been made in Minute Book 51, at page
and recorded in full in Resolutions Book 6, at page 217.

Ruth Armstrong
City Clerk
RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR ACQUISITION OF PROPERTY OF THE SISTERS OF OUR LADY OF MERCY OF NORTH CAROLINA AND OTHER HEIRS OF THE ESTATE OF ADOLF PETER WOHLPART.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to the Sisters of Our Lady of Mercy of North Carolina and other heirs of the estate of the late Adolf Peter Wohlpart located at the Northwest corner of Alleghany Street and Havelock Avenue for right of way purposes for the Alleghany Street Widening Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but unsettled questions of disposition of the property under terms of the will of Adolf Peter Wohlpart make it advisable to institute condemnation proceedings to assure clear title;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte, that pursuant to Section 7.81 of the Charter of the City of Charlotte, as amended by Chapter 216, 1967 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property of the Sisters of Our Lady of Mercy of North Carolina and other heirs of the Estate of Adolf Peter Wohlpart, located at the Northwest corner of Alleghany Street and Havelock Avenue in the City of Charlotte, County of Mecklenburg, under the procedures set forth in Article 9, Chapter 136 of the General Statutes of North Carolina, as amended; and

BE IT FURTHER RESOLVED that $1.00, the fair market value of said property, is hereby authorized to be deposited in the office of the Clerk of Superior Court of Mecklenburg County, North Carolina, together with the filing of the Complaint and Declaration of Taking.

Approved as to form:

[Signature]
Acting 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 November, 1968, the reference having been made in Minute Book 51, Page 138, and recorded in full in Resolution Book 6, at Page 218.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 25th day of November, 1968.

[Signature]
City Clerk