

RESOLUTION FIXING DATE OF PUBLIC HEARING ON
PETITION TO CLOSE PORTION OF POLK STREET IN
THE CITY OF CHARLOTTE, MECKLENBURG COUNTY,
NORTH CAROLINA.

WHEREAS, the City of Charlotte entered into an agreement with the Redevelopment Commission of the City of Charlotte, dated the 31st day of August, 1970, revised June 15, 1971, with respect to the Redevelopment Area Plan for Redevelopment Project No. N. C. R-78, Greenville;

WHEREAS, Section III of that agreement provides that the City will, at no expense or cost to the Redevelopment Commission of the City of Charlotte, and upon the request to the Redevelopment Commission of the City of Charlotte, vacate the streets, roads, alleys, and other public ways to be eliminated in preparing the Project Area for its new uses, as shown in the Redevelopment Area Plan, and

WHEREAS, the Redevelopment Commission of the City of Charlotte has requested the City, in accordance with Section III of the said agreement, to vacate and close up a certain portion of Polk Street lying within the City of Charlotte, Mecklenburg County, North Carolina, and

WHEREAS, the procedure for closing streets as outlined in Chapter 160, Section 200, Sub-section 11 of the General Statutes of North Carolina and Chapter 153, Section 9, Sub-section 17 of the General Statutes of North Carolina 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 (4) consecutive weeks, and

WHEREAS, the City of Charlotte is desirous of fulfilling its obligation under Section III of the above mentioned contract.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Charlotte that a public hearing on the question of closing a portion of Polk Street in the City of Charlotte, Mecklenburg County, North Carolina, shall be held at 3:00 o'clock P.M. on Monday, the 20th day of December, 1971 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 preceeding the date fixed here for such hearing, as required in Chapter 153, Section 9, Sub-section 17 of the General Statutes of North Carolina.

APPROVED AS TO FORM:

(Henry W. Underhill)
City Attorney
Charlotte, North Carolina

Read, approved and adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 22nd day of November, 1971, the reference having been made in Minute Book 56, at Page , and recorded in full in Resolution Book 7, at Page 493.

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 McDuffie and a motion was made by Councilman McDuffie that it be adopted; this motion was seconded by Councilman Withrow, and upon being put to a vote, was unanimously carried;

WHEREAS, the State Highway Commission and this Municipality, on the 24th day of April, 1963, entered into a certain municipal agreement as to the construction of a Northwest Expressway and a North-South Expressway, said expressway projects being a part of the master thoroughfare plan heretofore agreed upon between the Commission and this Municipality; and,

WHEREAS, the State Highway Commission and this Municipality, on the 13th day of July, 1970, entered into a supplemental municipal agreement as to the adjustment of municipal owned utilities and as to traffic operating controls on Project 8.1657301, Mecklenburg County, a portion of the North-South Expressway (I-77) from Oaklawn Avenue to the northern corporate limits; and,

WHEREAS, the Highway Commission and this Municipality, on the 18th day of October, 1971, entered into a supplemental agreement for Project 8.1657301, providing for the Commission to make adjustments to certain municipal sewer lines for which this Municipality will reimburse the Commission for the actual cost of said adjustments; and,

WHEREAS, the Highway Commission and this Municipality now have agreed to enter into a supplemental agreement for Project 8.1657301 providing for the following:

(1) This Municipality shall reimburse the State Highway Commission for all betterment costs in the adjustment and improvement of certain other municipal owned sewer lines lying adjacent to the project and located between Oaklawn Avenue and Interstate 85, said reimbursement to be made in a lump sum amount upon completion of the work and within sixty (60) days of billing by the Commission.

(2) The betterment costs for adjusting the municipal owned sewer lines are to be calculated as a percentage of the actual contract cost in accordance with the percentage rates based on estimated costs as set forth in the supplemental agreement.

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(3) This Municipality shall also make a lump sum payment to the Highway Commission of eighteen thousand, seven hundred seventy-four dollars and thirty-eight cents (\$18,774.38) for the expired service life of the sewer lines being adjusted, said payment being calculated as follows:

$$\$5.93/1.f. \times 7,915 \text{ l.f.} \times 40\% \text{ (expired service life)} = \$18,774.38.$$

Said payment shall be made upon completion of the work and within sixty (60) days of billing by the Commission.

Except as hereinabove provided, the agreements heretofore executed by the Municipality and the Commission on the 24th day of April, 1963, the 13th day of July, 1970, and the 18th day of October, 1971, are ratified and affirmed as therein provided.

NOW, THEREFORE, BE IT RESOLVED that the Supplemental Municipal Agreement for Project 8.1657301, Mecklenburg County, be and it is hereby formally approved by the City Council of the City of Charlotte and that the Mayor and City Clerk (~~or Manager~~) of this Municipality be and they are empowered to sign and execute the required Supplemental Agreement between this Municipality and the State Highway Commission.

This Resolution was passed and adopted the 22nd day of November, 1971.

I, Ruth Armstrong, Clerk (~~or Manager~~) of the City of Charlotte, North Carolina, do hereby certify that the foregoing is a true and correct copy of excerpts from the minutes of the City Council of this Municipality;

WITNESS, my hand and the official seal of the City of Charlotte on this 24th day of November, 1971.

(Ruth Armstrong)
CLERK (~~or Manager~~)
CITY OF CHARLOTTE
NORTH CAROLINA

November 22, 1971
Resolution Book 7 - Page 496

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO HARVEY S. STRAWN AND WIFE, BETTY C. STRAWN, LOCATED AT 1709 N. DAVIDSON STREET IN THE CITY OF CHARLOTTE FOR THE BELMONT NEIGHBORHOOD IMPROVEMENT PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Harvey S. Strawn and wife, Betty C. Strawn, located at 1709 North Davidson Street in the City of Charlotte for right of way purposes and a temporary construction easement in connection with the widening of North Davidson Street for the Belmont Neighborhood Improvement Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

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 of the 1967 Session Laws of North Carolina and Chapter 384 of the 1969 Session Laws of North Carolina, and pursuant to the authority contained in Chapter 740 of the 1967 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property, as well as the entire structure located thereon, belonging to Harvey S. Strawn and wife, Betty C. Strawn, located at 1709 N. Davidson Street in Mecklenburg County, 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 \$4,700.00, the amount of the appraised 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:

Henry W. Underhill, Jr.
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 22nd day of November, 1971, the reference having been made in Minute Book 56, page 225, and recorded in full in Resolutions Book 7, page 496.

Witness my hand and the corporate seal of the City of Charlotte, North Carolina, this the 24th day of November, 1971.

Ruth Armstrong
Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO ROBERT R. RHYNE, JR., LOCATED AT 1600 NORTH DAVIDSON STREET IN THE CITY OF CHARLOTTE FOR THE BELMONT NEIGHBORHOOD IMPROVEMENT PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to Robert R. Rhyne, Jr., located at 1600 North Davidson Street in the City of Charlotte, Mecklenburg County, for right of way purposes and a temporary construction easement for the widening of North Davidson Street in connection with the Belmont Neighborhood Improvement Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

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, and further amended by Chapter 384, 1969 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property belonging to Robert R. Rhyne, Jr., located at 1600 North Davidson Street in the City of Charlotte, Mecklenburg County, 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 \$300.00, the amount of the appraised 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:

Henry W. Underhill, Jr.
City Attorney

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 24th day of November, 1971.

Ruth Armstrong
Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO THE HEIRS OF JOSEPH J. WHITE, LOCATED AT 1115-1117 PARKWOOD AVENUE IN THE CITY OF CHARLOTTE FOR THE BELMONT NEIGHBORHOOD IMPROVEMENT PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to the Heirs of Joseph J. White, located at 1115-1117 Parkwood Avenue in the City of Charlotte, Mecklenburg County, for right of way purposes and a temporary construction easement for the widening of Parkwood Avenue in connection with the Belmont Neighborhood Improvement Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price.

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, and further amended by Chapter 384, 1969 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property belonging to the Heirs of Joseph J. White, located at 1115-1117 Parkwood Avenue in the City of Charlotte, Mecklenburg County, 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 \$440.00, the amount of the appraised 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.

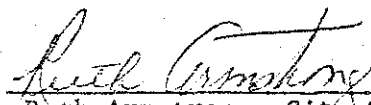
Approved as to form:


City Attorney

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 24th day of November, 1971.


Ruth Armstrong, City Clerk

A RESOLUTION AUTHORIZING CONDEMNATION PROCEEDINGS FOR THE ACQUISITION OF PROPERTY BELONGING TO JAMES J. HARRIS AND WIFE, ANGELIA M. HARRIS, LOCATED AT 3700 SHARON ROAD IN THE CITY OF CHARLOTTE FOR THE SHARON LANE WIDENING PROJECT.

WHEREAS, the City Council finds as a fact that it is necessary to acquire certain property belonging to James J. Harris and wife, Angelia M. Harris, located at 3700 Sharon Road in the City of Charlotte, Mecklenburg County, for a temporary construction easement for the Sharon Lane Widening Project; and

WHEREAS, the City has in good faith undertaken to negotiate for the purchase of this property, but has been unable to reach an agreement with the owners for the purchase price,

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, and further amended by Chapter 384, 1969 Session Laws of North Carolina, condemnation proceedings are hereby authorized to be instituted against the property belonging to James J. Harris and wife, Angelia M. Harris, located at 3700 Sharon Road in the City of Charlotte, Mecklenburg County, 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 \$2,500.00, the amount of the appraised 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:

Henry W. Underhill Jr.
City Attorney

CERTIFICATION

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WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina this 24th day of November, 1971.

Ruth Armstrong
Ruth Armstrong, City Clerk

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