

FOR REGISTRATION
J. David Granberry
REGISTER OF DEEDS
Mecklenburg County, NC
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INSTRUMENT # 2016021861

STITTKS



2016021861

ORDINANCE

Ordinance – Beaver Dam

Ordinance to (a) de-designate approximately 25 acres of the land associated with the Historic Landmark known as “Beaver Dam.” The portion of the land to be de-designated is limited to all of the land in tax parcel 00728108 (listed as of January1, 2016 in the Mecklenburg County Tax Office, Charlotte, North Carolina) and a portion of the land in tax parcel 00728101 (listed as of January1, 2016 in the Mecklenburg County Tax Office, Charlotte, North Carolina), as shown on the attached “Map A” and (b) to designate as an Historic Landmark a property known as the “Beaver Dam Property” (composed of portions of the land listed under listed under Tax Parcel Numbers 00728110 and 00715216 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of January 1, 2015 as shown on the attached “Map B”). The property associated with all of the above tax parcels is owned by R. Y. Westmoreland and Sons Inc., and is located at 19407 and 19719 Davidson-Concord Road in Davidson, North Carolina.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the Town Board of Davidson, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the 9th day of February, 2016, on the question of (a) de-designating a portion of the land associated with the historic landmark known as “Beaver Dam” and (b) designating additional land associated with the historic landmark known as “Beaver Dam”; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at a public hearing held on the 8th day of February, 2016, on the question of (a) de-designating a portion of the land associated with the historic landmark known as “Beaver Dam” and (b) designating additional land associated with the historic landmark known as “Beaver Dam”; and

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WHEREAS, on March 7, 1977, the Mecklenburg County Board of Commissioners adopted an ordinance designating the property known as “Beaver Dam” as an Historic Landmark; and

WHEREAS, the Town of Davidson now has historic landmarks jurisdiction over the property known as “Beaver Dam” pursuant to Part 3C of Article 19 of Chapter 160A of the General Statutes; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has voted to recommend to the Town of Davidson that it designate approximately 41.5 acres of land, as shown on Map B, adjacent to Beaver Dam to help preserve the historic setting of the property; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has determined that to de-designate approximately 25 acres of land as shown on the attached Map A is appropriate because additional land associated with Beaver Dam has been recommended for designation as an historic landmark; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the properties known as “Beaver Dam” and the “Beaver Dam Property” possess special significance in terms of history, and/or cultural importance; and

WHEREAS, the property associated with tax parcels 00728101, 00728108, 00728110, and 00715216 are owned by R. Y. Westmoreland and Sons Inc.

NOW, THEREFORE, BE IT ORDAINED by the members of the Town Board of Davidson, North Carolina:

1. (a) That portions of the land associated with the Historic Landmark known as “Beaver Dam,” (limited to approximately 25 acres of the land as shown on the attached Map A including all of the land in tax parcel 00728108 and a portion of the land in tax parcel 00728101 (tax parcels listed as of January 1, 2016 in the Mecklenburg County Tax Office, Charlotte, North

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2100 Randolph Rd.
Charlotte, NC 28207

Carolina)) be de-designated pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The property associated with tax parcels 00728108 and 00728101 is located at 19719 Davidson-Concord Road in Davidson, North Carolina. Features of the property are more completely described in the “Survey and Research Report on the Beaver Dam” (1976) and (b) that the property known as the “Beaver Dam Property” (composed of portions of the land listed under Tax Parcel Numbers 00728110 and 00715216 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of January 1, 2016, as shown on the attached Map B) is hereby designated as an historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 19407 Davidson-Concord Road, Davidson, North Carolina. The property’s features are more completely described in the “Addendum to the Survey and Research Report for Beaver Dam” (2015).

2. That said designated historic landmark may be materially altered, restored, moved or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

3. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction,

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reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

4. That the owners of the historic landmarks known as "Beaver Dam" and the "Beaver Dam Property" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the Town Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

5. That which is designated as an historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the 9 day of February, 20 10, by the members of the Town Board of Davidson, Mecklenburg County, North Carolina.

Heather James
Clerk to Town Board

Approved as to form:
Richard Klitz
Town Attorney

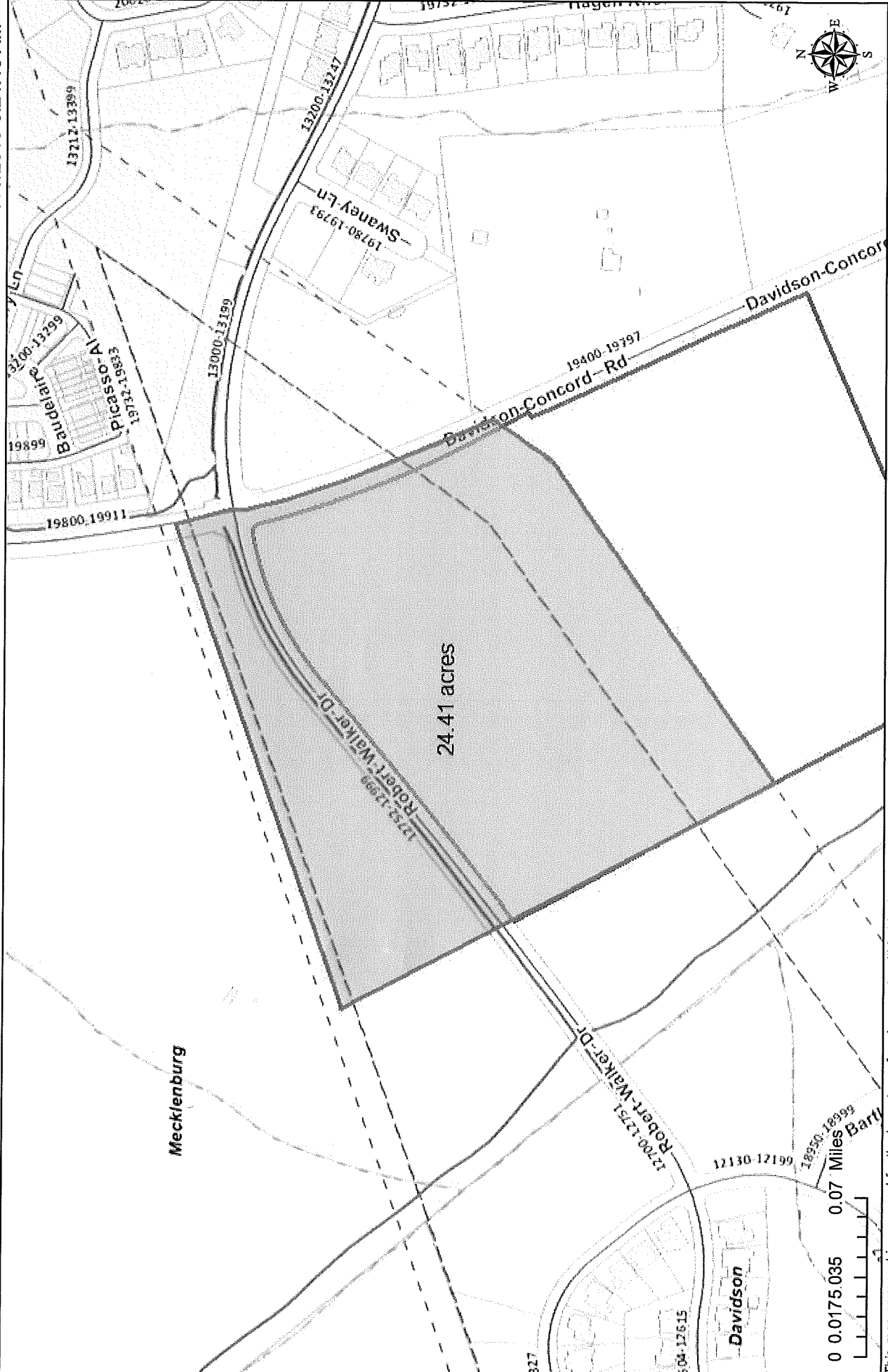


Polaris 3G Map – Mecklenburg County, North Carolina

MAP A

24.41 acres(1063339.76 sq ft)

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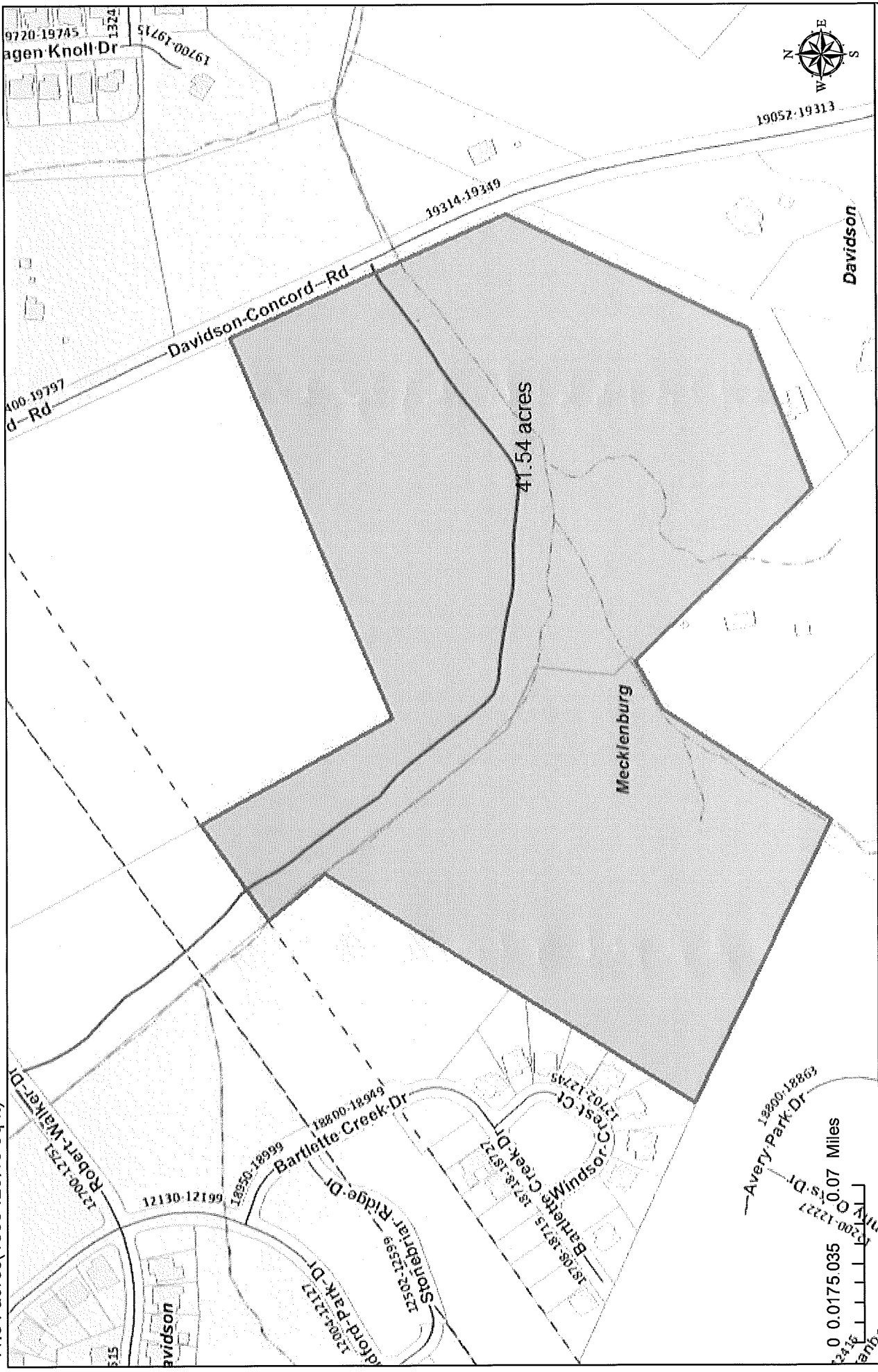
This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.

Polaris 3G Map – Mecklenburg County, North Carolina

MAP B

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41.54 acres(1809426.18 sq ft)



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