

ORDINANCE NUMBER TWO HUNDRED TWENTY-ONE

TOWN OF MINT HILL, NORTH CAROLINA

Board Meeting of April 13, 1989

PRESENTED FOR
REGISTRATION

49

89 APR 25 AM 9:38

ANNE A. POWERS
REGISTER OF DEEDS
MECKLENBURG CO., N.C.

Upon the motion of Commissioner Sirakos, seconded by Commissioner Whisnant, unanimously approved, that the following ordinance be adopted:

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "DR. WHITLEY'S OFFICE BUILDING" (THE EXTERIOR AND THE INTERIOR OF THE BUILDING) AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED ON HILLSIDE DRIVE IN MINT HILL, NORTH CAROLINA, AND BEING A PORTION OF THE PROPERTY RECORDED ON TAX PARCEL NUMBER 137-065-35 IN THE MECKLENBURG COUNTY TAX OFFICE.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the Board of Commissioners of Mint Hill, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 13 day of April, 1989, on the question of designating a property known as the "Dr. Whitley's Office Building" as historic property; and

WHEREAS, the "Dr. Whitley's Office Building", erected c. 1909, is a remnant of the rural environment which once supported country doctors in Mint Hill and other outlying areas of Mecklenburg County; and

WHEREAS, Dr. Ayer Whitley and his wife, Esther Calcenia Mangum Whitley, served Mint Hill and its environs for about 40 years; and

WHEREAS, the Mint Hill Historical Society plans to restore Dr. Whitley's Office Building and to make it part of a

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Dr. Daw L. Morrill
Historic Properties Commission 011 0664
Box D
1225 S. Caldwell St.
Charlotte, N.C. 28203

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historical park; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Dr. Whitley's Office Building" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Dr. Whitley's Office Building" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Dr. Whitley's Office Building" is owned in fee simple by the Mint Hill Historical Society, Inc.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Mint Hill, North Carolina:

1. That the property known as the "Dr. Whitley's Office Building" (the exterior and the interior of the building) is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated on Hillside Drive in Mint Hill, North Carolina, and being a portion of the property recorded on Tax Parcel Number 137-065-35 in the Mecklenburg County Tax Office.

2. That said designated property may be materially altered, restored, moved or demolished only following the issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Properties Commission. An application for a Certificate of Appropriateness authorizing the

Ordinance -- Dr. Whitley's Office Building
demolition of said property may not be denied. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, Part 3B, and amendments thereto, and hereinafter adopted.

3. That nothing in this ordinance shall be construed to prevent or delay the ordinary maintenance or repair of any architectural feature in or on said property that does not involve a change of design, material, or outer appearance thereof, nor to prevent or delay the making of emergency repairs, nor to prevent or delay the construction, 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 property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.

4. That a suitable sign may be posted indicating that said property has been designated as historic property and containing any other appropriate information. If the owner consents, the sign may be placed on said property.

5. That the owners and occupants of the property known as the "Dr. Whitley's Office Building" 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.

6. That which is designated as historic property shall be subject to Chapter 160A, Article 19, Part 3B, and any amendments to it and any amendments hereinafter adopted.

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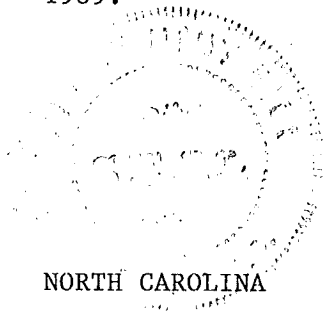
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NORTH CAROLINA

MECKLENBURG COUNTY

I hereby certify that the foregoing is a true and accurate copy of ORDINANCE NUMBER TWO HUNDRED TWENTY-ONE duly adopted by the Mayor and Board of Commissioners of the Town of Mint Hill, North Carolina, at a meeting held April 13, 1989, at eight o'clock p.m. in the John M. McEwen Assembly Room, Town of Mint Hill.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the official corporate seal of Mint Hill to be affixed, this the 17th day of April, 1989.

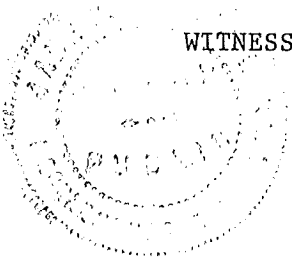


Doris H. Miller
Assistant Town Clerk

NORTH CAROLINA

MECKLENBURG COUNTY

I, Jane P. Thompson, a Notary Public, do hereby certify that Doris H. Miller, Assistant Town Clerk, personally appeared before me this day and acknowledged the due execution of the foregoing certification, for the purposes therein expressed.



WITNESS my hand and notarial seal this 17th day of April, 1989.

Jane P. Thompson
Notary Public

My Commission Expires: March 6, 1991

State of North Carolina, County of Mecklenburg

The foregoing certificate(s) of JANE P. Thompson

a Notar(y) (ies) Public (is) (are) certified to be correct.

This 25 day of April 1989.

Anne A. Powers, Register of Deeds

By: Charlette W. Pettit Deputy