

APR 8 1982

AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "ISAAC NEWTON ALEXANDER MILL RUIN" AND PROPERTY, LOCATED ON THE CAMPUS OF MYERS PARK HIGH SCHOOL, CHARLOTTE, NORTH CAROLINA, AND INCLUDED WITHIN THE PARCEL OF LAND RECORDED IN PARCEL NUMBER 175-071-02 IN THE MECKLENBURG COUNTY TAX OFFICE.

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

WHEREAS, the City Council of Charlotte, North Carolina, has taken into full consideration of all statements and information presented at the joint public hearing held with the Charlotte-Mecklenburg Historic Properties Commission on the 5th day of April, 1982, on the question of designation the property known as the "Isaac Newton Alexander Mill Ruin" as historic property; and

WHEREAS, the "Isaac Newton Alexander Mill Ruin" and property promises to yield important archeological information; and

WHEREAS, the "Isaac Newton Alexander Mill Ruin" and property dated from the 1850's; and

WHEREAS, the "Isaac Newton Alexander Mill Ruin" and property is one of the few examples of a grist mill ruin in Mecklenburg County; and

WHEREAS, the "Isaac Newton Alexander Mill Ruin" and property is vested in fee simple to the Charlotte-Mecklenburg Board of Education.

NOW, THEREFORE BE IT ORDAINED by the City Council of Charlotte, North Carolina:

1. that the property known as the "Isaac Newton Alexander Mill Ruin" and property is hereby designated as historic property pursuant to Part 3B, Article 19, Chapter 160A, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated on the campus of Myers Park High School, Charlotte, North Carolina, and included in the parcel of land recorded in Parcel Number 175-071-02 in the Mecklenburg County Tax Office as follows:

Beginning at a point on the west bank of Briar Creek said point being S. 09-24-00 E. 302.04 feet from the southwest corner of Lot 8, Block 1, Club Colony as recorded in Map Book 4, Page 139, Register of Deeds, Mecklenburg County, NC, thence N. 55-30-00 E. 389.44 feet to a new iron pin passing through a new iron pin on the east creek bank; thence S. 34-30-00 E. 200.0 feet to a new iron pin; thence S. 55-30-00 W. 481.50 feet to a point on the west bank of Briar Creek passing through a new iron pin on the east bank of Briar Creek; thence N. 10-10-00 W. 109.75 feet to a point; thence N. 09-24-00 W. 110.43 feet to the point of beginning. Containing 2.00 acres as shown on a survey by R. B. Pharr and Associates, P.A., dated August 18, 1981. File No. V-221.

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 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 shall be placed on said property. If the owner objects, the sign shall be placed on a nearby right-of-way.

5. That the owners and occupants of the property known as the "Isaac Newton Alexander Mill Ruin" and property be given the notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Inspection 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.

Approved as to form:



Asst. 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 an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 5th day of April, 1982, the reference having been made in Minute Book 77, and recorded in full in Ordinance Book 31 at Pages 206-208.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 6th day of April, 1982.



Ruth Armstrong, City Clerk

