

AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "EXTERIOR OF THE ATHERTON MILL HOUSE" AND THE LAND ASSOCIATED THEREWITH AS HISTORIC PROPERTY, AT 2005 CLEVELAND AVENUE, CHARLOTTE, NORTH, AND RECORDED ON PARCEL NUMBER 121-067-11 IN THE MECKLENBURG COUNTY TAX OFFICE.

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WHEREAS, all 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 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 designating the property known as the "exterior of the Atherton Mill House" and the land associated therewith as historic property; and

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REGISTERED FOR PUBLIC RECORDS
CHARLOTTE-MECKLENBURG COUNTY, N.C.

WHEREAS, the Atherton Mill House was designed and built in 1899 by the D. B. Tompkins Company; and

WHEREAS, the Atherton Mill House was a prototype for mill houses built throughout the South; and

WHEREAS, the Atherton Mill House is the best surviving element of the Atherton Mill Village; and

WHEREAS, the Atherton Mill House is one of the oldest houses in Dilworth; and

WHEREAS, the grounds of the Atherton Mill House retain their original ambience; and

WHEREAS, the property known as the "exterior of the Atherton Mill House" and the land associated therewith is vested in fee simple to Ms. Ruth Anthony Purser.

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

1. That the property known as the "exterior of the Atherton Mill House" and the land associated therewith 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

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situated on a tract of property at 2005 Cleveland Avenue, Charlotte, North Carolina, as recorded on Parcel Number 121-067-11 in the Tax Office of Mecklenburg County, North Carolina.

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 "exterior of the Atherton Mill House" and land associated therewith 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 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:

Henry W. Underhill Jr.
City Attorney

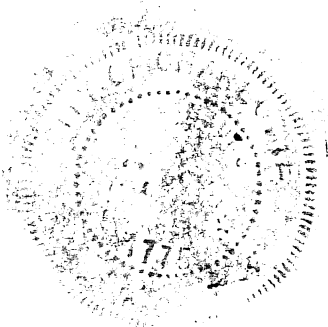
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CASH 7.00

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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 26th day of April, 1982, the reference having been made in Minute Book _____ and recorded in full in Ordinance Book 31 at Pages 246-248.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 27th day of April, 1982.



Ruth Armstrong
Ruth Armstrong, City Clerk

Please return to:
& Drawn By

CHARLOTTE-MECKLENBURG
HISTORIC PROPERTIES COMMISSION
3500 SHAMROCK DRIVE
CHARLOTTE, N. C. 28215