

ORIGINAL
C.P.R.

ORDINANCE NO. 496-X

AN ORDINANCE DESIGNATING A STRUCTURE AND REAL PROPERTY KNOWN AS "LYNNWOOD" LOCATED AT 400 HERMITAGE ROAD IN CHARLOTTE, N. C. AS HISTORIC PROPERTY.

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

WHEREAS, the City Council 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 2nd day of May, 1977, on the question of designating the structure and real property known as "Lynnwood" as historic property; and

WHEREAS, the structure known as "Lynnwood" is architecturally unique within the residential fabric of Charlotte and Mecklenburg County; and

WHEREAS, the structure and real property known as "Lynnwood" has strong associative ties with an individual and events of national historic significance; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated the historic significance of the structure and real property known as "Lynnwood"; and

WHEREAS, the Division of Archives and History of the North Carolina Department of Cultural Resources has endorsed the findings of the Charlotte-Mecklenburg Historic Properties Commission; and

WHEREAS, the structure and real property known as "Lynnwood" is owned in fee simple by the Duke Endowment.

REGISTRATION
77 JUN 8 AM 11 50
CHARLES E. CROWDER
REGISTER OF DEEDS
MECKLENBURG CO. N.C.

PRESENTED FOR REGISTRATION
77 JUN 8 AM 11 50
CHARLES E. CROWDER
REGISTER OF DEEDS
MECKLENBURG CO. N.C.

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Said structure and real property is currently leased to White Oaks of Charlotte, Inc.

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

1. That the structure and real property known as "Lynnwood", located at 400 Hermitage Road, in Charlotte, N. C., is hereby designated as historic property pursuant to Part 3B, Article 19, Chapter 160A of the General Statutes of North Carolina. Said real property, upon which the structure is located, is more particularly defined and described as follows:

Beginning at an old iron on the southerly R/W of Edgehill Road (south), said point being the northeast corner of Lot 6, Block 4, as recorded in Deed Book 8 Page 461, Mecklenburg County Registry; thence with said R/W (also being the back of a concrete walk) with the arc of a circular curve to the right, having a radius of 1271.45 ft. a distance of 191.79 ft. to a point; thence with the arc of a circular curve to the right having a radius of 281.88 ft., a distance of 23.74 ft., to a point, said point being the southerly R/W of Hermitage Road; thence with the arc of a circular curve to the right having a radius of 283.41 ft., a distance of 120.28 ft. to a point; thence S. 37-48-30 E., 24.57 ft. to a point; thence with the arc of a circular curve to the left, having a radius of 325.55 ft. a distance of 70.03 ft. to a point; thence S. 50-08-00 E., 41.12 ft. to a point; thence with the arc of a circular curve to the right, having a radius of 1292.50 ft. a distance of 67.44 ft. to a point; thence S. 47-08-37 E., 42.74 ft. to a point. thence with arc of a circular curve to the right, having a radius of 237.20 ft., a distance of 100.75 ft. to a point; thence with the arc of a circular curve to the right, having a radius of 80.16 ft., a distance of 29.61 ft. to a point; thence with the arc of a circular curve to the right having

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a radius of 43.54 ft., a distance of 46.64 ft. to a point; thence S. 59-44-04 W., 17.32 ft. to a point; thence with the arc of a circular curve to the right, having a radius of 265.77 ft., a distance of 20.24 ft. to a point; thence with the arc of a circular curve to the right, having a radius of 708.00 ft., a distance of 300.28 ft., to a point; thence with the arc of a circular curve to the right, having a radius of 733.75 ft., a distance of 107.74 ft., to an old iron; thence N. 04-19-10 W., 262.90 ft. to an iron; thence N. 83-04-03 W., 124.91 ft., to an old iron; thence N. 12-22-04 E., 281.29 ft., to the point of beginning. Containing 4.44 acres as shown on a map by R.B. Pharr & Associates, dated March 25, 1977, File No. VV 140.

2. That said structure and real property may not be demolished, materially altered, remodeled or removed until ninety (90) days' written notice of the owner's proposed action has been given to the Charlotte-Mecklenburg Historic Properties Commission.

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

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4. That a suitable sign shall be posted indicating the said structure and real property's designation as historic property and containing any other appropriate information. If the owner consents, the sign shall be placed upon the said structure or real property. If the owner objects, the sign shall be placed on a nearby public right of way.

5. That the owners and occupants of the structure and real property known as "Lynnwood" 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, Mecklenburg County Register of Deeds, Building Inspection Department and Tax Supervisor as required by applicable law.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

C E R T I F I C A T I O N

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 2nd day of May, 1977, and the reference having been made in Minute Book 65, at Page 217. and is recorded in full in Ordinance Book 24, at Page 85.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 3rd day of June, 1977.

Ruth Armstrong
Ruth Armstrong, City Clerk

*NOTE: Dan F. Maxwell, Director
Historic Properties Commission
139 Middleton St.
Charlotte, N.C. 28207*