

ORDINANCE NO. 2787-X 6201 0992

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "FIRST ASSOCIATE REFORMED PRESBYTERIAN CHURCH" (THE ENTIRE EXTERIOR AND THE ENTIRE INTERIOR OF THE CHURCH RUIN, THE ENTIRE EXTERIOR AND THE ENTIRE INTERIOR OF THE RECTORY, AND THE ENTIRE 1.117 ACRES OF LAND RECORDED UNDER TAX PARCEL NUMBER 078-045-03) AS A HISTORIC LANDMARK, SAID PROPERTY BEING LOCATED AT NORTH TRYON AND ELEVENTH STREETS IN CHARLOTTE, NORTH CAROLINA, AND RECORDED UNDER TAX PARCEL NUMBER 078-045-03 IN THE MECKLENBURG COUNTY TAX OFFICE.

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 City Council of Charlotte, North Carolina, has taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the day of \_\_\_\_\_, 19\_\_\_\_, on the question of designating a property known as the "First Associate Reformed Presbyterian Church" as a historic landmark; and

WHEREAS, the "First Associate Reformed Presbyterian Church" was designed by James Mackson McMichael (1870-1944), an architect of local and regional importance; and

WHEREAS, the "First Associate Reformed Presbyterian Church," although a ruin, is the only vestige of a Christian congregation which once played an important role in the religious life of this community; and

WHEREAS, the "First Associate Reformed Presbyterian Church" is one of a collection of imposing church edifices which adorn North Tryon Street; and

WHEREAS, the "First Associate Reformed Presbyterian Church" occupies a significant place in terms of the cityscape of the Fourth Ward neighborhood; and

Return to:  
Charlotte-Mecklenburg Historic Landmarks Commission  
1225 S. Caldwell St. Box D  
Charlotte, N.C. 28203

400283

PRESENTED  
FOR  
REGISTRATION  
90 JAN 31 PM 1:56  
ANNE A. POWERS  
REGISTER OF DEEDS  
MECKLENBURG CO., N.C.

14:42 #5182 000  
01/31/90

.00  
.00  
.00

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the "First Associate Reformed Presbyterian Church" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as the "First Associate Reformed Presbyterian Church" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "First Associate Reformed Presbyterian Church" is vested in fee simple to North Church Corporation.

WHEREAS, the owner, the North Church Corporation, has given the owner's consent for interior review of the entire interior of the church ruin and the rectory and, thereby, the owner has given the Commission jurisdiction of the entire interior.

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

1. That the property known as the "First Associate Reformed Presbyterian Church" (the entire exterior and the entire interior of the Church ruin, the entire exterior and the entire interior of the rectory, and the entire 1.117 acres of land recorded under Tax Parcel Number 078-045-03) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said landmark is noted as being situated at North Tryon and

Ordinance -- First A.R.P. Church

6201 0994

Eleventh Streets, Charlotte, North Carolina, and recorded under Tax Parcel Number 078-045-03 in the Mecklenburg County Tax Office.

2. That said designated landmark may be materially altered, restored, moved or demolished only following the 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 when such landmark is determined by the State Historic Preservation Officer as having statewide significance as defined in the criteria of the National Register of Historic Places. However, the effective date of such a Certificate may be delayed in accordance with Chapter 160A, Article 19, 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 landmark 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 landmark not prohibited by other statutes, ordinances, or regulations.

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

5. That the owners and occupants of the landmark known as the "First Associate Reformed Presbyterian Church" 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 Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

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

Approved as to form:

Norm W. Wadsworth, Jr. 4  
City Attorney  
by David M. Smith  
Assistant City Attorney

CERTIFICATION

I, Pat Sharkey 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 18th day of December, 1989, the reference having been made in Minute Book 94, and is recorded in full in Ordinance Book 38, at page(s) 326-329.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 29<sup>th</sup> day of December, 19 89

Pat Sharkey  
Pat Sharkey, City Clerk

