

INSTRUMENT # 2004266616



2004266616

Ordinance – Funderburk Brothers Blacksmith Shop and Grist Mill (Interiors)

Ordinance designating as a Historic Landmark a property known as the “Funderburk Brothers Blacksmith Shop and Grist Mill (Interiors)” (listed under Tax Parcel Numbers 19326213 and 19326214 as of September 1, 2004, and including the interiors of the buildings listed under Tax Parcel Numbers 19326213 and 19326214 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2004). The property is owned by Perigee Properties LLC and is located at 130 Library Lane in Matthews, North Carolina.

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 members of the Board of Commissioners of the Town of Matthews, North Carolina, have taken into full consideration all statements and information presented at a joint public hearing held with the Charlotte-Mecklenburg Historic Landmarks Commission on the 22nd day of November, 2004, on the question of designating a property known as the Funderburk Brothers Blacksmith Shop and Grist Mill (Interiors) as a historic landmark; and

Please return to:
Charlotte-Mecklenburg Historic
Landmarks Commission
2100 Randolph Road
Charlotte NC 28207

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WHEREAS, the Funderburk Brothers Blacksmith Shop and Grist Mill are part of the Funderburk Commercial Buildings, which were designated as a historic landmark in 1991; and

WHEREAS, the interiors of the Funderburk Brothers Blacksmith Shop and Grist Mill have retained original architectural elements; and

WHEREAS, the interiors of the Funderburk Brothers Blacksmith Shop and Grist Mill bear testimony to the commercial activities of the small towns of Mecklenburg County in the late nineteenth and early twentieth centuries; and

WHEREAS, the property known as the Funderburk Brothers Blacksmith Shop and Grist Mill (Interiors) is owned by Perigee Properties LLC.

NOW, THEREFORE, BE IT ORDAINED by the members of the Board of Commissioners of the Town of Matthews, North Carolina:

1. That the property known as the “Funderburk Brothers Blacksmith Shop and Grist Mill (Interiors)” (listed under Tax Parcel Numbers 19326213 and 19326214 as of September 1, 2004, and including the interiors of the buildings listed under Tax Parcel Numbers 19326213 and 19326214 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2004) is hereby designated as a historic landmark pursuant to Chapter 160A, Article 19, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at 130 Library Lane in Matthews, North Carolina. Features of the property are more completely described in the *Survey and Research Report on the Funderburk Brothers Buildings (1991)*.

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2. That said interior is more specifically defined as the historic and structural fabric, especially including all original architectural features.

3. That said designated historic landmark may be materially altered, restored, moved or demolished only following 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 if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160A, Article 19, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, 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 owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

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5. 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 historic landmark.

6. That the owners of the historic landmark known as the Funderburk Brothers Blacksmith Shop and Grist Mill 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.

7. That the property which is designated as a historic landmark shall be subject to Chapter 160A, Article 19, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the 13th day of December, 2004, by the members of the

Board of Commissioners of the Town of Matthews, Mecklenburg County, North

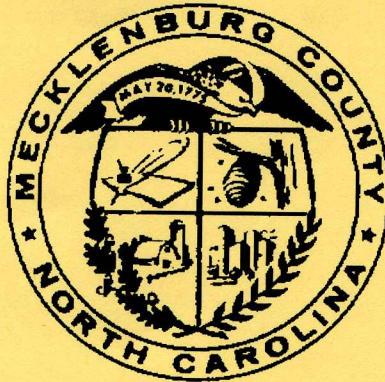
Carolina

A circular seal for the Town of Matthews, North Carolina. The outer ring contains the text "TOWN OF MATTHEWS, N.C." and the inner ring contains "SEAL". In the center is a stylized graphic of a building or structure.
John Pleimann
Clerk to The Board

Approved as to form:

Charles R. Buckley III

Town Attorney



JUDITH A. GIBSON
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

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