

MECKLENBURG CO REG OF DEEDS
720 EAST FOURTH STREET
CHARLOTTE, NC 28202
(704)336-2443

ISSUED TO:
HARKEY LAMBETH NYSTROM/STEVE

RECEIPT # 498087
DATE 05/28/2003

TIME	BOOK	PAGE	FEE
02:56 PM	15410	189	2003116233
ORDINANCE			21.00

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Total Amount Due \$21.00

NO PAYMENT 0.00
HISTORIC LANDMARK

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Total Payments: \$0.00

THANK YOU
JUDITH A. GIBSON
REGISTER OF DEEDS
Deputy: HAITHML

Ordinance -Grand Theater

ORDINANCE NO. 2299

Ordinance designating as a Historic Landmark a property known as the "Grand Theater" (listed under Tax Parcel Number 06901116 as of March 15, 2003, and including the exterior of the building, and the parcel of land listed under Tax Parcel Number 06901116 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of March 15, 2003). The property is owned by Daniel Clay Thomas and is located at 333 Beatties Ford Road in the City of Charlotte, Mecklenburg County, 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 City Council of Charlotte, 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 19th day of May, 2003, on the question of designating a property known as the Grand Theater as a historic landmark; and

WHEREAS, the Grand Theater is the only movie theater surviving in Mecklenburg County that served African Americans exclusively during the period of racial segregation known as the Jim Crow era; and

WHEREAS, the Grand Theater is a tangible reminder of the system of segregation enforced throughout the South during the first half of the twentieth century; and

WHEREAS, the Grand Theater is an integral part of Biddleville, Charlotte's oldest surviving black neighborhood and home to Johnson C. Smith University, Mecklenburg County's only black college; and

WHEREAS, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the property known as Grand Theater possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the Grand Theater is owned by Daniel Clay Thomas.

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

1. That the property known as the "Grand Theater" (listed under Tax Parcel Number 06901116 as of March 15, 2003, and including the exterior of the building, and the parcel of land listed under Tax Parcel Number 06901116 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of March 15, 2003) 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 333 Beatties Ford Road in the City of Charlotte, Mecklenburg County, North Carolina. Exterior features are more completely described in the *Survey and Research Report on the Grand Theater (February 2002)*.

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

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.

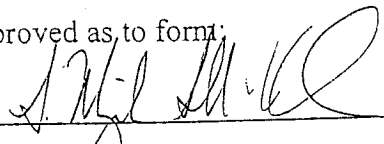
5. That a suitable sign may be posted indicating that said property has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

6. That the owners of the historic landmark known as the Grand Theater 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.

7. That 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.

Approved as to form:

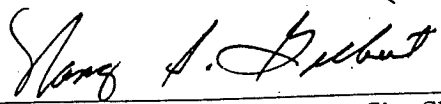


City Attorney

CERTIFICATION

I, Nancy S. Gilbert, Deputy 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 19th day of May, 2003, the reference having been made in Minute Book 119, and recorded in full in Ordinance Book 52, Pages 265-268.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 21st day of May, 2003.



Nancy S. Gilbert, CMC, Deputy City Clerk