

AN ORDINANCE DESIGNATING THE PROPERTY KNOWN AS THE "HERMITAGE COURT GATEWAYS" AS HISTORIC PROPERTY, ONE GATEWAY BEING AT THE INTERSECTION OF HERMITAGE COURT AND PROVIDENCE ROAD, AND ONE GATEWAY BEING AT THE INTERSECTION OF HERMITAGE COURT AND HERMITAGE ROAD.

FEB 28 1981

WHEREAS, all of 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 23rd day of February, 1981, on the question of designating the property known as the "Hermitage Court Gateways" as historic property; and

WHEREAS, the Hermitage Court Gateways were erected in 1912 as an essential component of the design which John Nolen, renowned landscape architect and comprehensive planner, devised for Hermitage Court; and

WHEREAS, the Hermitage Court Gateways are the only original elements of the design of the median for the boulevard which have survived; and

WHEREAS, the Hermitage Court Gateways are the most impressive artifacts of their genre in Charlotte-Mecklenburg; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated the historic, architectural, and/or cultural significance of the property known as the "Hermitage Court Gateways"; and

WHEREAS, the property known as the "Hermitage Court Gateways" is vested in fee simple title to the City of Charlotte and Esten Bohannon Mason, Sarah Stuart Bohannon, Robbi S. Reed, John Raldolph Taylor and wife, Arline J. Taylor, and May B. Vernon.

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

1. That the property known as the "Hermitage Court Gateways" is hereby design-

nated as historic property pursuant to Part 3B, Article 19, Chapter 160A, of the General Statutes of North Carolina. For purposes of description, the location of said property is noted as being situated at the intersection of Hermitage Court and Providence Road (one gateway) and at the intersection of Hermitage Court and Hermitage Road (one gateway), in Charlotte, 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 public right-of-way.

5. That the owners and occupants of the property known as the "Hermitage Court Gateways" 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, City 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 amendment to it and any amendments hereinafter adopted.

Approved as to form:

Henry W. Underhill Jr.
City Attorney

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 23rd day of February, 1981, the reference having been made in Minute Book 75 and recorded in full in Ordinance Book 30, Pages 270-272.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 26th day of February, 1981.



Ruth Armstrong
Ruth Armstrong, City Clerk