



Ordinance – McAuley Road Farmland

Ordinance designating as a Historic Landmark a property known as the “McAuley Road Farmland” (Including the land listed under Tax Parcel Number 01128105, the land, historic farmhouse, barn, and outbuildings associated with the farmhouse listed under Tax Parcel Number 01128108, and a portion of the land associated with Tax Parcel Number 01113108 as shown on the attached exhibit “A”. All tax parcels listed in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2007). The property is owned by Phillips Bragg, Leslie Bragg, J. Frank Bragg, Katharine Bragg, Price Zimmermann, and Margaret Zimmermann and is located along McAuley Road in Mecklenburg County, North Carolina as shown on the attached exhibit “A”.

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 Huntersville, North Carolina, have taken into full consideration all statements and information presented at a public hearing on the 5th day of November, 2007, on the question of designating a property known as the McAuley Road Farmland as a historic landmark; and

Return to :

**Charlotte Mecklenburg
Historic Landmarks Comm.
2100 Randolph Road
Charlotte, NC 28207**

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at a public hearing held on the 8th day of October, 2007, on the question of designating a property known as the McAuley Road Farmland as a historic landmark; and

WHEREAS, the McAuley Road Farmland represents one of the best preserved and most intact rural/agricultural landscape in Mecklenburg County; and

WHEREAS, the presence of the McAulay tenant farmhouse and barn, the adjoining woodland, and the landscape of the open, productive fields along the unpaved McAuley Road, in a setting where new development has been severely restricted, affords the public a singular experience in Mecklenburg County; and

WHEREAS, the McAuley Road Farmland is one of the last large areas of the county that accurately depicts for the public, the once dominant late 19th century and early 20th agricultural character of Mecklenburg County; and

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

WHEREAS, the property known as the McAuley Road Farmland is owned by Phillips Bragg, Leslie Bragg, J. Frank Bragg, Katharine Bragg, Price Zimmermann, and Margaret Zimmermann.

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

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1. That the property known as the “McAuley Road Farmland” (Including the land listed under Tax Parcel Number 01128105, the land, historic farmhouse, barn, and outbuildings associated with the farmhouse listed under Tax Parcel Number 01128108, and a portion of the land associated with Tax Parcel Number 01113108 as shown on the attached exhibit “A”. All tax parcels listed in the Mecklenburg County Tax Office, Charlotte, North Carolina as of September 1, 2007) 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 along McAuley Road in Mecklenburg County, North Carolina as shown on the attached exhibit “A”. Exterior and interior features are more completely described in the *Survey and Research Report on the McAuley Road Farmland and Store (2006)*.

2. That said interior and exterior are more specifically defined as the historic and structural fabric, especially including all original interior and exterior architectural features and the 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 McAuley Road Farmland 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.

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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.

Adopted the 5th day of November, 2007, by the members of the Board of Commissioners of the Town of Huntersville, Mecklenburg County, North Carolina.

Janet W. Piorson
Clerk to Town Board

Approved as to form:

Allen Mc

Town Attorney

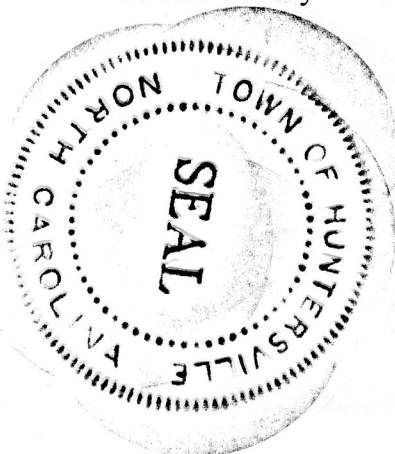
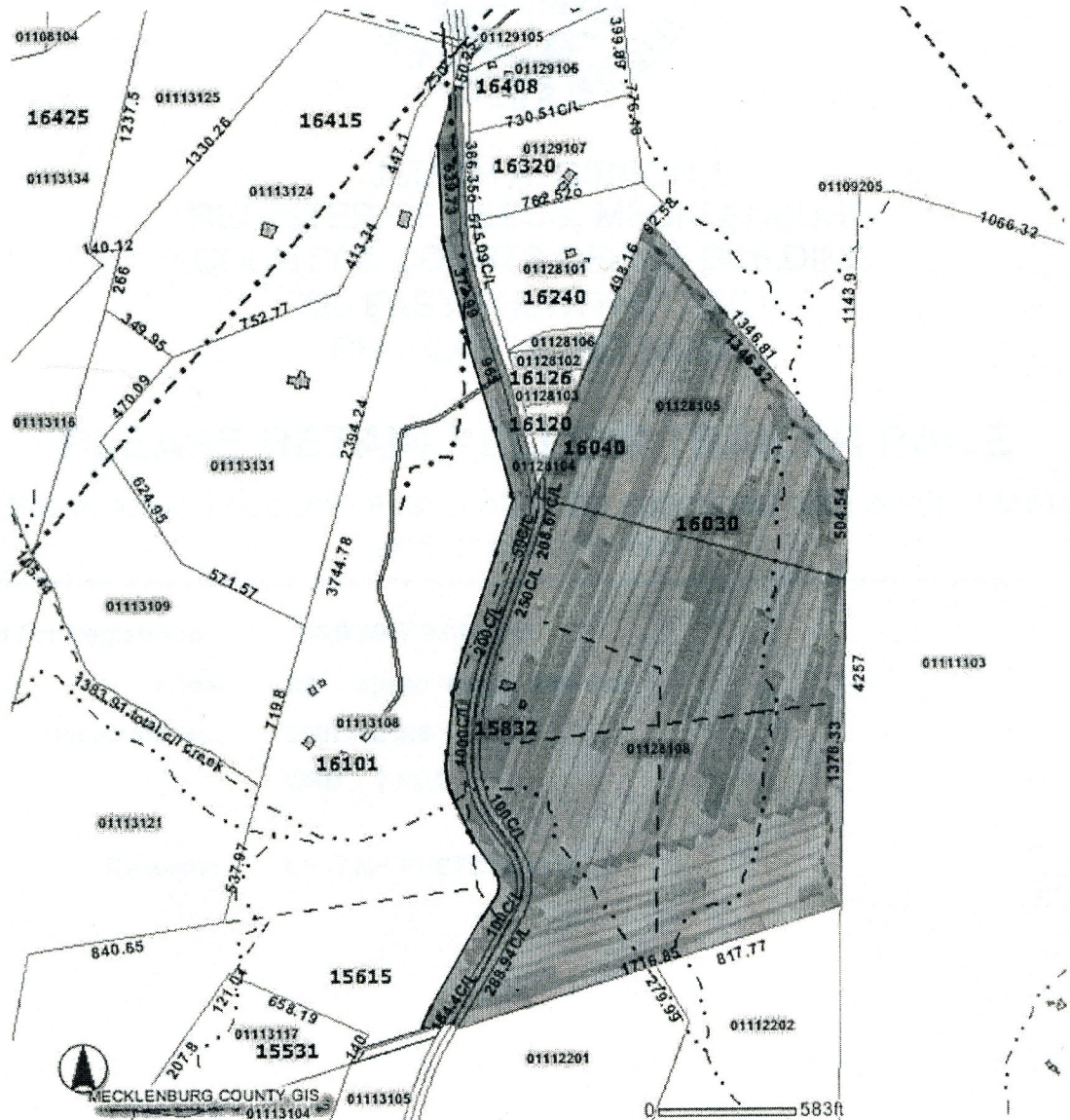
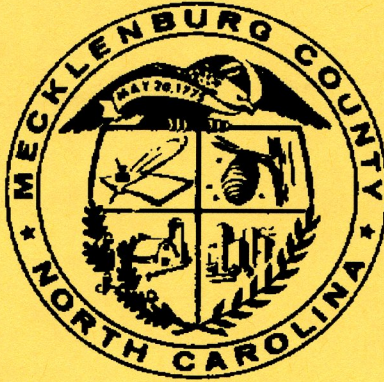


EXHIBIT A



Portion of Tax Parcel Number 01113108 included in the designation includes the area extending west 100 feet from the center of the road.



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

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