

AN ORDINANCE DESIGNATING A PROPERTY KNOWN AS THE "STONE ENTRY GATES OF JOHNSON C. SMITH UNIVERSITY" AS HISTORIC PROPERTY, SAID PROPERTY BEING LOCATED ON THE CAMPUS OF JOHNSON C. SMITH UNIVERSITY AT 100 BEATTIES FORD ROAD, CHARLOTTE, NORTH CAROLINA, AND RECORDED ON TAX PARCEL NUMBER 078-201-06, IN THE MECKLENBURG COUNTY TAX OFFICE.

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WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160A, Article 19, Part 3B, 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 Properties Commission on the 17th day of June, 1985, on the question of designating a property known as the "Stone Entry Gates of Johnson C. Smith University" as historic property; and

WHEREAS, the "Stone Entry Gates of Johnson C. Smith University" symbolize the revitalization of an important black institution of higher education through the generous gift of funds by Mrs. Johnson C. Smith in 1921-22; and

WHEREAS, the "Stone Entry Gates of Johnson C. Smith University", designed by New York architect A. G. Lamont, occupy a strategically important site, at the intersection of Beatties Ford Rd. and W. Fifth St., and are a unique element in the built environment of Charlotte-Mecklenburg; and

WHEREAS, the Charlotte-Mecklenburg Historic Properties Commission has demonstrated that the property known as the "Stone Entry Gates of Johnson C. Smith University" possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, the property known as the "Stone Entry Gates of Johnson C. Smith University" possesses integrity of design, setting, workmanship, materials, and/or association; and

WHEREAS, the property known as the "Stone Entry Gates of Johnson C. Smith University" is vested in fee simple to Johnson C. Smith University, Inc.

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

1. That the property known as the "Stone Entry Gates at Johnson C. Smith University" is hereby designated as historic property pursuant to Chapter 160A, Article 19, Part 3B, as amended, of the General Statutes of North Carolina. For purposes of description only, the location of said property is noted as being situated on the Campus of Johnson C. Smith University, 100 Beatties Ford Road, Charlotte, North Carolina, and recorded on Tax Parcel Number 078-201-06, in the Mecklenburg County Tax Office.

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

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information. If the owner consents, the sign shall be placed on said property

5. That the owners and occupants of the property known as the "Stone Entry Gates of Johnson C. Smith University" 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 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 amendments to it and any amendments hereinafter adopted.

Approved as to form:

Henry W. Underhill Jr.  
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 17th day of June, 1985, the reference having been made in Minute Book 84, and recorded in full in Ordinance Book 34, at Page(s) 16-18.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 18th day of June, 1985.

Pat Sharkey  
PAT SHARKEY, CITY CLERK