

FOR REGISTRATION
Fredrick Smith
REGISTER OF DEEDS
Mecklenburg County, NC
2016 DEC 16 10:56:28 AM
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INSTRUMENT # 2016171573

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2016171573

Ordinance designating as an Historic Landmark a property known as the “Biddleville Cemetery” (listed under Tax Parcel Number 06903561 as of September 1, 2016 and including the land and features associated with Tax Parcel Number 06903561). The property is located in the Five Points Neighborhood Park in Charlotte, North Carolina, and is owned by the Society of the Minute Men.

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 public hearing held on the 17th day of October, 2016, on the question of designating a property known as the Biddleville Cemetery as an historic landmark; and

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 10th day of October, 2016, on the question of designating a property known as the Biddleville Cemetery as an historic landmark; and

Please Return to: Char-Meck. Historic Landmarks Comm.
2100 Randolph Rd.
Charlotte, NC 28207



WHEREAS, the Biddleville Cemetery served as a community cemetery for Biddleville, an African American residential district that arose in the late 1800s around the Biddle Institute, now Johnson C. Smith University; and

WHEREAS, the Biddleville Cemetery contains representative examples of funerary art found in African American cemeteries in Charlotte from the late 1800's until the mid-twentieth century; and

WHEREAS, the Biddleville Cemetery contains the graves of African Americans who served in the Spanish-American War, World War One, and World War Two. It is also the burial place of influential citizens of Biddleville; and

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

WHEREAS, the property known as the Biddleville Cemetery is owned by the Society of the Minute Men.

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

1. That the property known as the "Biddleville Cemetery" (listed under Tax Parcel Number 06903561 as of September 1, 2016 and including the land and features associated with Tax Parcel Number 06903561) is hereby designated as an 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 in the Five Points Neighborhood Park in Charlotte, North Carolina, Mecklenburg County, North Carolina. Features of the property are more completely described in the "Survey and Research Report on the Biddleville Cemetery" (2016).

2. 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.

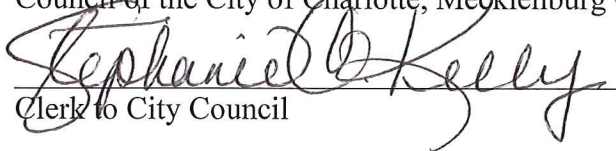
3. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, 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.

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

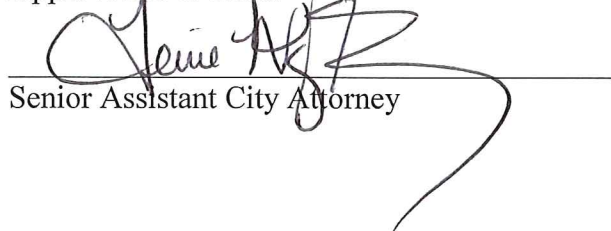
5. That the owners of the historic landmark known as the "Biddleville Cemetery" be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the City Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

6. That which is designated as an 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 21st day of November, 2016, by the members of the City Council of the City of Charlotte, Mecklenburg County, North Carolina.


Clerk to City Council

Approved as to form:


Senior Assistant City Attorney



CERTIFICATION

I, Stephanie C. Kelly, 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 21st day of November, the reference having been made in Minute Book 141, and recorded in full in Ordinance Book 60, Page(s) 290-332.

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, the 21st day of November, 2016.




Stephanie C. Kelly, MMC, NCCMC, City Clerk



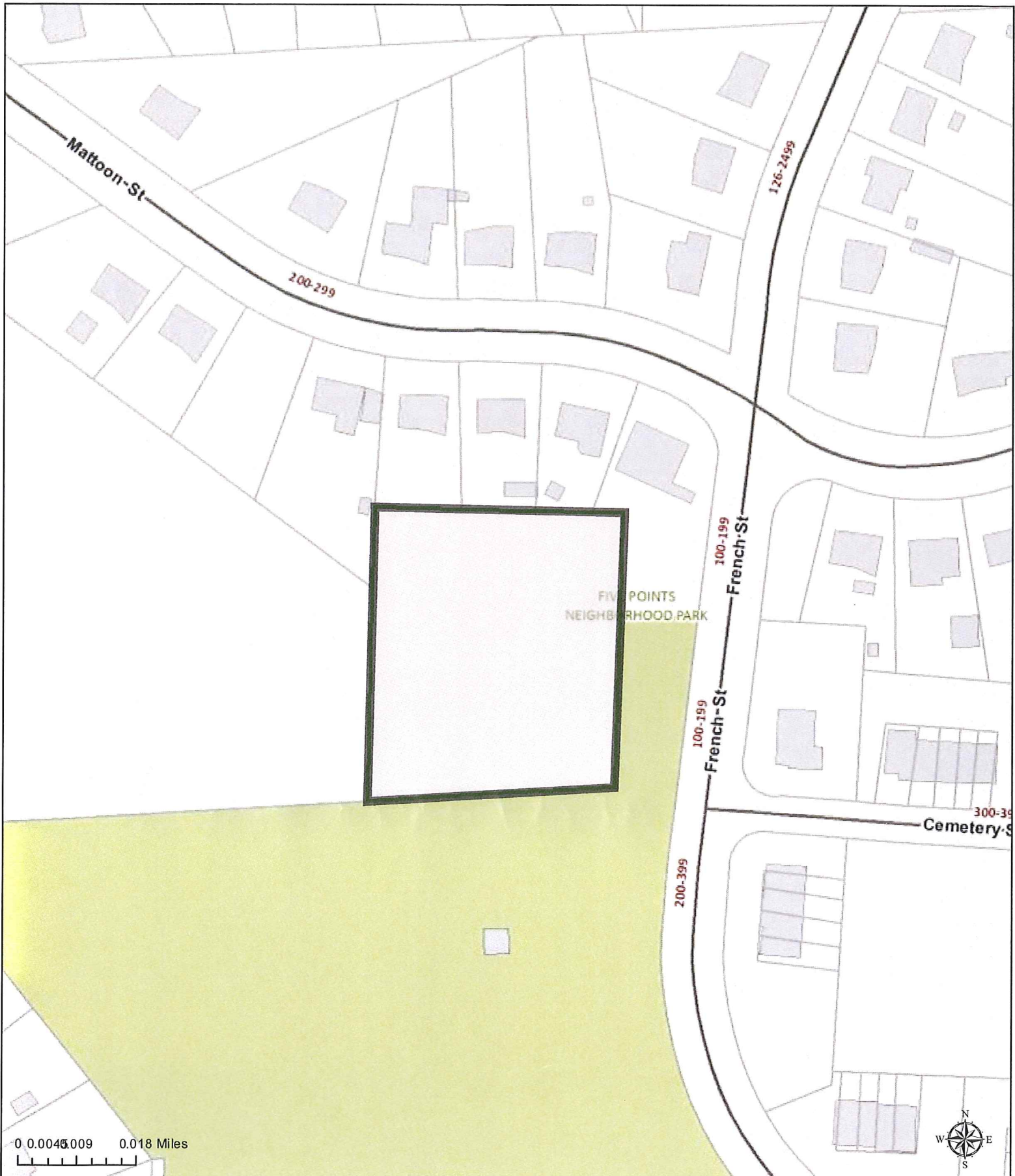
Polaris 3G Map – Mecklenburg County, North Carolina

November 21, 2016

Ordinance Book 60, Page 295

Ordinance Number: 8173-X

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This map or report is prepared for the inventory of real property within Mecklenburg County and is compiled from recorded deeds, plats, tax maps, surveys, planimetric maps, and other public records and data. Users of this map or report are hereby notified that the aforementioned public primary information sources should be consulted for verification. Mecklenburg County and its mapping contractors assume no legal responsibility for the information contained herein.