

FOR REGISTRATION JUDITH A. GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2007 MAY 31 02:49 PM
BK 22304 PG 908-913 FEE \$0 00

INSTRUMENT # 2007111307



2007111307

ORDINANCE NO. 3582-X

Ordinance – Myrtle Square Apartments

Ordinance designating as a Historic Landmark a property known as the “Myrtle Square Apartments” (listed under Tax Parcel numbers 123-05-801 through 123-05-872 as of February 1, 2007, and including the exterior of the building, and the parcel of land listed under Tax Parcel Numbers 123-05-801 through 123-05-872 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of February 1, 2007). The property is owned by Myrtle Square Condominiums and is located at 1121 Myrtle Avenue in Charlotte, 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 21 day of MAY, 2007, on the question of designating a property known as the Myrtle Square Apartments as a historic landmark; and

Ordinance – Woodlawn Avenue Duplex

WHEREAS, the Myrtle Square Apartments is the most sophisticated example of a garden court multi-family housing property type in Charlotte. Garden court communities have their genesis in the English Garden City Movement and gained popularity in Europe due to the massive need for housing that arose from the destruction of World War One and the rapidly urbanizing effects of industrialization. Natural spaces, most often demonstrated with a central courtyard, and common areas were utilized to facilitate interaction and community involvement among urban residents; and

WHEREAS, the Myrtle Square Apartments is a rare local example of Art Moderne architecture and is a rare residential example of this architectural style; and

WHEREAS, the Myrtle Square Apartments Myrtle Square represents the need for transient housing that arose from the tremendous population growth Charlotte experienced prior to World War Two. The city's expansion attracted a wide range of workers across the entire economic spectrum; and

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

WHEREAS, the property known as the Myrtle Square Apartments is owned by Myrtle Square Condominiums.

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

Ordinance – Woodlawn Avenue Duplex

1. That the property known as the “Myrtle Square Apartments” (listed under Tax Parcel numbers 123-05-801 through 123-05-872 as of February 1, 2007, and including the exterior of the building, and the parcel of land listed under Tax Parcel Numbers 123-05-801 through 123-05-872 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of February 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 at 1121 Myrtle Avenue in Charlotte, North Carolina. Features of the property are more completely described in the “Survey and Research Report on the Myrtle Square Apartments” (2006).

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.

Ordinance – Woodlawn Avenue Duplex

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 "Myrtle Square Apartments" 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.

Ordinance – Woodlawn Avenue Duplex

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.

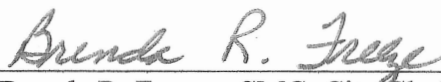
Approved as to form:

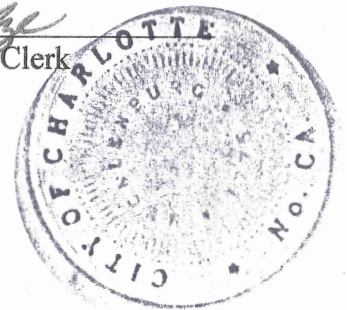

Assistant City Attorney

CERTIFICATION

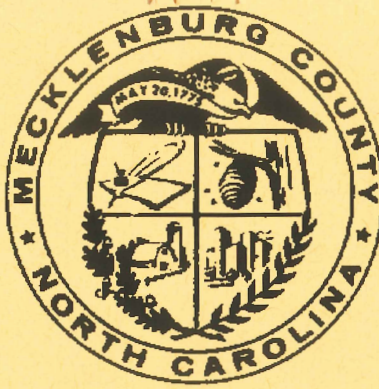
I, Brenda R. Freeze, City Clerk of the City of Charlotte, North Carolina, DO HEREBY CERTIFY that the foregoing is a true and exact copy of an Ordinance adopted by the City Council of the City of Charlotte, North Carolina, in regular session convened on the 21st day of May, 2007, the reference having been made in Minute Book 125, and recorded in full in Ordinance Book 54, Pages (900-904).

WITNESS my hand and the corporate seal of the City of Charlotte, North Carolina, this the 31st day of May, 2007.


Brenda R. Freeze, CMC, City Clerk



Mail to: Historic Land marks
2100 Randolph Rd
Charlotte, NC 28202



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

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Book: RE 22304 Page: 908-913

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Recorder: KAMIL COOPER



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