

ORDINANCE NO. 2001 - 103

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AN ORDINANCE REVISING THE DESIGNATION BOUNDARY FOR THE CAROLINA TRUST AND MAHLER BUILDINGS, 228-232 FAYETTEVILLE STREET MALL IN THE PLANNING JURISDICTION OF RALEIGH, NORTH CAROLINA, A HISTORIC LANDMARK.

WHEREAS, the General Assembly of the State of North Carolina authorized the creation of a countywide Historic Preservation Commission for Wake County and otherwise provided for the preservation of certain historic sites and buildings by the passage of Part 3C, Chapter 160A, Article 19 of the North Carolina General Statutes; and

WHEREAS, the City of Raleigh agreed to participate in the countywide Historic Preservation Commission through an interlocal agreement with Wake County; and

WHEREAS, on the 16th day of November 1999 the Raleigh City Council adopted Ordinance No. (1999) 684 designating the Carolina Trust and Mahler Buildings a historic landmark; and

WHEREAS, the Wake County Historic Preservation Commission has made an investigation and recommended the landmark boundary be revised to exclude the Carolina Trust Annex (14 W. Martin Street); and

WHEREAS, the North Carolina Department of Cultural Resources has made an analysis that the following property is eligible to be designated a historic landmark; and

WHEREAS, on the 17th day of October, 2001 a public hearing was held in the City Council Chamber of the Municipal Building, Raleigh, by the City Council of the City of Raleigh to determine whether the hereinafter described landmark boundary should be revised; and

WHEREAS, all requirements of Part 3C, Chapter 160A, Article 19 of the North Carolina General Statutes, preceding the adoption of this ordinance, have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE RALEIGH CITY COUNCIL THAT:

Section 1. The property designated as the Carolina Trust and Mahler Buildings, owned by McPaul Worth & Associates, in the planning jurisdiction of Raleigh, North Carolina, be and is declared a Raleigh Historic Landmark. Said property being more particularly described as follows:

The Carolina Trust Building and the Mahler Building located at 228-232 Fayetteville Street Mall, Raleigh, (Wake County PIN # s 1703.34 68 8065, 1703.34 68 8042), consisting of approximately .27 acres, including the two parcels on which the buildings stand.

Section 2. Those elements that are integral to its historical, architectural, archaeological significance, or any combination thereof are as follows:

Exterior of the Carolina Trust and Mahler Buildings, the commercial buildings constructed in 1902 and 1876, respectively, including all decorative brickwork, the remaining one-over-one wood window sash on the Fayetteville Street Mall facades of both buildings, and the decorative metal window hoods on the Mahler Building.

Section 3. No building, site, structure, or object that is designated in this ordinance located on the hereinbefore described site may be altered, restored, moved, remodeled, or reconstructed so that a change in design, material, or outer appearance occurs unless and until a certificate of appropriateness is obtained from the Wake County Historic Preservation Commission or its successors.

Section 4. No building, site, structure, or object that is designated in this ordinance located on the hereinbefore described site may be demolished unless and until either approval of demolition is obtained from the Wake County Historic Preservation Commission or a period of three hundred sixty-five (365) days has elapsed following final review by the Wake County Historic Preservation Commission of a request for demolition (or any longer period required by N.C.G.S. 160A-400.14 as it may be amended hereafter).

Section 5. All owners of the property hereinabove described, whose identity and addresses can be ascertained by the exercise of due diligence, shall be sent by certified mail a copy of this ordinance.

Section 6. This ordinance shall be indexed after the property owner's name in the grantor and grantee indexes in the Office of the Register of Deeds of Wake County.

Section 7. City administration and the Wake County Historic Preservation Commission are hereby authorized to have erected an appropriate sign on the site herein described setting forth the fact that said site has been designated a historic landmark by action of the Raleigh City Council and the Wake County Historic Preservation Commission.

Section 8. In the event any building is demolished in accordance with the ordinances of the City of Raleigh, this ordinance shall be null and void.

Section 9. Any violation of this ordinance shall be unlawful as by law provided.

Mayor Coble made a motion that the above ordinance be adopted. Council Member Odom seconded the motion, and upon vote, the motion carried this the 17th day of October 2001.

Adopted: 10/17/2001

Effective Date: 10/17/2001

Distribution: City Attorney
Planning Department Becker
Inspections Department
Wake County Register of Deeds
Wake County Historic Preservation Commission



City Of Raleigh
North Carolina

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

CERTIFICATION

I, Gail G. Smith, City Clerk of the City of Raleigh, North
Carolina, do hereby certify that the attached is a true and exact copy
of Ordinance (2001) 103 adopted October 17, 2001.
IN WITNESS WHEREOF, I have unto set my hand and have caused the
Seal of the City of Raleigh to be affixed this 23rd day of October, 2001.



Gail G. Smith
Gail G. Smith
City Clerk

Laura M. Riddick
Register of Deeds
Wake County, NC



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Please retain with original document and submit for rerecording.**



**Wake County Register of Deeds
Laura M. Riddick
Register of Deeds**

North Carolina - Wake County

The foregoing certificate ___ of _____

_____ Notary(ies) Public is (are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

Laura M. Riddick, Register of Deeds

By: _____
Assistant/Deputy Register of Deeds

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