

Instrument prepared by: Raleigh City Attorney's Office
Brief description for Index: (former) Branch Banking & Trust Bldg
Parcel Identifier: 1703771436
Mail after recording to: City Planning Department
PO Box 590, Raleigh NC 27602
Attn: Martha Hobbs

STATE OF NORTH CAROLINA
COUNTY OF WAKE

**AFFIDAVIT OF CORRECTION OF TYPOGRAPHICAL OR OTHER MINOR
ERROR**
[N.C.G.S. 47-36.1]

The undersigned Affiant, being first duly sworn, hereby swears or affirms that the Raleigh City Council Ordinance (2006) 142 adopted on 12/5/2006 and recorded in Deed Book 12329, Pages 930-934, Wake County Registry, contained the following minor error:

The ordinance did not include a statement of the owner(s) of record of the subject property on the date of adoption of the ordinance. Affiant makes this Affidavit for the purpose of correcting the above-described instrument by noting the said property owners of record, to wit: **333 Ventures LLC**.

Affiant is knowledgeable of the agreement and the intention of the parties in this regard. Affiant is employed as Planner II for the City of Raleigh Planning Department.

A copy of the original instrument is attached as Exhibit 1.

Affiant
Martha Daniel Hobbs

State of North Carolina County of
Wake

Signed and sworn to (or affirmed)
before me, this the ____ day
of _____,
20__.

My Commission Expires:

Notary Public
Daniel L. Becker

(Affix
Official/No
tarial Seal)

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WAKE COUNTY, NC 81
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
12/27/2006 AT 09:17:28

BOOK:012329 PAGE:00930 - 00934

ORDINANCE NO. (2006) 142

AN ORDINANCE DESIGNATING THE (FORMER) BRANCH BANKING & TRUST BUILDING, IN THE PLANNING JURISDICTION OF THE CITY OF RALEIGH, NORTH CAROLINA, A HISTORIC LANDMARK

WHEREAS, the General Assembly of the State of North Carolina authorized the creation of the Raleigh Historic Districts Commission for the City of Raleigh 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 Raleigh Historic Districts Commission has made an investigation and recommended the following property be designated a historic landmark; and

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

WHEREAS, on the 21st day of November, 2006 a joint public hearing was held in the Council Chamber of the Avery C. Upchurch Municipal Complex, Raleigh, before the City Council of the City of Raleigh and the Raleigh Historic Districts Commission to determine whether the hereinafter described property should be designated a historic landmark; 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 complied with.

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

Section 1. The property designated as the (former) Branch Banking & Trust Building in the planning jurisdiction of the City of Raleigh, North Carolina, be and is declared a Raleigh Historic Landmark. Said property being more particularly described as follows:

The property located at 333 Fayetteville Street, Raleigh, NC 27601, owned by 333 Ventures LLC, that property described in deed book 10998, pages 2473-2476 recorded in Wake County Registry, comprising approximately .28 acre.

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Section 2. Those elements of the property that are integral to its historical, prehistorical, architectural, archaeological and/or cultural significance, or any combination thereof are as follows:

The fifteen story building and the approximately .28 acre upon which it sits.

Section 3. No portion of the exterior features of any building, site, structure, or object (including walls, fences, light fixtures, steps, pavement, paths, or any other appurtenant features), trees, nor above ground utility structure located on the hereinbefore described property that is designated in this ordinance 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 Raleigh Historic Districts Commission or its successors; provided however that the Raleigh Planning Director or his designee may approve certificates of appropriateness for minor works as listed in the Bylaws and Rules of Procedure of the Raleigh Historic Districts Commission.

Section 4. No building, site, structure, or object (including walls, fences, light fixtures, steps, pavement, paths, or any other appurtenant features), trees, nor above ground utility structure that is located on the hereinbefore described property designated in this ordinance may be demolished unless and until either approval of demolition is obtained from the Raleigh Historic Districts Commission or a period of three hundred sixty-five (365) days has elapsed following final review by the Commission of a request for demolition (or any longer period of time required by N.C.G.S. 160A-400.14 as it maybe amended hereafter); provided however, that demolition may be denied by the Raleigh Historic Districts Commission in the event that the State Historic Preservation Officer determines that the building, site, or structure has statewide significance as provided by N.C.G.S. 160A-400.14.

Section 5. The Raleigh Historic Districts Commission shall have no jurisdiction over the interior features of the property.

Section 6. All owners and occupants 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 7. 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 8. City administration and the Raleigh Historic Districts Commission are hereby authorized and directed to have erected an appropriate sign on the property hereinabove described setting forth the fact that said property has been designated a historic landmark by action of the Raleigh Historic Districts Commission and the City Council of the City of Raleigh provided, should the owners of the hereinabove described property not consent to the erection of said sign on the described premises, City administration and the Raleigh Historic Districts Commission are hereby authorized and directed to have said sign located on the public right-of-way adjacent to said property.

Section 9. In the event any building, site, structure, or object designated by this ordinance is demolished in accordance with the ordinances of the City of Raleigh, this ordinance shall automatically be null and void.

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Section 10. Any violation of this ordinance shall be unlawful as by law provided.

Adopted: December 5, 2006

Effective: December 10, 2006

Distribution: Planning Department
Inspections Department
Raleigh Historic Districts Commission
Wake County Tax Assessor
Property Owner and Occupant (if not the owner)
Registrar of Deeds

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City Of Raleigh
North Carolina

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

CERTIFICATION

I, Ralph L. Puccini, Assistant Deputy Clerk of the City of Raleigh, North Carolina,
do hereby certify that the attached is a true and exact copy of City of Raleigh

Ordinance No. (2006) 142 adopted December 5, 2006.

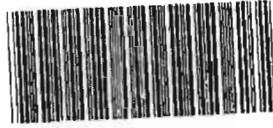
IN WITNESS WHEREOF, I have unto set my hand and have caused the Seal of
the City of Raleigh to be affixed this 14th day of December, 2006.



A handwritten signature in black ink, appearing to read "Ralph L. Puccini".

Ralph L. Puccini
Assistant Deputy Clerk

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**Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.**



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

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_____ # of Pages
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