

WAKE COUNTY, NC 346
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
12/22/2008 AT 15:01:34

BOOK:013329 PAGE:01874 - 01879

Instrument prepared by: Raleigh City Attorney's Office

Brief description for Index: Delany Bldg

Parcel Identifier: 1703786492

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 (1992) 89 adopted on 11/4/1992 and recorded in Deed Book 5427, Pages 296-298, 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: David P. and Irene T. Lane.

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

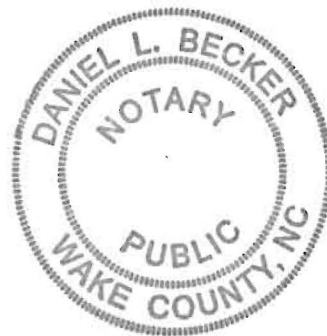
Signed and sworn to (or affirmed)
before me, this the 19 day
of December,
2008.

My Commission Expires 7-6-2010.

My Commission Expires:

Daniel L. Becker
Notary Public
Daniel L. Becker

(Affix
Official/Notar
ial Seal)



BK542760296

PRESENTED
FOR
REGISTRATION

Return to:

CITY CLERK AND TREASURER
BOX 590
RALEIGH, NORTH CAROLINA 27602

000172

92 DEC -4 AM 11:59

ORDINANCE NO. (1992) 89
REGISTER OF DEEDS

AN ORDINANCE DESIGNATING Delaney Building, 133 East Hargett Street IN THE PLANNING JURISDICTION OF THE CITY OF RALEIGH, NORTH CAROLINA, A HISTORIC PROPERTY.

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

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

WHEREAS, on the 4th day of November 1992 a joint public hearing was held in the Council Chamber of the Municipal Building, Raleigh, by the City Council of the City of Raleigh and the Raleigh Historic Properties Commission to determine whether the hereinafter described property should be designated a historic property; 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 Delaney Building, in the planning jurisdiction of the City of Raleigh, North Carolina, be and is declared a Raleigh Historic Property. Said property being more particularly described as follows:

Delaney Building, 133 East Hargett Street, including approximately sixteen hundredths (0.16) acre (Wake County Tax Map A-28, Block A-65, Parcel 22), including the entire parcel on which the building stands.

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

Exterior of the two-story 1926 building, built for Dr. Lemuel Delaney, first African-American surgeon at St. Agnes Hospital, including all of the 0.16 acre lot, representing the black-owned business and entertainment district, described in Section 1.

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 Raleigh Historic Properties 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 Raleigh Historic Properties Commission or a period of three hundred sixty-five

Exhibit 1

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(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).

Section 5. 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 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 Historic Properties Commission are hereby authorized and directed to have erected an appropriate sign on the site hereinabove described setting forth the fact that said site has been designated a historic property by action of the Raleigh Historic Properties 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 Historic Properties Commission are hereby authorized and directed to have said sign located on the public right-of-way adjacent to said property.

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

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

Adopted: November 4, 1992

Effective: November 18, 1992

Distribution: City Council
City Manager
City Attorney
Planning Department (2)
Inspections Department (3)
Raleigh Historic Properties Commission
Wake County Tax Supervisor
Wake County Registrar of Deeds
Property Owner and/or Occupant

BK542760298

Return to:

CITY CLERK AND TREASURER
BOX 590
RALEIGH, NORTH CAROLINA 27602
102



City Of Raleigh
North Carolina

CERTIFICATION

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

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 No. (1992) 89 - designating the Delaney Building, 133 East Hargett Street, in the planning jurisdiction of the City of Raleigh, North Carolina a Historic Property - which was adopted by the Raleigh City Council Meeting held on Wednesday, November 4, 1992.

IN WITNESS THEREOF, I have hereunto set my hand and have caused the Seal of the City of Raleigh to be affixed this 10th day of November, 1992.



Gail G. Smith
Gail G. Smith
City 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

Laure M. Biddick