

WAKE COUNTY, NC 337
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
02/06/2012 AT 14:51:09

ORDINANCE NO. (2011) 987

BOOK:014638 PAGE:02705 - 02709

**AN ORDINANCE DESIGNATING THE FREE CHURCH OF THE GOOD SHEPHERD
IN THE PLANNING JURISDICTION OF THE CITY OF RALEIGH, NORTH
CAROLINA, A HISTORIC LANDMARK**

WHEREAS, the property located at 110 S East Street, Raleigh, NC, is owned by All Empire Saints Landlord, LLC; and

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 1st day of November, 2011, 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 Free Church of the Good Shepherd, 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 110 S East Street, Raleigh, NC, owned by All Empire Saints Landlord, LLC, that property described in deed book 12771, page 1906 and Book of Maps 2006, Page 1540 recorded in Wake County Registry, comprising approximately .252 acres.

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 frame Carpenter Gothic-style board-and-batten church with front-gable façade and side shed wings and the approximately .252 acre lot upon which it sits. The church is architecturally significant as one of only two Carpenter Gothic-style churches remaining in Raleigh. The period of significance is the year of its construction, 1874, and the years of its remodeling, ca. 1899 and ca. 1914.

Character defining architectural details include Gothic-arched windows in the front and side bays of the shed wings, rondel clerestory windows in the side walls above the wings, a rose window in the front gable end, and a Gothic-arched, stained glass window with muntins dividing it into three sections in the rear apse wall. All of the window openings are original, and all of the glass is original with the exception of those of the shed wings, which have translucent frosted glass that replaced the original diamond-patterned glass. The ca. 1914 narthex has a slightly Craftsman-style character, with a chair rail forming a continuous window sill across the façade. The board-and-batten narthex includes the original double Gothic-arched paneled door and rectangular sash windows with Gothic-arch muntins.

Relocated located to 110 S East Street in 2006, the church sits at the north side of a flat lot adjacent a concrete parking lot and surrounded by concrete walks. The exterior sunken stairwell and entrance to access the basement level are new features added during the 2006-2008 rehabilitation. This new site, like its original site, is on a prominent street within a historic neighborhood of the center city. As on its original site, the church faces directly onto the street..

A detailed architectural description and historical background is found in the 2011 Raleigh Historic Landmark designation application and report.

Section 3. No portion of the exterior features of any building, site, structure, or object (including windows, 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 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 located on the hereinbefore described property that is 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 site hereinabove described setting forth the fact that said site 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.

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

Adopted: December 6, 2011

Effective: December 6, 2011

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



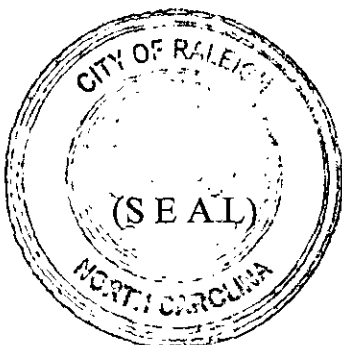
City Of Raleigh
NORTH CAROLINA

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

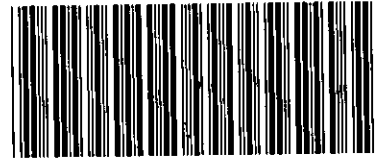
CERTIFICATION

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. (2011) 987 adopted December 6, 2011.

IN WITNESS WHEREOF, I have unto set my hand and have caused the Seal of
the City of Raleigh to be affixed this 26th day of January, 2012.



Ralph L. Puccini
Assistant Deputy Clerk



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**Wake County Register of Deeds
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Register of Deeds**

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