

WAKE COUNTY, NC 82
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
12/17/2008 AT 10:46:40

BOOK:013324 PAGE:01888 - 01892

ORDINANCE NO. (2008) 486

AN ORDINANCE DESIGNATING THE JAMES S. MORGAN HOUSE 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 4th day of November, 2008, 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 James S. Morgan House, 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 1015 Oberlin Road, Raleigh, NC, owned by Pamela Wilson Thomas, that property described in deed book 11160, page 1433 recorded in Wake County Registry, comprising approximately 0.32 acre.

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 two-story, frame I-house with a two-story rear ell and the .32-acres upon which it sits. The property has architectural significance as a rare intact example of a traditional early-twentieth century vernacular dwelling (Triple-A I-house form) in the African-American community. It has historical significance as one of the first houses of its type in the Oberlin community, as a representative of a more prosperous African-American population in Raleigh in the early-twentieth century, and for its association with the Morgan family, a prominent family in the history of the Oberlin community.

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 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: November 18, 2008

Effective: November 18, 2008

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