

WAKE COUNTY, NC 55
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
11/21/2008 AT 09:49:43

BOOK:013306 PAGE:01196 - 01201

Instrument prepared by: Raleigh City Attorney's Office
Brief description for Index: Lumsden-Boone Bldg.
Parcel Identifier: 1703688048
Mail after recording to: City Planning Department
PO Box 590, Raleigh NC 27602
Attn: Martha Hobbs

STATE OF NORTH CAROLINA
COUNTY OF WAKE

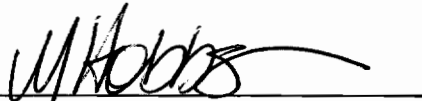
**AFFIDAVIT OF CORRECTION OF TYPOGRAPHICAL OR OTHER MINOR
ERROR**
[N.C.G.S. 47-36.1]

The undersigned Affiant, being first duly sworn, hereby swears or affirms that the Raleigh City Council Ordinance (1990) 562 adopted on 5/1/1990 and recorded in Deed Book 4708, Pages 0914-916, 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: **Broad Reach Investments and Grace Ramsey Stroud**.

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

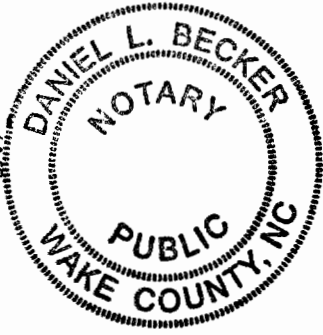
Signed and sworn to (or affirmed)
before me, this the 4 day
of November,
2008

My Commission Expires 7-6-2010.

My Commission Expires:

Daniel L. Becker
Notary Public
Daniel L. Becker

Official/No
tarial Seal)



BK4708PG0914



000029

City Of Raleigh
North Carolina

PRESENTED
FOR
REGISTRATION

90 MAY 23 AM 9:39

KENNETH B. WILKINS
REGISTER OF DEEDS
WAKE COUNTY

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 (1990) 562 adopted by the Raleigh City Council in their meeting held May 1, 1990, to be effective May 15, 1990.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Seal of the City of Raleigh to be affixed this 18th day of May, 1990.

SEAL

Gail G. Smith

Gail G. Smith

City Clerk & Treasurer

EXHIBIT 1

BK 708 PG 0915

ORDINANCE NO. (1990) 562

AN ORDINANCE DESIGNATING Lumsden-Boone Building, 226 Fayetteville Street Mall 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 and recommendation that the following property be designated a historic property; and

WHEREAS, on the 1st day of May, 1990 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 Lumsden-Boone 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:

Lumsden-Boone Building, 226 Fayetteville Street Mall, the property, approximately 0.06 acre, is Parcel 17 on Tax Map A-49 (Zone A, Map No. 22), and is in Plat Book 412, page 32.

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

The three-story commercial Lumsden-Boone Building, constructed between 1896 and 1903 for hardware dealer J. C. S. Lumsden, including the exterior third story metal facade and entablature and all early roof arrangements and configurations and other early exterior building fabric occurring on the parcel 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

BK 4708 PG 0916

demolition is obtained from the Raleigh Historic Properties Commission or a period of one hundred eighty (180) 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 may be 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: May 1, 1990

Effective: May 15, 1990

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



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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**