

ORDINANCE NO. (1972) - 311AN ORDINANCE DESIGNATING THE PROPERTY OF THE CITY OF RALEIGHLOCATED AT 1 MIMOSA STREET

IN THE CITY OF RALEIGH, NORTH CAROLINA, A HISTORIC SITE.

WHEREAS, the General Assembly of the State of North Carolina authorized the creation of a Historic Sites Commission for the City of Raleigh and otherwise provided for the preservation of certain historic sites and buildings by the passage of Chapter 1058 of the 1967 Session Laws of North Carolina; and

WHEREAS, the Raleigh Historic Sites Commission has made an investigation and recommended the following property be designated a Historic Site; and

WHEREAS, the North Carolina State Department of Archives and History has made an analysis and recommendation that the following property be designated a Historic Site; and

WHEREAS, on the 18 day of September, 1972, a joint public hearing was held in the Southern Room of Memorial Auditorium, Raleigh, North Carolina, by the Historic Sites Commission and the City Council of the City of Raleigh to determine whether the hereinafter described property should be designated a Historic Site; and

WHEREAS, said hearing was advertised and the property owners of the property hereinafter described were notified by certified mail of the date and purpose of said public hearing at least ten (10) days prior to the date set for the hearing; and

WHEREAS, all requirements of Chapter 1058 of the 1967 Session Laws of North Carolina, 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 of the City of Raleigh

located at 1 Mimosa Street

in the City of Raleigh, North Carolina, be and is hereby declared a Historic Site. Said property being more particularly described as follows:

Beginning at an iron pin the southeast corner of the intersection of Cedar Street and Mordecai Drive, thence in an easterly direction along the southern right-of-way of Cedar Street south 60 degrees 50 minutes east 390.0 feet to a point the southwest corner of the intersection of Cedar Street and Wake Forest Road, thence in a southerly direction along the west right-of-way of Wake Forest Road south 29 degrees 10 minutes west 300.0 feet to a point the northwest corner of the intersection of Wake Forest Road and Mimosa Street, thence in a westerly direction along the north right-of-way of Mimosa Street north 60 degrees 50 minutes west 139.0 feet to a point, thence continuing along the north right-of-way of Mimosa Street in a curve having an arc length of 100.31 feet and a central angle of 14 degrees 33 minutes and a radius of 425.0 feet, thence continuing along the north right-of-way north 75 degrees 33 minutes west 157.8 feet to a point the northeast corner of the intersection of Mimosa Street and Mordecai Drive, thence in a northerly direction north 29 degrees 10 minutes east 352.0 feet along the east right-of-way line of Mordecai Drive to the place and point of beginning.

Section 2. No building or structure located on the hereinbefore described site may be demolished or materially altered unless and until a sixty (60) day written notice to the Historic Sites Commission of the intent to demolish or materially alter said structure, and the elapsing of said sixty (60) day period.

Section 3. All owners and occupants of the property hereinabove described, whose identity and addresses can be ascertained by the exercise of due diligence be sent by certified mail a copy of this ordinance.

Section 4. This ordinance shall be indexed under the property owner's name in the grantor index in the Office of the Register of Deeds of Wake County as provided by Chapter 1058 of the 1967 Session Laws of North Carolina.

Section 5. City administration and the Historic Sites 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 Site by action of the Historic Sites 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 Sites Commission are hereby authorized and directed to have said sign located on the public right-of-way adjacent to said property.

Section 6. Any violation of this ordinance shall be unlawful as by law provided.

Section 7. All laws and clauses of laws in conflict herewith are hereby repealed to the extent of said conflict.

Section 8. This ordinance shall become effective twenty (20) days after publication as by law provided.

Adopted: September 18, 1972

Effective: November 6, 1972

CERTIFICATION

I, Mary D. Lassiter, City Clerk and Treasurer of the City of Raleigh, North Carolina, do hereby certify the foregoing to be a true copy of an ordinance duly adopted at the regular meeting of the City Council held on the 18th day of September, 1972.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Seal of the City of Raleigh to be affixed this 13th day of October, 1972.

Mary D. Lassiter
City Clerk and Treasurer

Filed for registration at 4:00 P.M. o'clock 3 day of Nov., 1972

and registered in the office of the Register of Deeds for Wake County,

in Book 2113, Page 665, November 3, 1972

J. A. Rowland
David L. Smith, Dep
Register of Deeds