

ORDINANCE NO. 1979-216

AN ORDINANCE DESIGNATING THE PROPERTY OF ERNESTINE HAMLIN LOCATED AT 125 EAST SOUTH STREET IN 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 3B, Article 19, Chapter 160A 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 State Department for Cultural Resources has made an analysis and recommendation that the following property be designated a historic property; and

WHEREAS, on the 4th day of September, 1979, a joint public hearing was held in the Council Chambers of the Municipal Building, Raleigh, North Carolina, by the Historic Properties Commission and the City Council of the City of Raleigh to determine whether the hereinafter described property should be designated a historic property; and

WHEREAS, said hearing was advertised and the property owners of the property hereinafter described were notified by 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 Part 3B, Article 19, Chapter 160A 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 THAT:

Section 1. The property of Ernestine Hamlin located at 125 East South Street, in the planning jurisdiction in the City of Raleigh, North Carolina, be and is hereby declared a historic property. Said property being more particularly described as follows:

Rogers-Bagley-Daniels House, being approximately 17,202 square feet, Block A-13, Lots 10 & 11 and as described in deed recorded in Book 338, Page 110, Wake County Courthouse.

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

ROGERS-BAGLEY-DANIELS HOUSE, c. 1855
125 East South Street

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A two-story Greek Revival frame building, this house contains unusual architectural details, including the scroll brackets attached to the frieze board of the cornice. It originally had a large wing on its western side, but that wing was subsequently removed and incorporated into the house located on the adjoining lot to the west. The house, which was built sometime after 1850, served as the residence of many prominent citizens, including Sion Hart Rogers, William Henry Bagley, Josephus Daniels, and Albert W. Pegues.

Section 3. No building or structure 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 or structure which is designated in this ordinance on the hereinbefore described site may be demolished unless and until either approval of demolition is obtained from the Raleigh Historic Properties Commission or, after the Commission has received a completed request for demolition, one-hundred and eighty (180) days have elapsed.

Section 5. That 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 6. This ordinance shall be indexed under 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 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 or structure 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: 9/4/79

Effective: 9/4/79

CCLK/34tp

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

STATE OF NORTH CAROLINA)
COUNTY OF WAKE)

CERTIFICATION

I, Gail G. Smith, City Clerk and Treasurer of the City of Raleigh, North Carolina, do hereby certify that the attached is a true and exact copy of Ordinance No. (1979) 216 adopted by the City Council at their meeting held on September 4, 1979.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Seal of the City of Raleigh to be affixed this 30 day of November, 1979.



Gail G. Smith
Gail G. Smith
City Clerk and Treasurer

Filed for registration at 2:15 P.M. o'clock 3 day of December, 1979,
and registered in the office of the Register of Deeds for Wake County,
in Book 2791, Page 103 December 3, 1979.

R. D. MCKENZIE, JR.
Register of Deeds
Joseph B. Johnson, Deputy