



**City Of Raleigh**  
North Carolina

PRESENTED  
FOR  
REGISTRATION

SEP 7 11 56 AM '84

KENNETH C. WILKINS  
REGISTER OF DEEDS  
WAKE COUNTY, NC

STATE OF NORTH CAROLINA )  
COUNTY OF WAKE )

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CERTIFICATION

I, Brenda N. Anderson, Deputy City Clerk of the City of Raleigh, North Carolina, do hereby certify that the attached is a true and exact copy of Ordinance No. (1984) 396 adopted by the City Council at their meeting held on August 7, 1984.

IN WITNESS WHEREOF, I have hereunto set my hand and have caused the Seal of the City of Raleigh to be affixed this 23rd day of August, 1984.



*Brenda N. Anderson*  
Deputy City Clerk

*Mue*

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ORDINANCE NO. (1984) 396

AN ORDINANCE DESIGNATING THE PROPERTY OF THE MONTGOMERY HOUSE LOCATED AT 214 NEW BERN PLACE 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 7 day of <sup>August</sup> 1984, 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, 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 OBTAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH THAT:

Section 1. The property of the Montgomery House located at 214 New Bern Place, 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:

BEGINNING at a point in the South line of New Bern Avenue, said point being the Northwest corner of Lot 5 on map to which reference is hereinafter made, said point also being 140 feet East from the corner of Blount Street and New Bern Avenue, thence along the southern right-of-way line of New Bern Avenue South 83°15' East 95 feet to a point, said point being 25 feet East of the original corner of Lot 6; thence a new line through Lot 6 South 06°45' West 90.2 feet to a point in the North right-of-way line of Morgan Street; thence along the right-of-way line of Morgan Street South 53°06' West 23.5 feet to a point; thence continuing along the right-of-way line of Morgan Street South 59°57' West 10.03 feet to a point; thence North 6°45' East 7.38 feet to a point; thence North 83°15' West 70 feet to a point, said point being the Southwest corner of Lot 5; thence along the West line of Lot 5 North 6°45' East

105 feet to the point and place of beginning, being Lot "A" of a map entitled "Recombination Lots 5 and 6, 200 block New Bern Avenue, Historic Site" and dated 5-4-82, said recombination being all of Lot 5 and the western 25 feet of Lot 6.

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

The Montgomery House (1906) is a two-story weatherboarded structure built for Supreme Court Justice Walter A. Montgomery. The irregular mass of the house recalls the Queen Anne style of domestic architecture, but the details, including the Doric-type porch posts, porch pilasters, Palladian window in the front gable and other restrained classical elements are Colonial Revival.

In 1982, the house was moved from its original site on East Edenton Street to its present site on New Bern Place. This moving project sparked an important effort that combined public and private efforts to revitalize downtown with planning methods involving historic preservation.

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 (or any other longer period of time required by N.C.G.S. 160A-399.6 as it may be amended hereinafter) 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

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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: 8/7/84

Effective: 8/7/84

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

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