WAKE COUNTY, NC 57 LAURA M RIDDICK REGISTER OF DEEDS PRESENTED & RECORDED ON 11/21/2008 AT 09:49:43

BOOK:013306 PAGE:01208 - 01213

Instrument prepared by: Raleigh City Attorney's Office

Brief description for Index: Alpheus Jones House

Parcel Identifier: 1736493636

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) 560 adopted on 5/1/1990 and recorded in Deed Book 4708, Pages 0908-910, 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: **William E. and Lide C. Anderson**.

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	(Affix Official/No tarial Seal)	AND TARLER OF THE COUNTY OF TH

BK 4708PG0908



City Of Raleigh

North Carolina

RESERVED FOR RESECTION

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KENNEY CO. 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) \_\_\_\_\_ 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

City Clerk & Treasurer

EXHIBIT 1

### BK 1708 PG 0909

### ORDINANCE NO. (1990) 560

AN ORDINANCE DESIGNATING Alpheus Jones House, East side US 401, 0.35 mi. south of SR 2042 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:

<u>Section 1</u>. The property designated as Alpheus Jones House, 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:

Alpheus Jones House, East side US 401, 0.35 mi. south of SR 2042, Tax Parcels 144 and 185.

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

The two-story, frame Greek Revival-style Alpheus Jones House, constructed for Jones about 1847, including the exterior of the building, all dependencies, grounds, and landscape features and all appurtenant features lying on the parcel as described in Section 1.

<u>Section 3</u>. 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 demolition is obtained from the Raleigh Historic Properties Commission or a period of one

### BK 4708 PG 0910

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 maybe amended hereafter).

<u>Section 5</u>. 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.

<u>Section 8</u>. 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



BOOK:013306 PAGE:01208 - 01213

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

## UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

# NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

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#### CONDITION

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\_\_UNALTERED

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X ORIGINAL SITE

\_\_MOVED

DATE\_\_\_\_

#### DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

The Seth Jones 1847 Restaurant, or Alpheus Jones House, is an admirably restored example of unpretentious antebellum Greek Revival architecture. It has been converted into a fine foods restaurant, and, as such, presents an equally excellent instance of adaptive-use restoration.

The house is a simple two-story rectangular frame structure with a hip roof covered with shakes. It is sheathed with weatherboarding and stands on a repointed foundation of regularly laid smooth ashlar—stone typical of northern Wake County. The main block measures three bays by one bay and contains two rooms plus a center hall on each floor. Two rear interior chimneys project above the roof line; they are built of regular smooth ashlar with a one-course cap. A one-story, hip roof extension, probably original, extends across the rear of the house. To the rear has been constructed a kitchen wing to serve the restaurant. The severe rectilinearity of the house is offset by the hand-somely reconstructed two-story double Doric portico which projects from the center of the western facade, under its own small hipped roof. Both upper and lower porch walls have flush siding. A similar one-story portico projects from the northern side.

A broad box cornice acts as an overhanging eave, the soffit of which is underlined by a strip of bead molding. Cornerposts are symmetrically molded. Door and window trim is similarly molded with square, unarticulated corner blocks.

The sash has been appropriately reconstructed; six-over-six sash punctuates the northern, western, and southern sides, while nine-over-nine sash appears on all three sides of the attached shed and on the single window of the second story rear of the main block.

The house is entered from the western portico through a flat-paneled double door which was originally situated within the house, marking the passage from the stair hall of the main block to the center hall of the rear shed. The double door, set within symmetrical molding, is flanked by fluted pilasters, and surmounted by a four-light transom.

The first-floor stair hall and the rooms to the north and south of it feature marbleized baseboards. A flat-paneled wainscot runs throughout the stair hall and the front and rear northern rooms. With the exception of the southern rear room, all of the rooms originally contained strips of picture molding flush with the wall. Interior door and window trim is similar to that of the exterior, with beading, fillets, and square corner blocks.

Along the southern wall of the stair hall is an open-string stair with thin rectangular balusters and a turned newel capped by a circular finial. It rises from back to front in a single straight run. Under the stairs and facing the main entrance is a small closet.

Each room contains a fireplace with a simple Greek Revival wooden mantel. The surrounds are all smooth laid ashlar. The mantels in the two first-floor front rooms are identical, as are those in the two rear shed rooms. The front room mantels have fluted engaged colonnettes running from the plinth to the mantel shelf; they flank a

Form No. 10-300a .Rev. 10-74)

### UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

## TORIC PLACES

# NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

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CONTINUATION SHEET

ITEM NUMBER 7

PAGE one

frieze with a simple horizontal flat panel. The back room mantels have symmetrically molded pilasters supporting plain end blocks which flank a frieze with one horizontal flat panel. The upstairs mantels are similar with flat paneled frieze and reeded, splayed, engaged colonnettes.

A one-story frame outbuilding is used as a garden and florist shop, "Flowers for Seth Jones," and other outbuildings exist as well.

The Seth Jones 1847 Restaurant consistently expresses a sensibility of restraint and simplicity. Its restoration, while indeed extensive, has held to these ideals and the result is both harmonious and dignified.

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SPECIFIC DATES 1847

BUILDER/ARCHITECT

### STATEMENT OF SIGNIFICANCE

The Seth Jones 1847 Restaurant, or Alpheus Jones House, is a handsome, unpretentious and representative Greek Revival plantation house, with consistent, typical Greek Revival finish throughout. It was built for Alpheus Jones, son of Seth Jones, about 1847. The building has been sensitively renovated for a successful adaptive use as a restaurant.

The house was probably completed in 1847 on a 680-acre tract of land given to Alpheus Jones in 1842 by his father, Seth Jones. Seth Jones (ca. 1784-1866) was a member of the North Carolina House of Commons from 1814 to 1819, and later operated an academy near his Wake County plantation known as Pomona. A successful breeder of livestock and thoroughbred racehorses, he was known also for his scientific agricultural practices.

Alpheus Jones was born in Wake County about 1820. He attended the University of Morth Carolina, where he served as president of the Dialectic Society and as valedictorian of the graduating class of 1839. (He was awarded the degree of master of arts in 1843.) He apparently then studied law and—after settling on his Wake County plantation about 1847—became a farmer.

A timber found in the Alpheus Jones House bearing the inscription "Richard Ligon March 28, 1847" suggests this as the completion date, although it is uncertain whether Ligon was in fact the builder. The 1850 census of Wake County includes Ligon, but lists his occupation as a grocer. J. J. Dunn, a lifelong neighbor of the Jones family, in 1911 remembered the Alpheus Jones House as "A two story house on a stone foundation about four feet high, of heavy timbers, the best that could be gotten /./ Mr. Jones was very particular about the material." The 1850 census lists Jones as a "Lawyer & Farmer" and credits him with the ownership of seventeen slaves and real estate worth \$4,578.

Alpheus Jones resided in his house for only about seven years. He died of "pulmonary consumption" in 1854 at the age of thirty-four. His will devised his entire estate, both real and personal, to his widow Elizabeth T. Jones. Mrs. Jones survived her husband by ten years, leaving a complex will which directed that "the farm be carried on in the same way as it was in my lifetime. . . ." The will devised to each of three minor children a combination of fee simple and life estates in the 1,230-acre homeplace tract, with the remainder of each life estate to pass in equal shares to Mrs. Jones's surviving grand-children. In 1876 (the year in which Mrs. Jones's youngest child Alfred attained his adjoidly) the three Jones children agreed on a division of their mother's landholdings. In this division twenty-one-year-old Alfred Jones received a 590-acre tract including the mansion house, valued at \$14,300. He and his wife Lizzie became residents there about 1879.

Form No. 10-300a (Rev. 10-74)

## UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

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CONTINUATION SHEET

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PAGE one

In the mid-1880s Jones made out to two individuals deeds of trust on the life estate portion (one-half) of his interest in the Alpheus Jones House, but in 1888 he defaulted. Jones's trustees thereupon sold his life interest at public auction to J. S. Wynne for \$4,000. Wynne in turn sold the interest to Richard Stanhope Pullen for the same amount. Pullen, a major benefactor of North Carolina State University and a Raleigh real estate developer, retained ownership of the Alfred Jones life interest until his (Pullen's) death in 1895. He did not, however, make his home at the Jones Farm.

Mrs. Lizzie Jones, who resided at the Alpheus Jones House with her husband Alfred from 1879 to 1888, later described the Jones homestead as it appeared in the latter year. The homeplace, Mrs. Jones recalled, included

The House Place, and in the yard a smokehouse and dairy and just out of the yard a large corn crib, stable and an outhouse, one double house and in the lower grove was the overseer's house. Just across the road in front of the home place was a tenant house and just down the road a little way were two tenant houses and still further down opposite Perry Grove was another . . . when we first went there the kitchen was in the yard, but we had that moved down on the road. That is still /1911/ there, that is one of the tenant houses; we had a kitchen built on to the house. . . . /The barn/ was in perfect order and condition. It was a nice large barn; that was burned . . . several years after I left. . . . /The mausion house/ has five large rooms down stairs and two large rooms upstairs and an attac /sic/ and we added on a back porch pantry and kitchen . . . the front and the side yards were fenced off with picket fencing. . . . /The tenant houses/ were in good condition. Tenants in all of them. . . . /The dairy was/A frame building, but very nice. it was ceiled nicely with sills lined with charcoal and it was a pity for it to go to ruin. . .

In a division of R. S. Pullen's estate in November, 1898, court-appointed commissioners sold the Alfred Jones life interest to W. A. Myatt for \$1,500. Myatt remained owner of the Alfred Jones interest from 1898 to 1909, but he rented the home-place to various tenants during this time.

After Alfred Jones's death in January, 1907, his children filed suit in Wake County Superior Court to recover respective portions of their father's life estate in the Jones homestead, and to recover from W. A. Myatt compensation for his alleged waste of the farm property. Testimony taken in the course of this suit suggests that the Alpheus Jones House did indeed suffer from neglect during the 1898-1909 period; the evidence suggests, however, that much of the deterioration had occurred between 1888 and 1898 (while R. S. Pullen was in possession of the premises). J. J. Dunn, who had admired Alpheus Jones's building methods (supra, 1-2), described the mansion house as it appeared to him in 1908:

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## UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

# NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

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CONTINUATION SHEET

ITEM NUMBER 8

PAGE two

It was in poor condition; the front porch was going to decay, falling loose from the house, propped up with poles; and the plastering was in bad condition and I noticed the rats had made a hole in the wall about three feet from the mantel and the laths had given way. The blinds were in bad condition; and the back part used as a kitchen was so bad no one used it but had moved the stove in one of the dwelling rooms. . . . /The dairy/ had gone to ruin I thought. . . 2 There were no fences. . . I think they were cultivating cotton in the yard.

After a lengthy court battle (which eventually reached the Supreme Court of North Carolina), the 590-acre homeplace tract was valued by court-appointed commissioners at \$10,000 and divided in 1911 between W. A. Myatt and the heirs of Alfred Jones. In this division the Jones heirs received a 130-acre portion, including the mansion house.

After 1911 the property exchanged hands three times. The present owners, Dr. and Mrs. William W. Hedrick, acquired the house in 1968, restored it, and are today (1975) using it as a fine-foods restaurant under the trade name "Seth Jones 1847."

<sup>&</sup>lt;sup>1</sup>Testimony of Mrs. Lizzie C. Jones in <u>Jones v. Myatt</u>, 1-2, 6, Alfred Jones Estate Papers, Wake County.

Testimony of J. J. Dunn in Jones v. Myatt, 36-37, Alfred Jones Estate Papers, Wake County.

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Form No. 10-300a (Rev. 10-74)

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# NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

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CONTINUATION SHEET

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