

ORDINANCE NO. 1979-214

AN ORDINANCE DESIGNATING THE PROPERTY OF BETTY L. MONTAGUE TRUST C/O NORTH CAROLINA NATIONAL BANK TRUST DEPARTMENT LOCATED AT 128-138 EAST HARGETT 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 Betty L. Montague Trust C/O North Carolina National Bank Trust Department located at 128-138 East Hargett 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:

The Montague Building, containing approximately 8,083.5 square feet, located on Block A-47, Lot 23 and evidenced by deed recorded in Book 263, Page 220, 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:

Built in 1912 by Benjamin Franklin Montague, a local lawyer and businessman, the Montague Building served for many years as a central location for business and commercial activity in the Moore Square area. At various times the building served as a temporary post office, and a W.P.A. program administration headquarters. The architectural style of this building is a combination of the then emerging Commercial style on the pedestrian level with the Neoclassical Revival style on the two upper stories.

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) 214 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 3:15 PM o'clock 3 day of December, 1979,
and registered in the office of the Register of Deeds for Wake County,
in Book 2791, Page 97, December 3, 1979.

R. B. MCKENZIE, JR.
Register of Deeds
Jose S. Johnson, Deputy

THE MONTAGUE BUILDING (128 Hargett Street)

The Montague Building, located at 128 East Hargett Street, is a basically intact example of an early twentieth century commercial building. The architectural style of the Montague Building is an interesting combination of the practicality of the then emerging commercial style of architecture on the pedestrian level with the restraint of the Neoclassical revival style on the two upper stories. This combination of business practicality with the security of classical forms is probably reflective of the mood of the city in the early 1900s.

The 1914 Sanborn Insurance Map shows the then two-year-old Montague Building in a vivid commercial-residential area around Moore Square. Opposite the south side of the square the new City Market had recently been completed, and opposite the north side, the Tabernacle Baptist Church had been well established. Early in the Montague Building's life it served as the temporary headquarters of the Post Office while its main facility on Fayetteville Street underwent remodeling. A newspaper account from December, 1913, describes the Montague Building as follows: "... the people who look after Uncle Sam's three lines of business here: postoffice (sic), judicial and revenue are in a rented building, the Montague Building, which serves the purpose very well indeed. For one thing, it is a house of many doors and windows. ... The occupants like it and could not have found a better place in the city, as they will tell you in a minute. ... When Uncle Sam moves his folks back into their new and big home the temporary quarters will become stores and places for private business".

The "stores and places for private business" were again called into government service when space in the Montague Building was used to administer W.P.A. programs

in Raleigh; after this agency disbanded, the building again reverted to commercial and office use. The building suffered from the general decline of downtown Raleigh and in late 1975 was condemned by the building inspectors as unsafe and ordered it demolished or repaired. Capital Landmarks, Inc., undertook the repair of the Montague Building, and today plans are being made to put it to a contemporary adaptive use.