

WAKE COUNTY, NC 50
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
11/21/2008 AT 09:49:43

BOOK:013306 PAGE:01166 - 01171

Instrument prepared by: Raleigh City Attorney's Office
Brief description for Index: Yates Mill
Parcel Identifier: 791262053
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) 567 adopted on 5/1/1990 and recorded in Deed Book 4708, Pages 0929-931, 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: **State of North Carolina**.

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

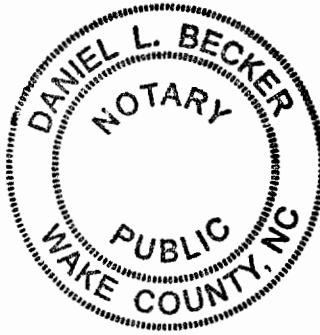
Signed and sworn to (or affirmed)
before me, this the 4 day
of November,
2008.

My Commission Expires 7-6-2010.

My Commission Expires:

Daniel L. Becker
Notary Public
Daniel L. Becker

(Affix
Official/No
tarial Seal)



BK 4708 PG 0929



000034

City Of Raleigh
North Carolina

REGISTERED
REGISTRATION

90 MAY 23 AM 9:39

KENNETH A. 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) 567 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

Gail G. Smith
City Clerk & Treasurer

EXHIBIT 1

BK 4708 PG 0930

ORDINANCE NO. (1990) 567

AN ORDINANCE DESIGNATING Yates Mill, NW corner of Lake Wheeler Road and Yates Mill Pond Road 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:

Section 1. The property designated as Yates Mill, 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:

Yates Mill, NW corner of Lake Wheeler Road and Yates Mill Pond Road, the mill and dam and connecting area only.

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

The exterior of Yates Mill, including additions, and the dam, both of which may incorporate some eighteenth-century features, including all attachments, such as the wheel and millrace, but excluding the surrounding land and the pond.

Section 3. 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 hundred eighty (180) days has elapsed following final review by the Commission of a

BK 708 PG 0931

request for demolition (or any longer period of time required by N.C.G.S. 160A-400.14 as it maybe amended hereafter).

Section 5. 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.

Section 8. 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:01166 - 01171

**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
Laura M. Riddick

RALEIGH HISTORIC PROPERTY DESIGNATION APPLICATION AND REPORT

1. **NAME OF THE PROPERTY:** (If historic name is unknown, give current name or give street address)

Historic Name Yates Mill

Current Name, or Address _____

2. **LOCATION:** Lake Wheeler Road Raleigh Wake
street city and/or county

3. **LEGAL OWNER:** Name North Carolina State Univ. day phone _____

Address _____ Raleigh NC
street city state zip

4. **APPLICANT/CONTACT PERSON:** Name _____ day phone _____

Address _____
street city state zip

5. **REASON FOR REQUEST:** Architectural and historical significance of the mill.

6. **GENERAL DATA:**

a. Date of construction and alterations: c. 1756, 1820, 1854

b. Outbuildings: Yes _____ No X If yes, number _____

c. Approximate acreage or dimensions: Building only

d. Architect, builder, carpenter and/or mason: unknown

e. Use: Original Mill Present vacant

f. Is the property income producing? Yes _____ No X

7. **CLASSIFICATION:**

a. Category: building(s) X structure _____ object _____ site _____

b. Ownership: private _____ public: local _____ state X federal _____

c. Number of resources within property: Contributing Non-contributing
buildings 1 _____
structures _____
objects _____
sites _____

d. National Register of Historic Places status (check one): Entered (date) 2/26/1970 ;
nominated: eligible _____ not eligible _____ ; not requested _____ ; removed (date) _____

e. Has the property been recorded during a historic survey by the City of Raleigh or the NC Historic Preservation Office? By whom and when State Historic Preservation office

8. **SIGNATURE OF APPLICANT:** Raleigh Historic Properties Commission, Inc. date March 13,
Post Office Box 829
Century Station
Raleigh, North Carolina 27602
1990

DESCRIPTION

CONDITION	(Check One)					
	<input type="checkbox"/> Excellent	<input type="checkbox"/> Good	<input checked="" type="checkbox"/> Fair	<input type="checkbox"/> Deteriorated	<input type="checkbox"/> Ruins	<input type="checkbox"/> Unexposed
	(Check One)			(Check One)		
	<input checked="" type="checkbox"/> Altered	<input type="checkbox"/> Unaltered	<input type="checkbox"/> Moved	<input checked="" type="checkbox"/> Original Site		

DESCRIBE THE PRESENT AND ORIGINAL (If known) PHYSICAL APPEARANCE

The main block of Yates Mill, which may incorporate some of the original mid-eighteenth century structure, is a two-story rectangular weather-board building with finished attic which measures approximately 34 feet by 27 feet. The exposed ends of the rafters of the gable tin-covered roof create a slight overhang. A small porch with a straight stair is attached to the north side and gives access to the main block of the mill. All openings are asymmetrically placed. The south and west sides have two windows at each level; the north has a doorway and a window at the first and second levels and a large rectangular opening in the gable. Apparently each window had a single horizontally sliding sash and wooden batten shutter. Some of these still exist, although the glazing is missing from the windows.

Attached to the east side is a one-story shed addition measuring approximately 18 feet by 24 feet with an unusually large attic. The lower half is covered with vertical sheathing while the upper section has normal weatherboards. Contiguous to the shed addition is a porch, probably used as a loading dock, which extends 13 feet north of the main block and is covered by a gable roof. The entire structure rests on roughly dressed random coursed rubble piers and secondary wooden supports.

The interior of the first floor is divided into two large areas, the milling and storage room in the main block and the workshop in the shed. Access to the large porch is gained from the north side of the shed. A straight stair on the west wall of the main block leads to the second floor, and a stair on the north side of the second floor leads to the attic level. From the second floor of the main block five steps descend to the shed attic, which runs the full length of the building. Remnants of milling and carding machinery are scattered throughout the structure.

The wooden millrace and overshot waterwheel, both badly deteriorated, are located on the south side. The large millpond behind Yates Mill is retained by an extremely well-preserved dam composed of roughly dressed random coursed rubble.

SEE INSTRUCTIONS

9 MAJOR BIBLIOGRAPHICAL REFERENCES

Wake County Records, State Department of Archives and History, Raleigh, North Carolina. (Subgroups: Deeds, Wills and Estate Papers).
 Wake County Records, Wake County Courthouse, Raleigh, North Carolina. (Subgroup: Wills).

10. GEOGRAPHICAL DATA

LATITUDE AND LONGITUDE COORDINATES DEFINING A RECTANGLE LOCATING THE PROPERTY			O R	LATITUDE AND LONGITUDE COORDINATES DEFINING THE CENTER POINT OF A PROPERTY OF LESS THAN TEN ACRES		
CORNER	LATITUDE	LONGITUDE		LATITUDE	LONGITUDE	
	Degrees Minutes Seconds	Degrees Minutes Seconds		Degrees Minutes Seconds	Degrees Minutes Seconds	
NW	° ' "	° ' "		35° 43' 07"	78° 41' 18"	
NE	° ' "	° ' "				
SE	° ' "	° ' "				
SW	° ' "	° ' "				

APPROXIMATE ACREAGE OF NOMINATED PROPERTY: nine acres

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE:	CODE	COUNTY	CODE

11. FORM PREPARED BY

NAME AND TITLE:
 John B. Wells III, Survey Supervisor

ORGANIZATION: State Department of Archives and History
 DATE: February 5, 1971

STREET AND NUMBER:
 109 East Jones Street

CITY OR TOWN: Raleigh
 STATE: North Carolina
 CODE: 37

12. STATE LIAISON OFFICER CERTIFICATION

As the designated State Liaison Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service. The recommended level of significance of this nomination is:

National State Local

Name Dr. H. G. Jones

Title Director, State Department of Archives and History

Date February 5, 1971

NATIONAL REGISTER VERIFICATION

I hereby certify that this property is included in the National Register.

 Chief, Office of Archeology and Historic Preservation

Date _____

ATTEST:

 Keeper of The National Register

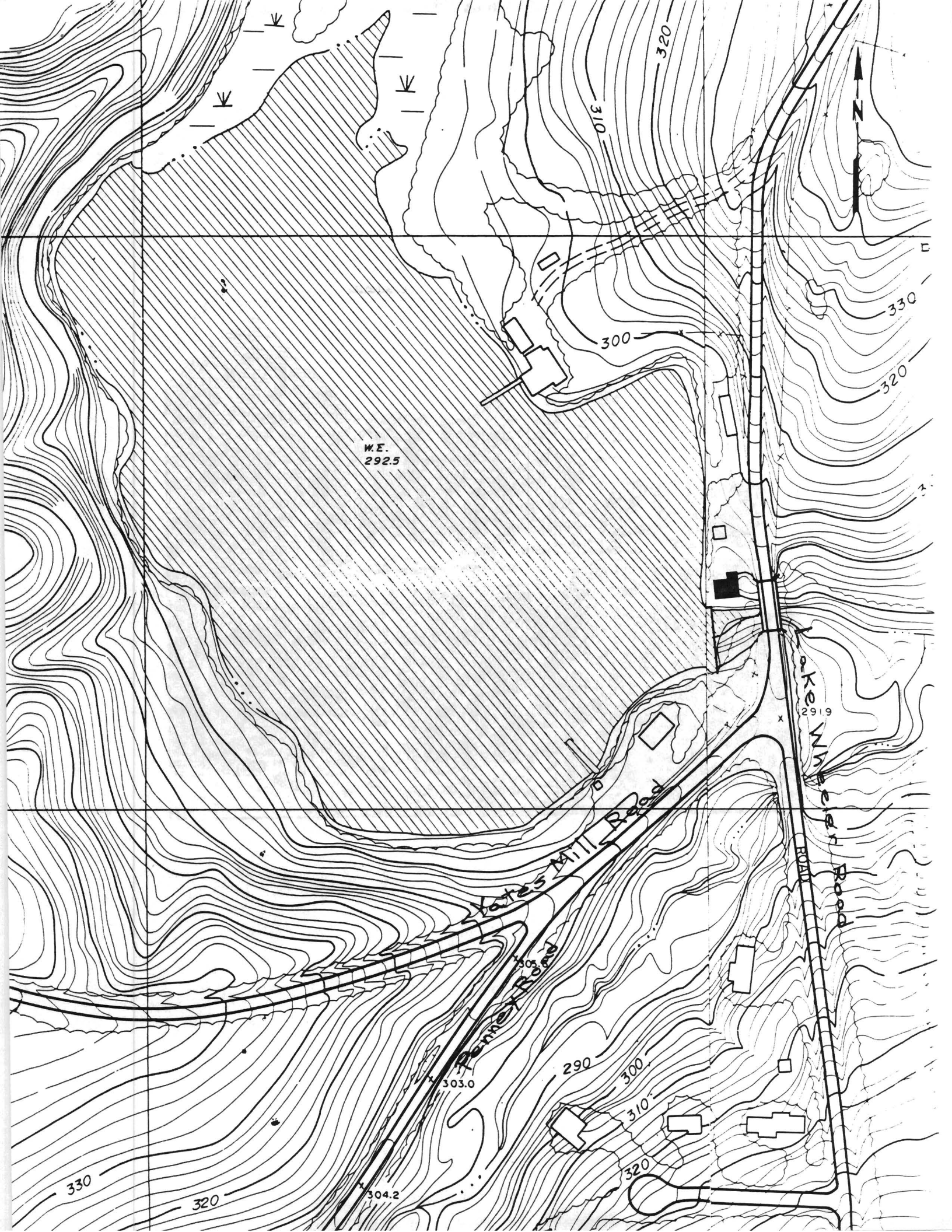
Date _____

SEE INSTRUCTIONS

YATES MILL

9. c. Justification for land to be designated:

Yates Mill is one of few examples of early American milling industry left in eastern North Carolina. Of the four mills known to have served eighteenth-century Wake County, this is the only site on which a mill remains. At varying times the mill has been utilized for lumber manufacturing, corn and wheat milling, and wool carding.



W.E.
292.5

Yates Mills Road

Penney Road

Wakefield Road

310

320

300

330

320

330

320

303.0

290

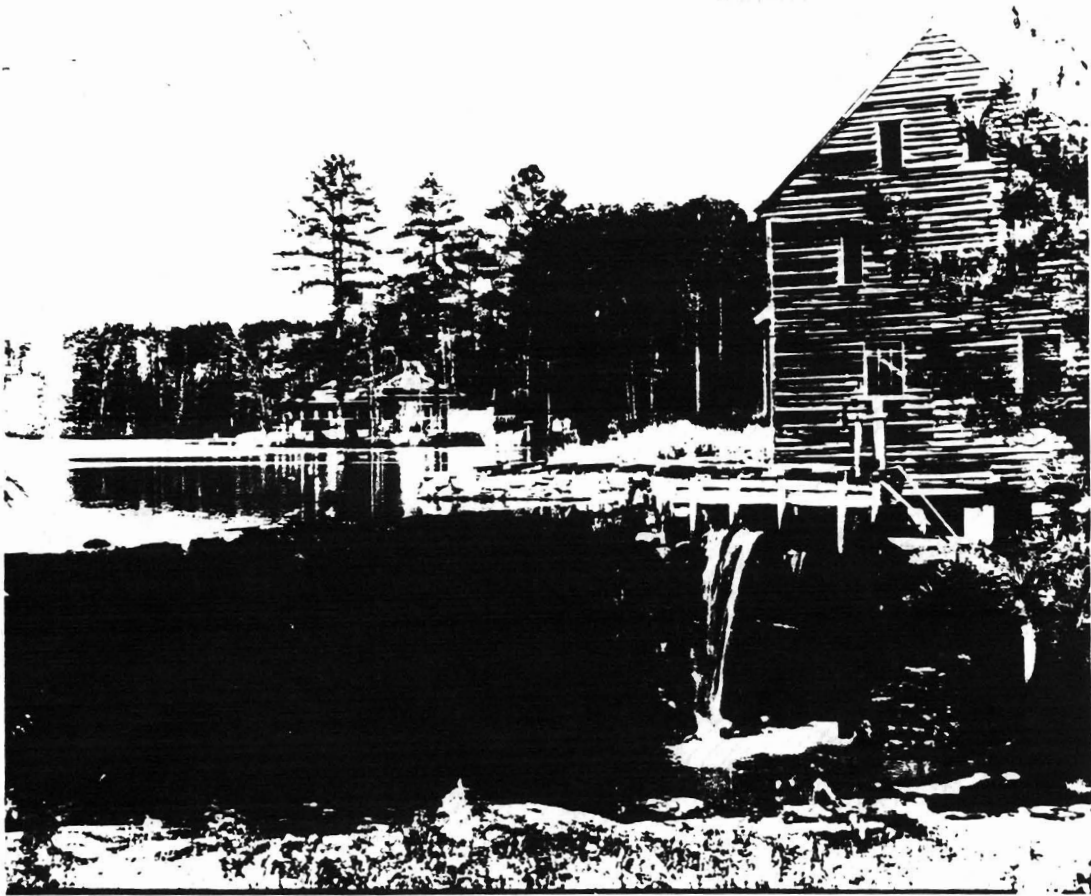
300

310

320

304.2

299.9



NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM

(Type all entries - complete applicable sections)

STATE: North Carolina	
COUNTY: Wake	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

1. NAME

COMMON:
Yates Mill

AND/OR HISTORIC:

2. LOCATION

STREET AND NUMBER:
Lake Wheeler Road

CITY OR TOWN:
Raleigh (Fourth Congressional District)

STATE: North Carolina CODE: 37 COUNTY: Wake CODE: 183

3. CLASSIFICATION

CATEGORY (Check One)	OWNERSHIP	STATUS	ACCESSIBLE TO THE PUBLIC
<input type="checkbox"/> District <input checked="" type="checkbox"/> Building <input type="checkbox"/> Site <input type="checkbox"/> Structure <input type="checkbox"/> Object	<input checked="" type="checkbox"/> Public <input type="checkbox"/> Private <input type="checkbox"/> Both	Public Acquisition: <input type="checkbox"/> In Process <input type="checkbox"/> Being Considered	<input type="checkbox"/> Occupied <input checked="" type="checkbox"/> Unoccupied <input type="checkbox"/> Preservation work in progress
PRESENT USE (Check One or More as Appropriate)			
<input type="checkbox"/> Agricultural <input type="checkbox"/> Commercial <input type="checkbox"/> Educational <input type="checkbox"/> Entertainment	<input type="checkbox"/> Government <input type="checkbox"/> Industrial <input type="checkbox"/> Military <input type="checkbox"/> Museum	<input checked="" type="checkbox"/> Park <input type="checkbox"/> Private Residence <input type="checkbox"/> Religious <input type="checkbox"/> Scientific	<input type="checkbox"/> Transportation <input type="checkbox"/> Other (Specify) _____ _____ _____

4. OWNER OF PROPERTY

OWNER'S NAME:
North Carolina State University

STREET AND NUMBER:
Hillsborough Street

CITY OR TOWN: Raleigh STATE: North Carolina CODE: 37

5. LOCATION OF LEGAL DESCRIPTION

COURTHOUSE, REGISTRY OF DEEDS, ETC:
Wake County Courthouse

STREET AND NUMBER:
310 Fayetteville Street

CITY OR TOWN: Raleigh STATE: North Carolina CODE: 37

6. REPRESENTATION IN EXISTING SURVEYS

TITLE OF SURVEY:

DATE OF SURVEY: Federal State County Local

DEPOSITORY FOR SURVEY RECORDS:

STREET AND NUMBER:

CITY OR TOWN: STATE: CODE:

STATE: North Carolina	COUNTY: Wake	ENTRY NUMBER	DATE
FOR NPS USE ONLY			

SEE INSTRUCTIONS

DESCRIPTION

CONDITION	(Check One)					
	<input type="checkbox"/> Excellent	<input type="checkbox"/> Good	<input checked="" type="checkbox"/> Fair	<input type="checkbox"/> Deteriorated	<input type="checkbox"/> Ruins	<input type="checkbox"/> Unexposed
	(Check One)			(Check One)		
	<input checked="" type="checkbox"/> Altered	<input type="checkbox"/> Unaltered	<input type="checkbox"/> Moved	<input checked="" type="checkbox"/> Original Site		

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The wooden millrace and overshot waterwheel, both badly deteriorated, are located on the south side. The large millpond behind Yates Mill is retained by an extremely well-preserved dam composed of roughly dressed random coursed rubble.

SEE INSTRUCTIONS

PERIOD (Check One or More as Appropriate)

- | | | | |
|--|---------------------------------------|--|---------------------------------------|
| <input type="checkbox"/> Pre-Columbian | <input type="checkbox"/> 16th Century | <input checked="" type="checkbox"/> 18th Century | <input type="checkbox"/> 20th Century |
| <input type="checkbox"/> 15th Century | <input type="checkbox"/> 17th Century | <input checked="" type="checkbox"/> 19th Century | |

SPECIFIC DATE(S) (If Applicable and Known)

AREAS OF SIGNIFICANCE (Check One or More as Appropriate)

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> Aboriginal | <input type="checkbox"/> Education | <input type="checkbox"/> Political | <input type="checkbox"/> Urban Planning |
| <input type="checkbox"/> Prehistoric | <input type="checkbox"/> Engineering | <input type="checkbox"/> Religion/Philosophy | <input type="checkbox"/> Other (Specify) _____ |
| <input type="checkbox"/> Historic | <input checked="" type="checkbox"/> Industry | <input type="checkbox"/> Science | _____ |
| <input type="checkbox"/> Agriculture | <input type="checkbox"/> Invention | <input type="checkbox"/> Sculpture | _____ |
| <input checked="" type="checkbox"/> Architecture | <input type="checkbox"/> Landscape Architecture | <input type="checkbox"/> Social/Humanitarian | _____ |
| <input type="checkbox"/> Art | <input type="checkbox"/> Literature | <input type="checkbox"/> Theater | _____ |
| <input checked="" type="checkbox"/> Commerce | <input type="checkbox"/> Military | <input type="checkbox"/> Transportation | _____ |
| <input type="checkbox"/> Communications | <input type="checkbox"/> Music | | |
| <input type="checkbox"/> Conservation | | | |

STATEMENT OF SIGNIFICANCE

The mill site, on Steep Hill Creek, was originally surveyed for Samuel Pearson in October, 1756, and granted to him by the Earl of Granville in 1761. The mill itself was probably built a short time before the survey. At the time of his death in 1800, Pearson was a successful planter and had increased the mill lands to over one hundred acres. The mill was left to his son, Simon, who was forced to sell the property in a sheriff's sale to William Boylan in 1820. Boylan established Raleigh's first newspaper, the North Carolina Minerva and Raleigh Advertiser, in 1799. He was the second president of the State Bank, and while he owned the mill, served on the commission to build a new state capitol. During his ownership Boylan rebuilt the mill and modernized it. In 1854 it was purchased by James Penny, Thomas Briggs, and John Primrose. Primrose sold his interest to James Dodd in 1859. Dodd, along with Thomas Briggs, formed Briggs and Dodd Construction Company to contract mill work in Wake County. Briggs was Raleigh's most influential post-Civil War businessman. Having wisely converted his Confederate currency into silver before the war's conclusion, he was one of the few North Carolinians with investment potential during Reconstruction.

Briggs and Dodd sold their interest to James Penny in May, 1864, and thereafter the mill was known as Penny's Mill. According to tradition Penny killed a Mr. Franklin for nonpayment of a mill debt and, although freed by the courts, was intimidated by Union soldiers who believed Franklin to have been a northern sympathizer. On at least one occasion the soldiers attempted to burn the mill. In 1869 Penny transferred the mill to his son-in-law, Phares Yates, whose family continued its operation until 1948, and from whom comes the mill's present name. A. E. Finley, head of the North Carolina Equipment Company, obtained the mill and operated it until 1953 when he was forced to close for lack of demand. The mill was last operated in 1963 for the benefit of photographers and is now owned by North Carolina State University.

Yates Mill is one of the few examples of the early American milling industry left in eastern North Carolina. Of the four mills known to have served eighteenth century Wake County, this is the only site on which an actual mill remains. It is of further interest in that at various times it has been utilized for lumber manufacturing, corn and wheat milling, and wool carding.

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CORNER	LATITUDE	LONGITUDE		LATITUDE	LONGITUDE	
	Degrees Minutes Seconds	Degrees Minutes Seconds		Degrees Minutes Seconds	Degrees Minutes Seconds	
NW	0 ' "	0 ' "	35 ° 43 ' 07 "	78 ° 41 ' 18 "		
NE	0 ' "	0 ' "				
SE	0 ' "	0 ' "				
SW	0 ' "	0 ' "				

APPROXIMATE ACREAGE OF NOMINATED PROPERTY: nine acres

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE:	CODE	COUNTY	CODE

11. FORM PREPARED BY

NAME AND TITLE:
John B. Wells III, Survey Supervisor

ORGANIZATION: State Department of Archives and History DATE: February 5, 1971

STREET AND NUMBER:
109 East Jones Street

CITY OR TOWN: Raleigh STATE: North Carolina CODE: 37

12 STATE LIAISON OFFICER CERTIFICATION

As the designated State Liaison Officer for the National Historic Preservation Act of 1966 (Public Law 89-665), I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service. The recommended level of significance of this nomination is:

National State Local

Name *H. G. Jones*
Dr. H. G. Jones

Title Director, State Department of Archives and History

Date February 5, 1971

NATIONAL REGISTER VERIFICATION

I hereby certify that this property is included in the National Register.

Chief, Office of Archeology and Historic Preservation

Date _____

ATTEST:

Keeper of The National Register

Date _____

SEE INSTRUCTIONS

NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY - NOMINATION FORM

(Continuation Sheet)

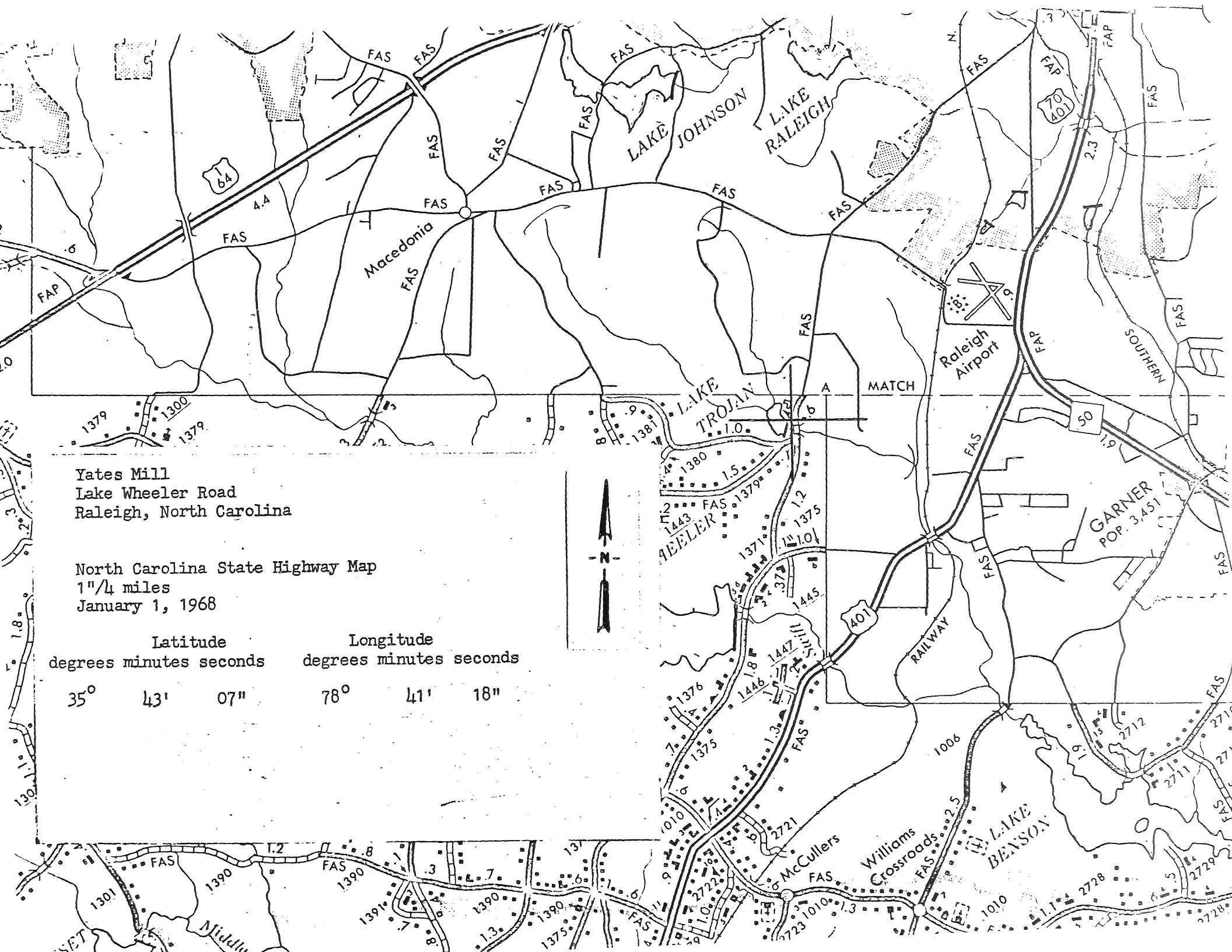
Name	
FOR NPS USE ONLY	
ENTRY NUMBER	DATE

(Number all entries)

9.

Waugh, Elizabeth Culbertson. North Carolina's Capital, Raleigh. Raleigh, North Carolina: The Junior League of Raleigh, Inc., and the Raleigh Historic Sites Commission, Inc., 1967.

Wodehouse, Lawrence. "Architecture in North Carolina, 1700--1900." North Carolina Architect, Part 2, January--February, 1970, pp. 30-31.



Yates Mill
 Lake Wheeler Road
 Raleigh, North Carolina

North Carolina State Highway Map
 1" / 4 miles
 January 1, 1968

Latitude			Longitude		
degrees	minutes	seconds	degrees	minutes	seconds
35°	43'	07"	78°	41'	18"

