

**TOWN OF HUNTERSVILLE
TOWN BOARD MEETING
MINUTES**

**November 7, 2022
6:00 p.m. – Huntersville Town Hall
101 Huntersville-Concord Road**

PRE-MEETING

The Huntersville Board of Commissioners held a Pre-meeting at Huntersville Town Hall, 101 Huntersville-Concord Road, at 5:15 p.m. on November 7, 2022.

GOVERNING BODY MEMBERS PRESENT: Mayor Melinda Bales; Commissioners Dan Boone, Rob Kidwell, Amber Kovacs, Lance Munger, Derek Partee and Stacy Phillips.

Mayor Bales called the Pre-meeting to order.

New Town Hall Update. Bobby Williams, Assistant Town Manager, provided update on listening sessions for new town hall.

Brent Green, Creech and Associates, reviewed schematic design drivers.

Refer to PowerPoint Presentation attached hereto as Exhibit No. 1.

There was consensus that the Chamber should be located on first floor, however the Board requested staff get input from the Fire Chief and Police Chief on any safety concerns.

Following the presentation and discussion, there being no further questions or comments, the Pre-meeting was adjourned.

**REGULAR MEETING
TOWN OF HUNTERSVILLE
BOARD OF COMMISSIONERS**

The Regular Meeting of the Huntersville Board of Commissioners was held at the Huntersville Town Hall, 101 Huntersville-Concord Road, at 6:00 p.m. on November 7, 2022.

GOVERNING BODY MEMBERS PRESENT: Mayor Melinda Bales; Commissioners Dan Boone, Rob Kidwell, Amber Kovacs, Lance Munger, Derek Partee and Stacy Phillips.

Mayor Bales called the meeting to order.

Mayor Bales called for a moment of silence.

Mayor Bales led the Pledge of Allegiance.

STAFF QUESTIONS

Commissioner Partee requested update on where the Town is on fuel clean energy.

Jackie Huffman, Deputy Town Manager, reported the Board adopted goals for FY23 at the October 3, 2022, Town Board Meeting related to charging stations. Staff has met with a company in the business park that manufactures charging stations and have begun to pursue. Staff attended a regional meeting in Charlotte related to the use of electric vehicles. The Board adopted goals in October asking staff to look into electric vehicles. On state contract right now gas-powered F150 trucks are at a price of about \$41,000-43,000. Electric F150 trucks are approximately \$77,000. Those costs were not provided for in the FY23 adopted budget, but it is good information going into the FY24 budget talks.

Mayor Bales requested update on the community engagement portal and the mobile app.

Kim Strickland, Public Information Officer, reported the online community engagement portal launched last Wednesday. Staff hopes to have the mobile app launched by the end of the month.

PUBLIC COMMENTS, REQUESTS, OR PRESENTATIONS

Huntersville 101 Graduates. Mayor Bales and Kim Strickland, Public Information Officer, recognized Huntersville 101 graduates.

PAC School Spirit Peace Pole Project. Lynn Cavanaugh presented information on the Public Art Commission's School Spirit Peace Pole Project. *Refer to PowerPoint attached hereto as Exhibit No. 2.*

Huntington Green Community Thanksgiving Event. Michael Jaycocks (Parks & Recreation Director), Major Barry Graham (Huntersville Police Department) and Charles DiRico (Assurance United Methodist Church Pastor), provided information on Huntersville Turkey Day that will be held in the Huntington Green community.

Small Business Saturday Proclamation. Mayor Bales proclaimed November 26, 2022, as Small Business Saturday.

Town of Huntersville Proclamation

WHEREAS, the Town of Huntersville, North Carolina celebrates our local small businesses and the contributions they make to our local economy and community; and

WHEREAS, according to the United States Small Business Administration, there are 32.5 million small businesses in the United States, they represent 99.7 percent of firms with paid employees, and they are responsible for 62 percent of net new jobs since 1995, and small businesses employ 46.8 percent of the employees in the private sector in the United States; and

WHEREAS, 79 percent of consumers understand the importance of supporting the small businesses in their community on Small Business Saturday, 70 percent report the day makes them want to encourage others to Shop Small, independently-owned retailers, and 66 percent report that the day makes them want to Shop Small all year long; and

WHEREAS, 58 percent of shoppers reported they shopped online with a small business and 54 percent reported they dined or ordered takeout from a small restaurant, bar, or café on Small Business Saturday in 2021; and

WHEREAS, Town of Huntersville supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

WHEREAS, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

NOW, THEREFORE, I, Melinda Bales, Mayor of the Town of Huntersville, do hereby proclaim November 26, 2022, as **Small Business Saturday** and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the Town of Huntersville to be affixed this the 7th day of November 2022.

Family Court Awareness Month Proclamation. Mayor Bales proclaimed the month of November 2022 as Family Court Awareness Month.

Town of Huntersville Proclamation

WHEREAS, the mission of the Family Court Awareness Month Committee (FCAMC) is to increase awareness on the importance of a family court system that prioritizes child safety and acts in the best interest of children; and

WHEREAS, the mission at the FCAMC is fueled by the desire to create awareness and change in the family court system for the conservatively estimated, 58,000 children a year ordered into unsupervised contact with physically or sexually abusive parents, while honoring the hundreds of children who have been reported as murdered during visitation with a dangerous parent; and

WHEREAS, the mission of the FCAMC is to increase awareness on the importance of empirically-based education and training on domestic violence, child emotional and psychological abuse, childhood trauma, child sexual abuse, coercive control, post separation abuse for all professionals working on cases within the family court system; and

WHEREAS, the mission of the FCAMC is to increase awareness on the importance of using scientifically valid, evidence-based, treatment programs and services that are proven in terms of safety, effectiveness, and therapeutic value; and

WHEREAS, the mission at the FCAMC is to educate judges and other family court professionals on evidence-based, peer-reviewed research. Such research is a critical component to making decisions that are truly in the best interest of children. This research includes The Adverse Childhood Experiences (ACEs) Study (co-principal investigator: Vincent Felitti, Kaiser Permanente-CDC); Child Custody Evaluators' Beliefs About Domestic Abuse Allegations (principal investigator: Daniel Saunders, University of Michigan, sponsored by the National Institute of Justice); and Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations (principal investigator: Joan S. Meier, GW Law School, sponsored by the National Institute of Justice).

NOW, THEREFORE, I, Melinda Bales, Mayor of Huntersville, do hereby declare the Month of November, to be **FAMILY COURT AWARENESS MONTH** and encourage all residents to support their local community's efforts to prevent the harm of children in the hands of family members and to honor and value the lives of children.

IN WITNESS WHEREOF, I do hereby set my hand and cause the Seal of the Town to be affixed, this the 7th of November 2022.

Bill Russell, 9449 Mount-Holly Huntersville Road, said over 20 years ago we had some individuals, Peter Pappas among them, that came up to the Chamber and to the Town and they talked about a project for a mixed-use development that I thought was grandiose. It was very big – Birkdale Village. That became the premier preeminent mixed-used development that everybody wanted to emulate. For the first decade it was the model. Everybody wanted a Birkdale. For those who moved to our community, they actually thought that was downtown Huntersville because of the energy of Birkdale. A few years ago, a board sat right there, and they looked at where we needed to go with our transportation infrastructure. They determined that we couldn't just meet the needs of today's Huntersville, we needed to look at where it was going to go. That was you Rob, Dan, Mayor Bales. You invested millions of dollars in transportation infrastructure. We see those orange barrels and sometimes we are challenged by them, but we know that we're going to be able to handle our future here on Gilead and Sam Furr. I've been to Avalon in Georgia and I've seen the model for where North American Properties wants to take Birkdale

Village. Kim was just talking about on social media people said we don't need Class A office space, etc., we can't even park there now and they can't park there now. That's why we have to have these new improvements and needed parking decks. But they're wrong, we do need the Class A office space. People don't want to drive to Charlotte for their jobs, but they do want to work closer to their houses. We need to take the people out of their cars and let them work where they live. I got a phone call last week. The Carolina Raptor Center wants to have a gala event with 350 to 400 people here in Huntersville. We don't have a meeting space like that, not only in Huntersville, in Lake Norman. We have to send them to Concord or Charlotte. We do need a boutique hotel, somewhere when those folks come they can stay, they can dine, they can shop, they can leave their money like the proclamation talked about. We need those kinds of things. The previous Town Board sat where you did and said where can we take this town. You have a partner in North American Properties that wants to invest millions to reimagine Birkdale Village. You have the opportunity to reimagine Huntersville. Don't miss this opportunity.

Dawn Snow, 8132 Evanston Falls Road, said I wanted to talk about Birkdale Village. Per Article 11, the Board must consider whether a proposed rezoning is consistent with the overall character of existing development in the immediate vicinity and whether it will be in harmony and conformity with the area in which it's located. Looking ahead to the 2040 Plan per LU-11 it is stated that the unique character of Huntersville's neighborhoods must be protected from the negative impacts of redevelopment. Also, building mass and scale should be respected in relation to existing buildings. When considering this in relation to Birkdale Village, you have to understand that its unique neo-traditional character is derived from the fact that it was modeled after a small town. A max building height of 48' was put into place to be in compliance with neo-traditional pedestrian-oriented development standards and to create a friendly human scale that is akin to the character of a village or small town. Both scale and architecture have to be right to have harmony and maintain character in a unique neo-traditional development like Birkdale Village. Scale is all a matter of perspective as shown in the graphic that I emailed you earlier today. You would not have hotels or office complexes that are 115' tall or more in villages or small towns because they would dwarf the other buildings and look out of place, thereby destroying the character and harmony of the area. But those same offices and hotels would look right at home in Ballantyne or in an office park down there at 485. The developer already knows this and that is why they said in the public hearing on October 3rd that their proposed buildings would be a buffer and do not need to be complimentary. The reality is that they don't care. They don't live here and are only looking at how to maximize land use and profits with little regard for the community. However, you should care. That is your job. To not consider both scale and architecture to preserve harmony and character is irresponsible. Additionally, NAP has not been very transparent with our neighborhood since taking over. During our monthly neighborhood Zoom meetings, they never mentioned the rezoning plans and failed to notify us of the neighborhood meetings. They know that 70' would be about the max height of any building in a neo-traditional village. As such and to calm everyone down, Tim Perry with NAP stated several times in front of a packed room full of residents during our October 24th neighborhood meeting that they were going to reduce the max height to 70' and everybody breathed a sigh of relief. Then they did a 180 and presented their original proposal of 145' feet at the Planning Board meeting the next day, with no mention of reducing the height to 70'. We are asking that the conditional rezoning and amendment process be followed to maintain the character, harmony, and conformity of Birkdale Village and also for the developer to honor what they say and therefore we ask that you deny the currently proposed rezoning and text amendment or at the very least limit the building height to the 70' max height that Tim Perry promised us on October 24.

Nick O'Shaughnessy, 8217 Parkton Gate Drive, said I won't disagree with anything that Bill Russell said. The only problem that we have as residents in the Greens, and Bill is not a resident in Birkdale, so I have a little bit more of a subjective approach to the whole thing and I have probably inundated you guys with quite lengthy emails because I feel very strongly. I've been in this business of rezoning and presenting rezoning since 1992, so I know where these guys are coming from. I don't disagree with anything that Bill said about the town needing to grow. I'm not against growth, even growth within the Village, but not with these guys. These guys are the epitome of the developers that came into North Mecklenburg 30 years ago and ripped everybody off and ran away and we were left with their mess and the way that these guys have been conducting themselves and I don't care if you record it, I wouldn't buy a new car from these guys, never mind a used car, because they are not transparent. They are not honest. They have not been honest with our community in our meetings. Mr. Perry the day before the Planning Board meeting said and he apologized afterwards, after he'd been called out. He said the buildings were not going to be more than 70' high to keep us all nice and quiet, to shut us up, so that we wouldn't come into your meetings and mess it all up. Well, there's only a handful of us as usual that are prepared to defend our little neighborhood and our shopping center and trying to keep it a quality place. Yes, it has to be expanded, but not with the ugly buildings these guys..... if they're going to invest \$253 million, which is their number not mine, why didn't they hire an architect to do some schematic drawings, real drawings, in real locations. It would maybe cost \$20,000 to \$25,000, peanuts in the whole scheme of a \$253 million dollar project. Why didn't they hire architects and a reasonably competent graphic artist to draw what they really want to build. The answer to that is they don't want to spend the money right now. I find that pathetic. You want to put a \$253 million project in front of people with pictures of other projects whose architecture doesn't even begin to address the language of Birkdale Village. As an architect and I taught architecture for four years at UNCC and my students won international awards, so I'm not talking out the back of my you know what. My time is up. Please either defer it, think about it, get these guys to do a proper job and show us real buildings in real locations, not misleading architecture and perspective of buildings from other projects. I just ask you to either defer it or deny it.

Caleb Hedrick, 18805 Bluff Point Road, said I am the Vice President for the Titanium Sound Marching Band. I just wanted to come here and speak on behalf of the band and to thank our Town and Commissioner Stacy Phillips for finding us a generous donor to help us to get to the Chick-fil-a Peach Bowl in Atlanta this December. We received an invite to the Peach Bowl last spring and we were very excited. We were fundraising and working very hard. We recently found out that we were not able to go, we didn't make the funds. Ms. Stacy Phillips found a generous donor. They said if we can match \$7,500 they would give us \$7,500 and then within days we made that money. We were interviewed for several articles. We were on WSOC-TV and it was just incredible to see the way the community came together to support us and that meant a lot to us. We were very overwhelmed by the level of support we received.

Alexandra Woods, 8900 New Oak Lane, said I'm the President of the Titanium Sound Band Council and I am speaking to tell everyone how much this truly means to us, your donation. Because of the COVID-19 pandemic, for the past two years we have not been able to travel outside of North Carolina and the activities we were able to participate in were limited. The Peach Bowl is the first chance for all of us to showcase our talents outside of the local community and we are not taking this lightly. Our marching band jazz ensemble and symphonic band will be working non-stop to ensure that we represent our community the best we can. Ms. Phillips is truly helping us turn our dreams into reality. To show just a small token of our appreciation and to give back to our wonderful community, we have brought in pop-top canned goods for the homeless. Our band is like a family so getting to experience this with each other is a once-in-a-lifetime opportunity for all of us. This will benefit us for years to come and help us

receive future opportunities to represent our community. We are determined to make our community proud and show everyone what we have to offer. Once again, from the bottom of our hearts, thank you Ms. Phillips.

Commissioner Phillips said point of order ma'am. I'm so proud of you all and I want you guys to know that what you're doing isn't just about Hopewell, it's about this town. You guys have brought hope to our town and this isn't the end. This is a beginning and we're investing in our futures by supporting y'all. All I ask is that when you go you have fun and you make memories that you never ever forget and keep your phones down and let your parents do all the recording, so you guys absorb it, enjoy it. We're all so very proud of you guys.

Commissioner Munger said on Birkdale Village I have put forth a request that it be deferred until a later date. We are waiting to hear back from the developer. If we do hear back from the developer I want that advertised so the next meeting when everyone thinks we might be having the vote, if we're not having the vote, I don't want to waste your time and make you come here if we're not having that vote. I want people to know that perhaps we are not going to vote on that on the 21st, which is currently the schedule. We are asking for it to be deferred to a later date and I just want everyone to kind of know that

AGENDA CHANGES

Commissioner Partee made a motion to adopt the agenda. Commissioner Munger seconded motion. Motion carried unanimously.

CONSENT AGENDA

Approval of Minutes. Commissioner Kidwell made a motion to approve the minutes of the September 19, 2022, Regular Town Board Meeting. Commissioner Munger seconded motion. Motion carried unanimously.

PUBLIC HEARINGS

Historic Designation – Cowan's Ford-Davidson College Monument. Mayor Bales called to order public hearing on the question of designating as a historic landmark a structure known as the "Cowan's Ford-Davidson College Monument," including the monument in its entirety and a 15' radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument, all as associated with the property listed under Tax Parcel 00902102, located at 14910 NC Highway 73 and owned by MDHB Properties LLC.

Kayleigh Mielenz, Planner I, entered the Staff Report into the record and reviewed request. *Refer to Staff Report attached hereto as Exhibit No. 3.*

The Charlotte-Mecklenburg Historic Landmarks Commission recommends designating as an historic landmark, a structure known as the "Cowan's Ford-Davidson College Monument," associated with the property listed under Tax Parcel 00902102, and including the monument in its entirety and a 15' radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument.

In 2019 NCDOT discussed with the State Historic Preservation office the relocation of the marker within their right-of-way but out of the construction zone of the planned improvements. NCDOT recommended to Town staff that after the marker has been relocated by them, the petition for historic designation of the Cowan's Ford marker be brought back before the Town Board for consideration. Town Staff concurs with the NCDOT recommendation and does not recommend historic landmark designation for the Cowan's Ford marker at this time.

Mayor Bales recognized Planning Board members present: Chris Boyd and Jodi Wright.

Emily Sloop, Town Attorney, confirmed that Commissioner Phillips does not need to be recused because her business is across the street from the marker.

Jack Thompson, Charlotte-Mecklenburg Historic Landmarks Commission, reviewed the process for relocating a monument and explained that decision on the radius of land surrounding the monument to be included was based on best practices.

Commissioner Phillips suggested that the process for notifications be reviewed and consider including notifying adjacent property owners of potential historic designations.

Following additional discussion, there being no further questions or comments, Mayor Bales closed the public hearing.

Historic Designation – General William Lee Davidson Monument. Mayor Bales called to order public hearing on the question of designating as a historic landmark a structure known as the "General William Lee Davidson Monument," including the monument in its entirety and a 40' radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument, all as situated on the property listed under Tax Parcel 01315102, located at 5455 Cashion Road and owned by Duke Power Company.

Kayleigh Mielenz, Planner I, entered the Staff Report into the record and reviewed request. *Refer to Staff Report attached hereto as Exhibit No. 4.*

Charlotte-Mecklenburg Historic Landmarks Commission recommends designating as an historic landmark a structure known as the "General William Lee Davidson Monument," listed under Tax Parcel 01315102, including the monument in its entirety and a 40' radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument.

Town staff recommends designating as an historic landmark a structure known as the "General William Lee Davidson Monument," listed under Tax Parcel 01315102, including the monument in its entirety and an 8' radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument.

NCDOT has planned roadway improvements to widen NC 73 in the same area as the marker. Right-of-way acquisition for the improvements is scheduled to begin in February 2023 with construction starting around 2026. NCDOT indicated the existing parking area in front of the marker may be impacted by the road project. Staff is recommending a reduced radius of land around the marker be dedicated historic so the radius does not include the existing parking area.

Ms. Mielenz noted staff is recommending an 8' radius just to not encompass the parking lot and to just keep that area of land not larger than it needs to be.

Stewart Gray, Charlotte-Mecklenburg Historic Landmarks Commission, explained they recommend a 40' radius for this marker because it's different than most that are close to a public road, as it's fronting on a parking lot and the 40' is designed to encompass the entire park that surrounds this monument.

There being no further questions or comments, Mayor Bales closed the public hearing.

Historic Designation – Rural Hill Directional Marker. Mayor Bales called to order public hearing on the question of designating as a historic landmark a structure known as the "Rural Hill Directional Marker," including the marker in its entirety and a 38' radius of the land immediately surrounding the marker, measured in each direction from the central point of the marker, all as situated on the property listed under Tax Parcel 01301250, located at 6645 Neck Road and owned by Herseng Yang.

Kayleigh Mielenz, Planner I, entered the Staff Report into the record and reviewed request. *Refer to Staff Report attached hereto as Exhibit No. 5.*

Charlotte-Mecklenburg Historic Landmarks Commission recommends designating as an historic landmark a structure known as the "Rural Hill Directional Marker," listed under Tax Parcel 01301250, including the marker in its entirety and a 38' radius of the land immediately surrounding the marker, measured in each direction from the central point of the marker.

Town Staff recommends designating as an historic landmark a structure known as the "Rural Hill Directional Marker," listed under Tax Parcel 01301250, including the marker in its entirety and a 10' radius of the land immediately surrounding the marker, measured in each direction from the central point of the marker.

Town Engineering/Public Works has a Town Capital Improvement Plan (CIP) to realign Neck Road and construct turn lanes at the intersection of Beatties Ford and Neck Road. The adopted CIP budget is from fiscal year 2023-2027. The Beatties Ford/Neck Road project is listed in the future category of the budget, meaning it will not commence until after 2027.

Due to the lack of project plans and construction date for the CIP project, Town Engineering does not contest the proposed historical designation but recommends a reduced radius of land to be dedicated historical to keep as much existing Town right-of-way out of the radius as possible. Planning Staff concurs with the Engineering Staff recommendation.

Commissioner Kidwell asked if the property owner has been communicated with.

Ms. Mielenz said Charlotte-Mecklenburg Historic Landmarks Commission has the responsibility of notifying each of the property owners and to my understanding they notified them and then I sent a reminder email about the date of the public hearing. I got no response from that.

Tommy Warlick, Charlotte-Mecklenburg Historic Landmarks Commission, noted they have written the property owner at least five times and have not received a response. In 2018 when this was initially going forward, the property owner was responsive and was in agreement at that point.

Following additional discussion, there being no further questions or comments, Mayor Bales closed the public hearing.

OTHER BUSINESS

Historic Landmark Designation – Cowan’s Ford-Davidson College Monument. Kayleigh Mielenz, Planning I, entered the Staff Report into the record. *Refer to Exhibit No. 2.*

Commissioner Boone made a motion to approve as an historic landmark a structure known as the “Cowan’s Ford-Davidson College Monument,” including the monument in its entirety and a 15’ radius of land immediately surrounding the monument, measured in each direction from the center point of the monument, all as associated with the property listed under Tax Parcel 00902102, located at 14910 NC Highway 73 and owned by MDHB Properties, LLC.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 6.

Historic Landmark Designation – General William Lee Davidson Monument. Kayleigh Mielenz, Planner I, entered the Staff Report into the record. *Refer to Exhibit No. 3.*

Commissioner Boone made a motion to approve as an historic landmark a structure known as the “General William Lee Davidson Monument,” including the monument in its entirety and a 40’ radius of land immediately surrounding the monument, measured in each direction from the center point of the monument, all as situated on the property listed under Tax Parcel 01315102, located at 5455 Cashion Road and owned by Duke Power Company.

Commissioner Kovacs seconded motion.

Motion carried unanimously.

Ordinance attached hereto as Exhibit No. 7.

Historic Landmark Designation – Rural Hill Directional Marker. Kayleigh Mielenz, Planner I, entered the Staff Report into the record. *Refer to Exhibit No. 4.*

Commissioner Boone made a motion to approve as a historic landmark a structure known as the “Rural Hill Directional Marker,” including the monument in its entirety and a 38’ radius of land immediately surrounding the marker, measured in each direction from the center point of the monument, all as situated on the property listed under Tax Parcel 01301250, located at 6645 Neck Road and owned by Herseng Yang.

Commissioner Partee seconded motion.

Commissioner Munger said I wanted to ask Commissioner Boone if he’d be amenable to excepting out the area of the public roads in that 38’ radius. I like the overall motion, I just want to remove any public roadways from that area as a designated historic marker.

Commissioner Boone said I can amend my motion that says 38' not to include any part of Neck Road.

Emily Sloop, Town Attorney, said I would agree with staff's recommendation that we get a metes and bounds description for this particular designation given that we are changing it from a circular 38' radius to exclude the right-of-way. You can include that in the motion that it is a requirement to have a metes and bounds description.

Commissioner Boone said so amended.

Commissioner Partee seconded amended motion.

Motion carried by unanimous vote.

Ordinance attached hereto as Exhibit No. 8.

Stumptown Road Project Discussion. Stephen Trott, Director of Engineering, asked if the Town should apply for CRTPO funds and if yes, what is that match percentage. The application that we turned in in draft format included the minimum 20 percent match. If the Town Board would like to go along with that and approve that, we already have the application in. If the Board would like to have an additional percentage match above that 20, we could do that. Since the submittal deadline has passed the TCC has met and during their presentation last week found out that these were the overall, don't know specific projects, but these are the dollar amounts of projects that have been submitted so far. If the eligible pot is \$46 million, if you add up everything that could be a roadway designation it's short of that, so it looks like most everything or everything that was submitted as a roadway project if eligible may get funding.

Commissioner Kidwell made a motion to approve the Resolution to approve a 20 percent local match of \$1.289 million towards the requested amount of \$5.156 million from CRTPO for the Stumptown Project.

Commissioner Munger seconded motion.

Motion carried unanimously.

Hambright Road Pedestrian Crossing. Stephen Trott, Director of Engineering, reviewed request received recently regarding enhanced pedestrian crossing along Hambright Road in the vicinity of CMS complex at Hambright and Old Statesville Road. The request was for an enhanced pedestrian crossing across Hambright Road so residents from the Stoneybrook Station subdivision can get to the south side and go to J. M. Alexander Middle or Blythe Elementary. What we have heard from the police officer that is out in the area during the day is that a teacher from the elementary school does walk across the street and down the street to the subdivision to help kids walk back to the elementary school each day. We did do a pedestrian count out there and there were a little over 20 people over the course of two days that crossed the street in this general area. What staff wanted to get some feedback on is does the Town Board want staff to ask NCDOT for permission to do an enhanced pedestrian crossing in that area.

Commissioner Kidwell made a motion for staff to move forward seeking direction from NCDOT for a pedestrian crosswalk at Hambright at J. M. Alexander.

Commissioner Phillips seconded motion.

Motion carried unanimously.

Mr. Trott asked if there was any additional insight from the Board concerning a request brought up earlier in the year for possible pedestrian enhancement at North Meck High.

Commissioner Phillips suggested not making a decision at this time, and request staff talk to Charlotte DOT, because if the Town installs a pedestrian crossing on the Huntersville side at Old Statesville, I would like to see Charlotte step up and make it more accessible on the Alexandriana side as well.

Municipal Government Structure Changes. Anthony Roberts, Town Manager, reviewed the options to change Board terms – ordinance option and referendum option. *Refer to PowerPoint attached hereto as Exhibit No. 9.*

Commissioner Munger suggested the Board consider transitioning to 4-year terms and if they would be staggered terms.

Commissioner Partee suggested having a workshop to discuss Board terms.

Commissioner Boone pointed out that the Town of Cornelius tried 4-year terms and it did not work, so they went back to 2-year terms.

Following discussion on 2-year versus 4-year terms, Commissioners Partee, Boone and Munger volunteered to serve on a subcommittee to meet with the Town Attorney to gather information.

The subcommittee will bring something back to the Board at the first meeting in March.

Best Practices for Town Board Motions. Emily Sloop, Town Attorney, noted that information in the agenda packet is what I consider to be best practices for motions as far as drafting a motion, things to be aware of, making the motion, clarification of the motion and also changing votes and motions for reconsideration. *Refer to Best Practices attached hereto as Exhibit No. 10.*

Commissioner Munger suggested a checklist for motions to indicate has it been reviewed by the attorney, has it been reviewed by the department head, who is making the motion, etc.

In discussing making motions, there was not a clear consensus to use a checklist. It was suggested that if it be left to individual Board members if they want to use a checklist. It was agreed that motions should be well thought out and if needed take a pause when making a motion to make it is correct.

MAYOR AND COMMISSIONER REPORTS/CLOSING COMMENTS

Mayor Bales

- Provided update from Metropolitan Transit Commission.
- Lake Norman Economic Development Corporation is working 26 active projects, 21 of which are in Huntersville.

Commissioner Kidwell

- Veterans Day Parade and Ceremony is this Saturday.
- Next Charlotte Regional Transportation Planning Organization meeting is November 16.

Commissioner Kovacs

- Wine on the Vine event was a success.
- Provided update from the Lake Norman Chamber of Commerce.

Commissioner Boone

- Andrew Sales was recognized by the Lake Norman Chamber of Commerce at their Public Safety Luncheon as Firefighter of the year from Huntersville Fire Department.

Commissioner Phillips

- No Report.

Commissioner Partee

- Wine on the Vine event was a success.
- Advocate for gun safety – Huntersville Police Department has free gun safety locks.
- Bring awareness to Cool Kids Clubhouse.

Commissioner Munger

- Wine on the Vine event was a success.
- Next Public Art Commission meeting is November 9.
- Consider supporting local non-profits.

Mayor Bales announced Coffee with a Cop is tomorrow and reminded everyone of the Veterans Day Parade.

There being no further business, the meeting was adjourned.

Approved this the 3rd day of January, 2023.



Janet Pierson, Town Clerk



NEW TOWN HALL

Board of
Commissioners Update

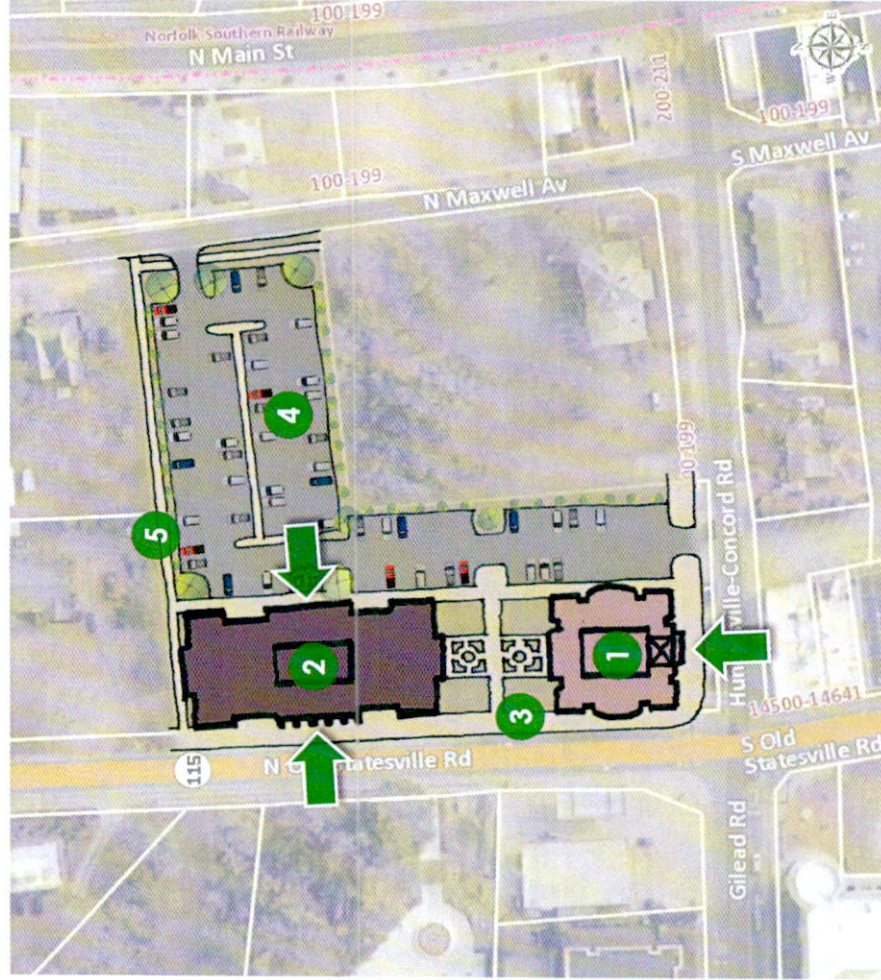
11.07.2022

EDIFICE
CREECH
ASSOCIATES



NEW TOWN HALL PARAMETERS

- 1 EXISTING TOWN HALL RENOVATION
1 STORY
8,025 TOTAL GSF
 - 2 NEW TOWN HALL ANNEX
4 STORIES
54,500 TOTAL GSF
 - 3 CIVIC GREEN
 - 4 PARKING
APPROX. XX SPACES
 - 5 POTENTIAL GREENWAY EXTENSION
- ➔ PUBLIC ENTRANCE



- Re-uses square-footage in existing town hall
- Maintains corner presence
- Easy phasing of construction
- Mid-block green space offers shelter from busy corner intersection
- Existing Town Hall could become Community Space
- Everyone located under 1 roof
- Space within building for Town Hall to grow
- Potential for future parking deck

PUBLIC INPUT SUMMARY

THE TEAM FACILITATED 3 PUBLIC LISTENING SESSIONS AND HAS AN ONLINE SURVEY OPEN FOR TWO WEEKS

A wide range of valid comments that span from...

PROVIDE ADEQUATE STAFF SPACE TO INCLUDE MARKET TYPE SPACE FOR VENDORS TO CONSIDER THE LIGHTING SIGNATURE

IDEAS THAT WERE MENTIONED MORE THAN ONCE

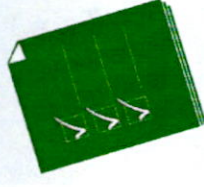
- The existing town hall should be repurposed to offer a variety of community spaces for a wide range of user groups
- Provide restrooms accessed from the exterior when the town hall is closed
- Provide an entrance into the new town hall from the courtyard
- Include integrated town history and art displays in public areas
- The aesthetic of the New Town Hall Annex should complement the existing Town Hall but not match it
- The design should provide an “AHA!” moment or signature element



13

IN-PERSON
ATTENDEES

+



7

ONLINE
RESPONSES

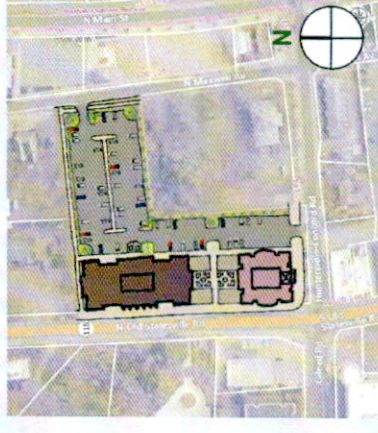
| SCHEMATIC DESIGN DRIVERS

1 SCHEDULE MILESTONES

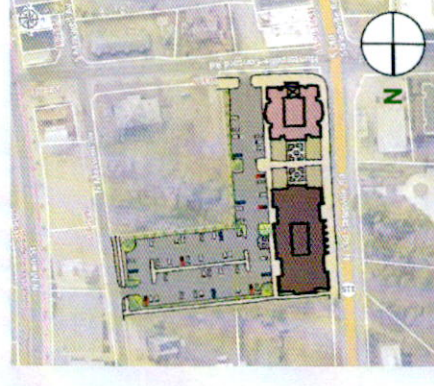
- 11/2 Public Listening Sessions
- 11/3 – 11/17 Online Survey
- 11/7 **Council Update**
- 11/8 - 11/18 Design Team Work Sessions
- 11/21 **Council Update**

- 2 Should the Board Room be located on the 1st or 2nd floor of the building?
- 3 Should the Board Room be located in the center of the building or off to 1 side?
- 4 How many audience seats should the Board Room hold?
- 5 Should there be any large community spaces in the new building, or should these be located in the existing Town Hall?
- 6 What elements should be included in the outdoor space created between the existing Town Hall and new Town Hall?

DRAWING LEGEND



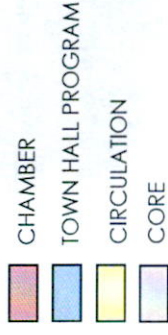
SITE PLAN WITH TRUE NORTH ORIENTATION



SITE PLAN WITH TRUE NORTH ORIENTATION
November 7, 2022

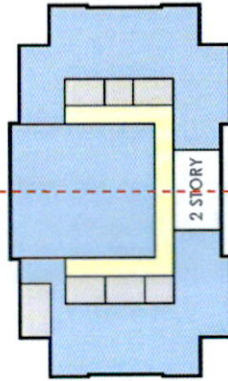
SCHEMATIC DESIGN DRIVERS

WHERE SHOULD THE CHAMBER BE LOCATED?



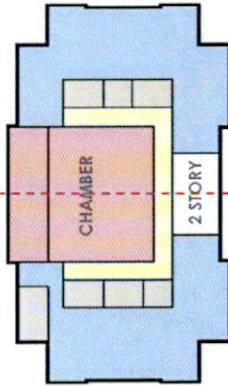
OPTION A-1

CHAMBER IN THE **CENTER** ON THE **FIRST FLOOR**



OPTION A-2

CHAMBER IN THE **CENTER** ON THE **SECOND FLOOR**



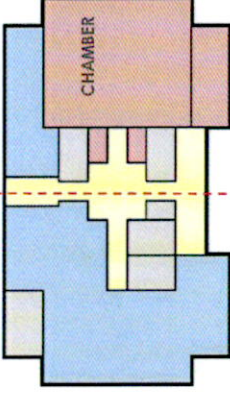
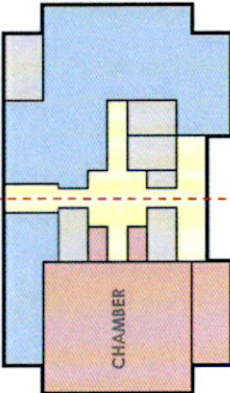
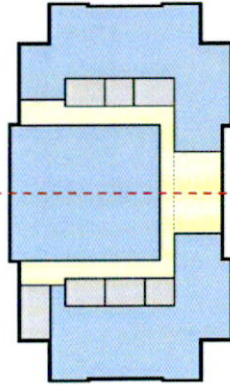
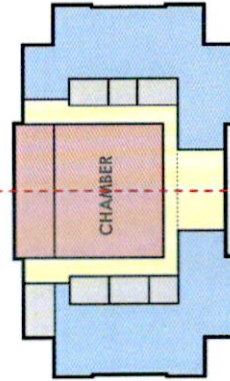
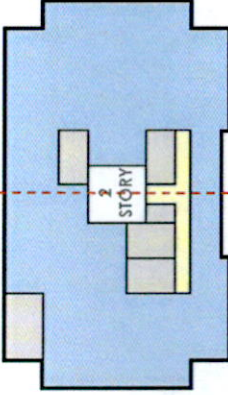
OPTION B-1

CHAMBER ON THE **LEFT** ON THE **FIRST FLOOR**



OPTION B-2

CHAMBER ON THE **RIGHT** ON THE **FIRST FLOOR**



OLD STATESVILLE RD ENTRANCE

[illegible]

EDIFICE
CREECH
&
ASSOCIATES

SITE DIAGRAM: OPTION A

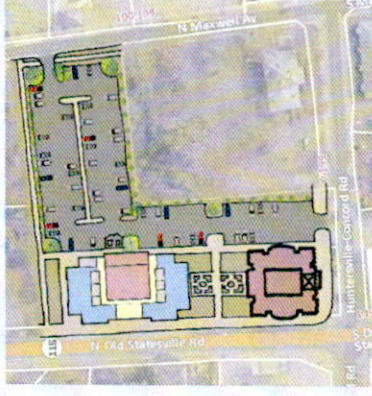
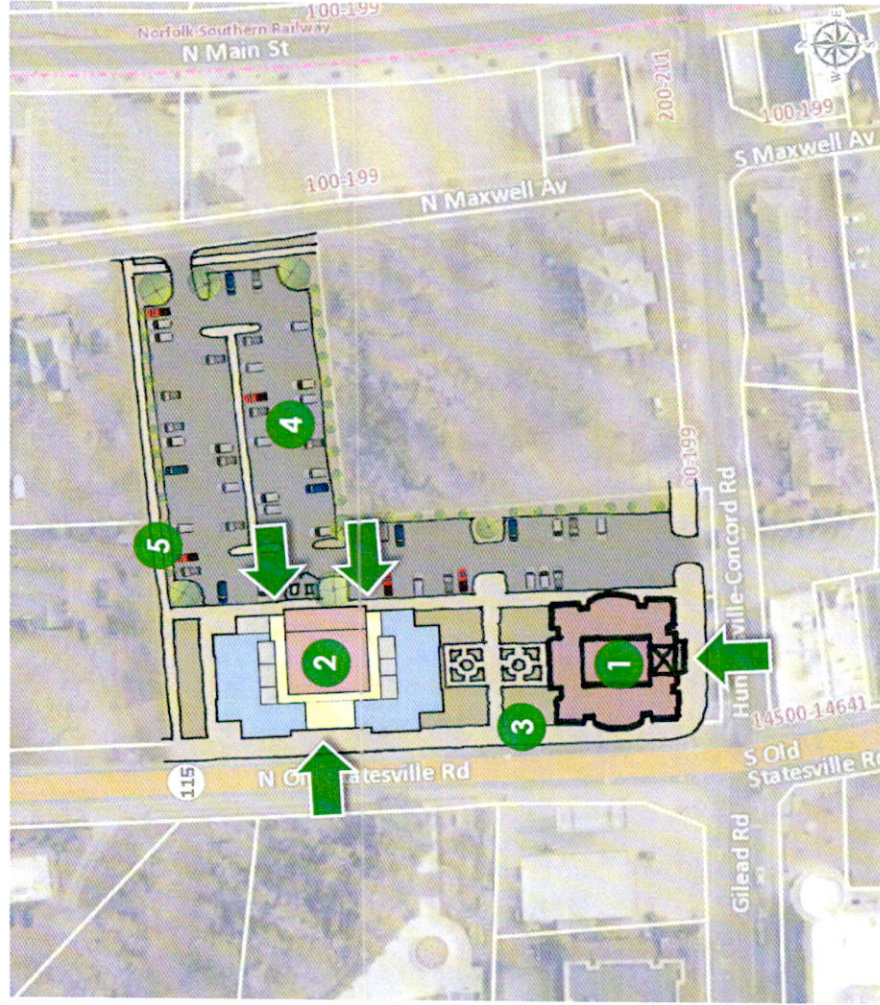
1 EXISTING TOWN HALL
RENOVATION
1 STORY
8,025 TOTAL GSF

2 NEW TOWN HALL
ANNEX
4 STORIES
54,500 TOTAL GSF

3 CIVIC GREEN

4 PARKING
APPROX. XX SPACES

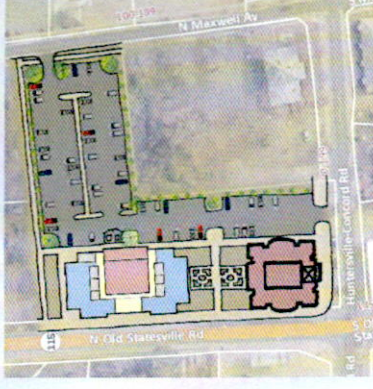
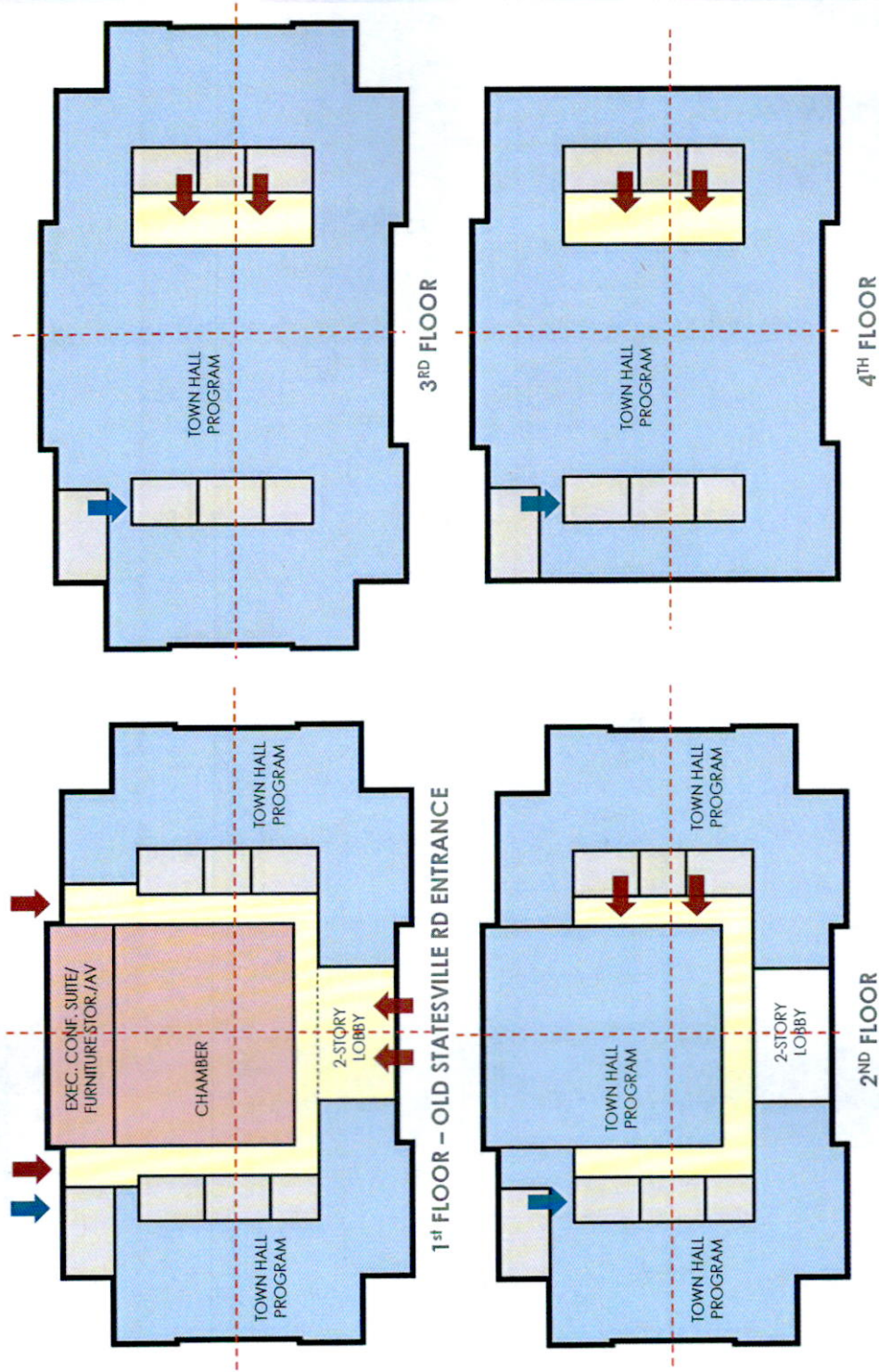
5 POTENTIAL GREENWAY
EXTENSION



CHAMBER
TOWN HALL PROGRAM
CIRCULATION
CORE

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PLAN DIAGRAMS: OPTION A-1



CHAMBER IN THE CENTER ON THE FIRST FLOOR

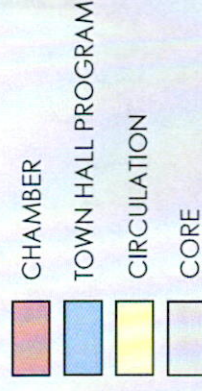
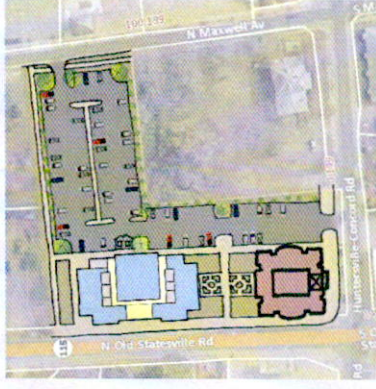
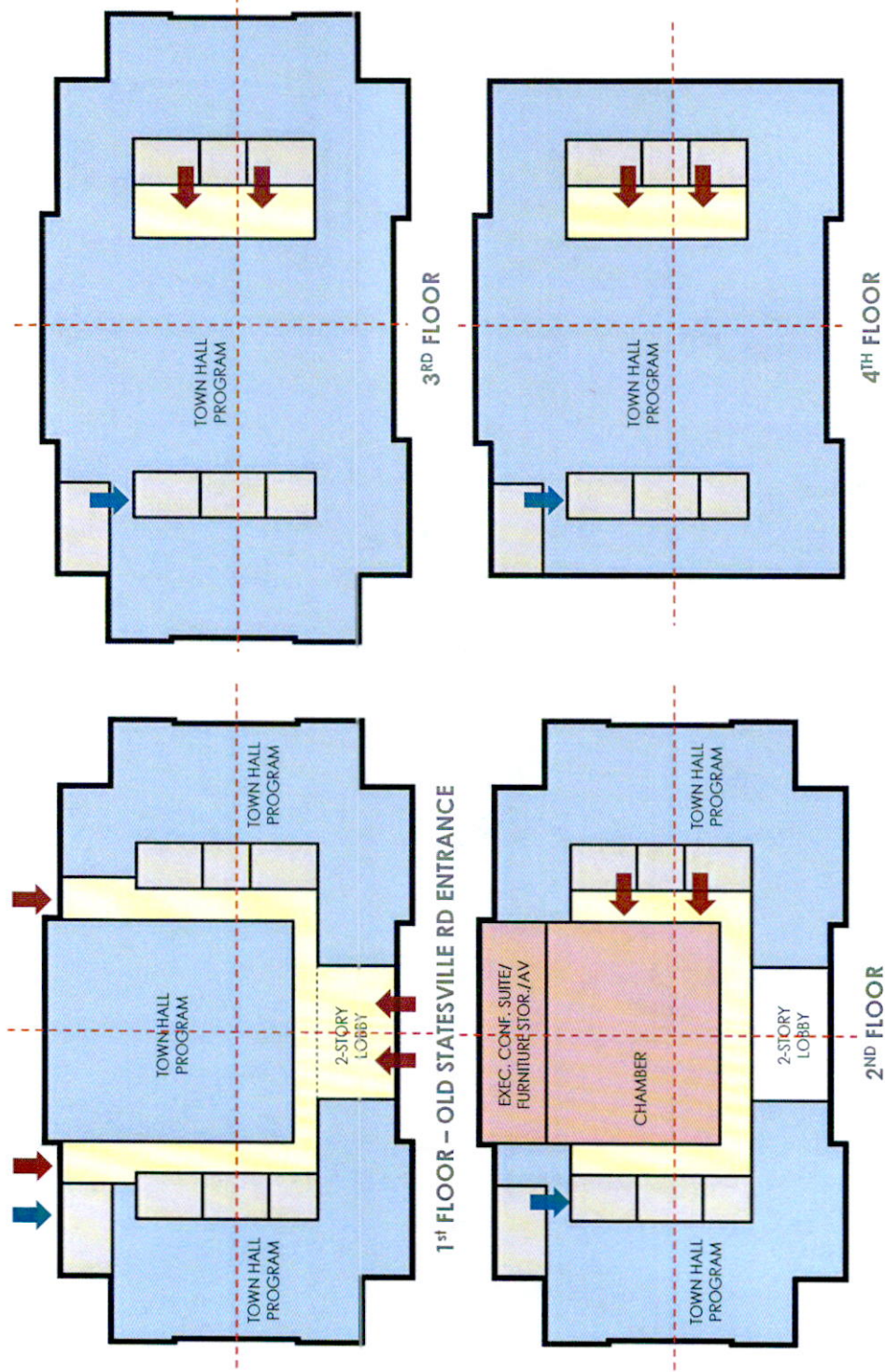


Exhibit No. 1
9 of 14
November 7, 2022

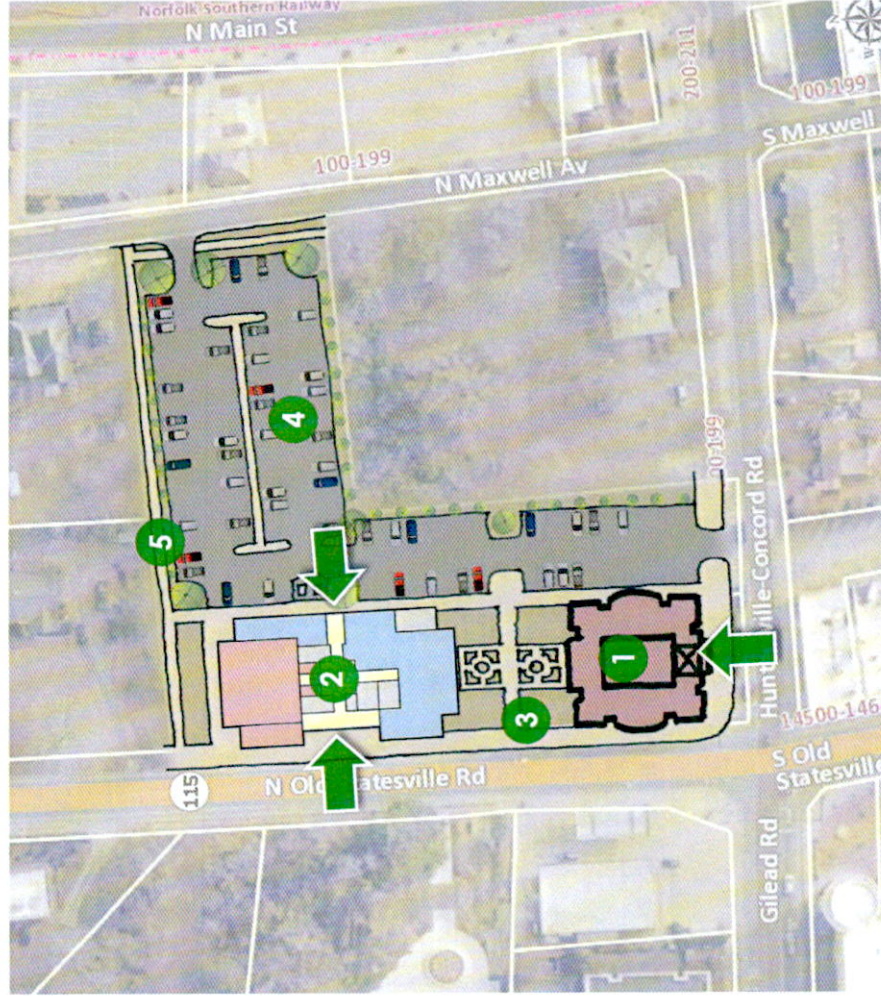
PLAN DIAGRAMS: OPTION A-2



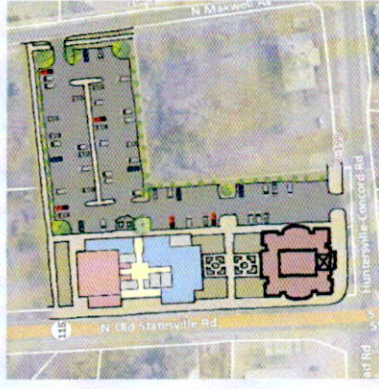
CHAMBER IN THE CENTER ON
THE SECOND FLOOR



SITE DIAGRAM: OPTION B



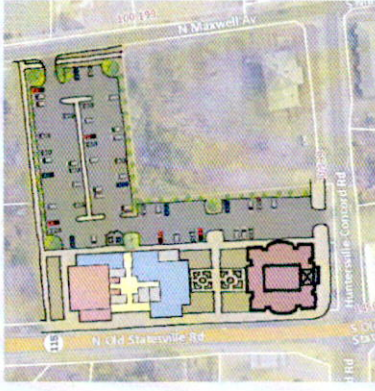
- 1** EXISTING TOWN HALL RENOVATION
1 STORY
8,025 TOTAL GSF
- 2** NEW TOWN HALL ANNEX
4 STORIES
54,500 TOTAL GSF
- 3** CIVIC GREEN
- 4** PARKING
APPROX. XX SPACES
- 5** POTENTIAL GREENWAY EXTENSION
-  PUBLIC ENTRANCE



-  CHAMBER
-  TOWN HALL PROGRAM
-  CIRCULATION
-  CORE

Exhibit No. 1
11 of 14
November 7, 2022

PLAN DIAGRAMS: OPTION B-1



CHAMBER ON THE LEFT ON
THE FIRST FLOOR

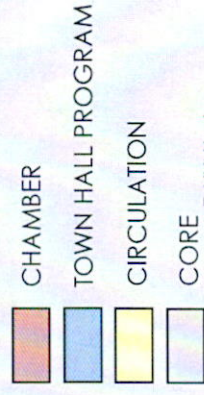
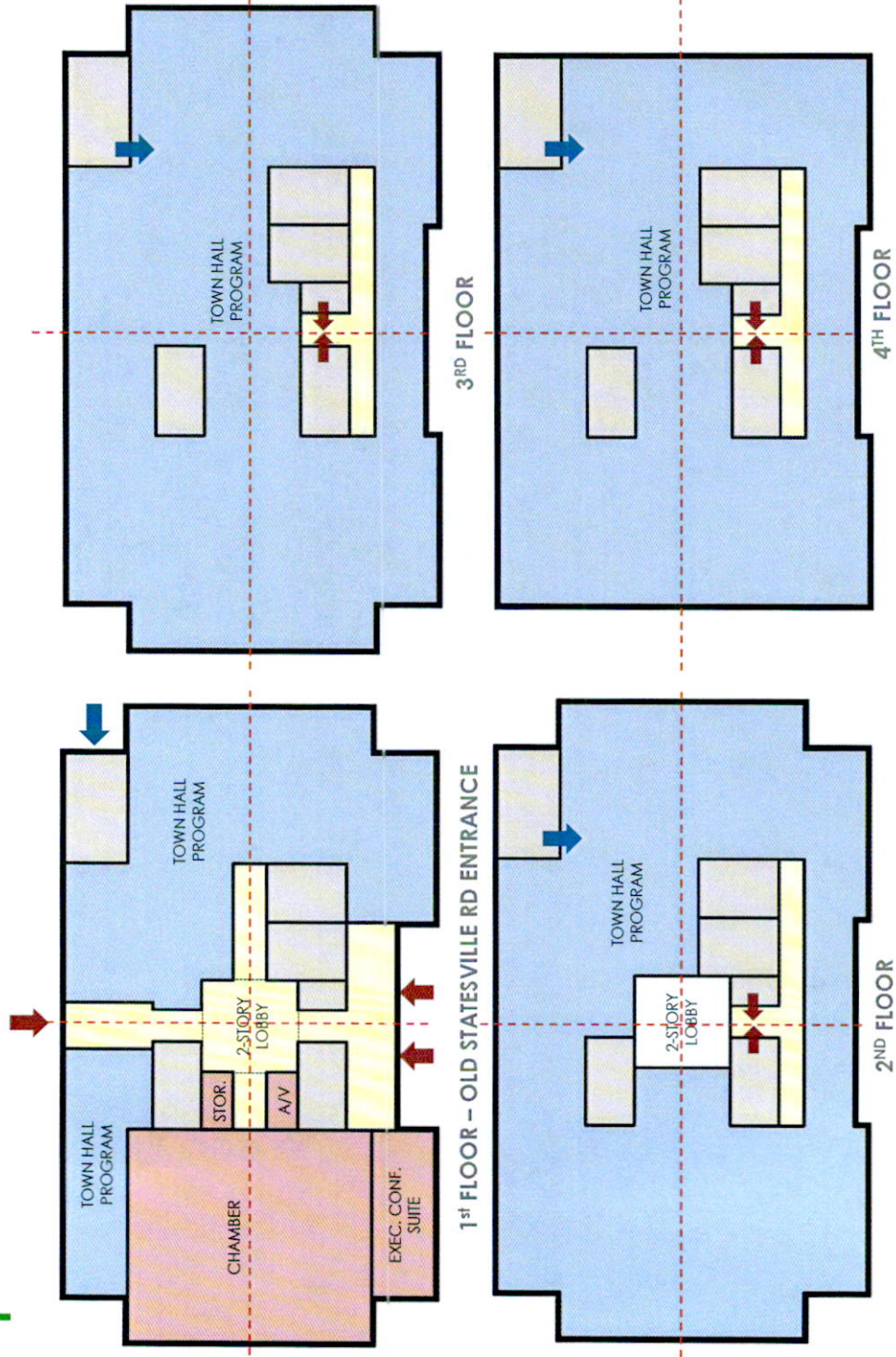
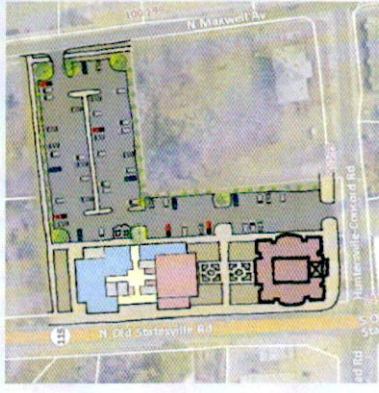


Exhibit No. 1
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PLAN DIAGRAMS: OPTION B-2



CHAMBER ON THE RIGHT ON THE FIRST FLOOR

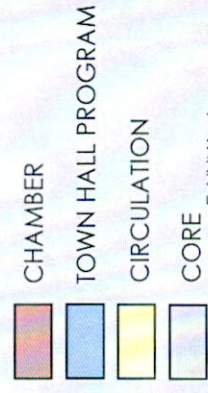
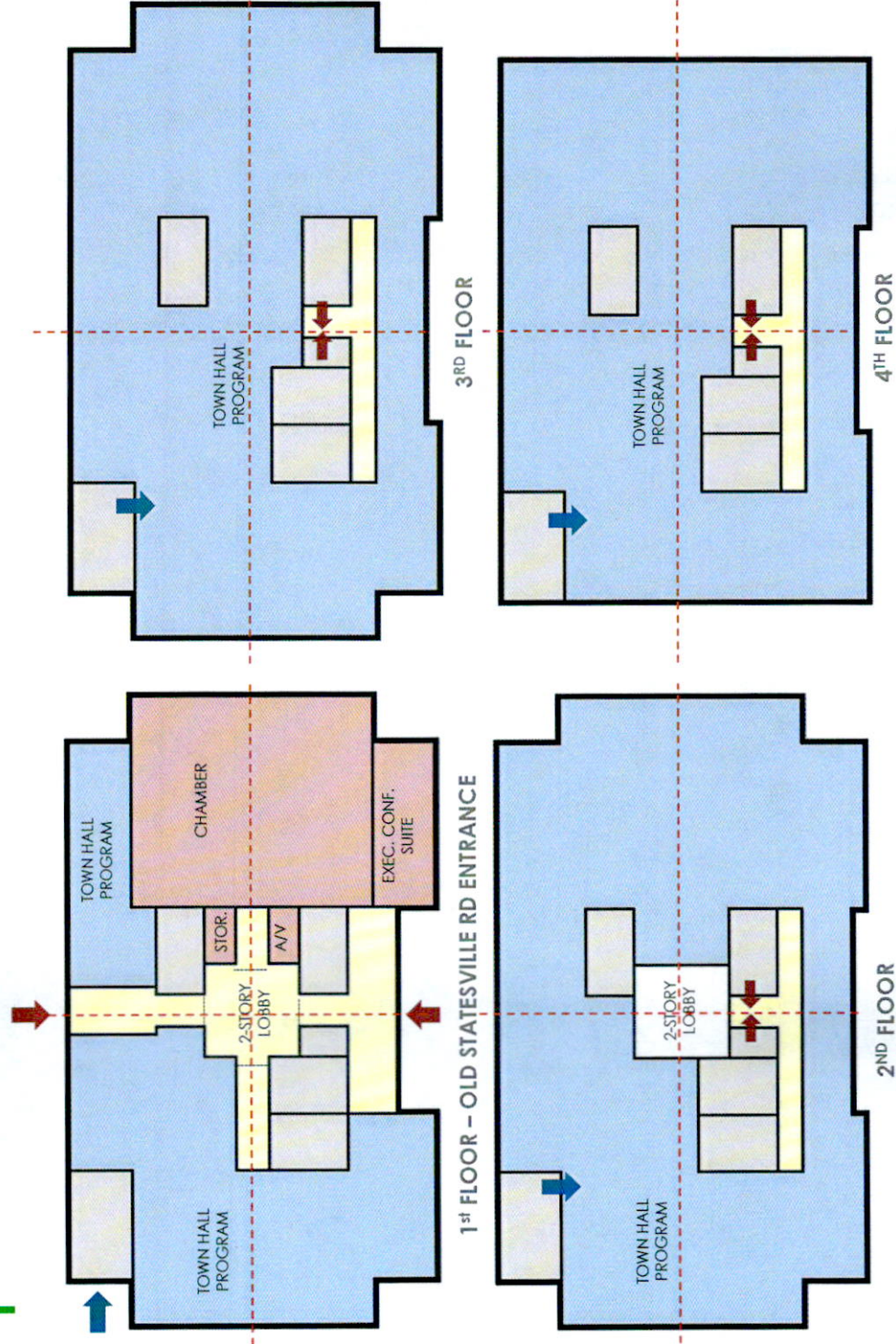


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November 7, 2022



PEER COMPARISONS

*Population figures are 2019 Certified
Municipal Estimates from NC OSB State
Demographer

TOWN/CITY	POPULATION	TOWN/CITY HALL SF	SF PER POPULATION	YEAR BUILT	BOARD ROOM SEATS	COMMUNITY ROOM ?
WITHIN MECKLENBURG COUNTY						
Town of Cornelius	32,144	27,302 SF	0.85	1999	80	YES
Town of Davidson	13,625	35,245 SF	2.59	2022	46	YES
Town of Huntersville	62,528	26,289 SF	0.42	1997/2010	64	NO
Town of Matthews	31,071	18,506 SF	0.60	2001	171	NO
Town of Mint Hill	27,754	19,400 SF	0.70	2012	98	YES
Town of Pineville	9,533	21,544 SF	2.26	2022	112	YES
WITHIN CLOSE PROXIMITY TO MECKLENBURG COUNTY						
Town of Indian Trail	39,829	18,687 SF	0.47	2016	84	YES
Town of Mooresville	42,594	30,580 SF	0.72	1968/2006	184	NO
City of Concord	95,453	76,000 SF	0.80	2015	219	NO
City of Gastonia	76,930	52,676 SF	0.68	1930	34	NO
City of Kannapolis	49,324	54,824 SF	1.11	2015	192	YES

* Footprint of 26,289 sf includes Town Hall (8,000 sf) and Town Center 3rd floor (18,289 sf)

THE EXISTING TOWN HALL/TOWN CENTER IS UNDERSIZED COMPARED TO YOUR PEERS

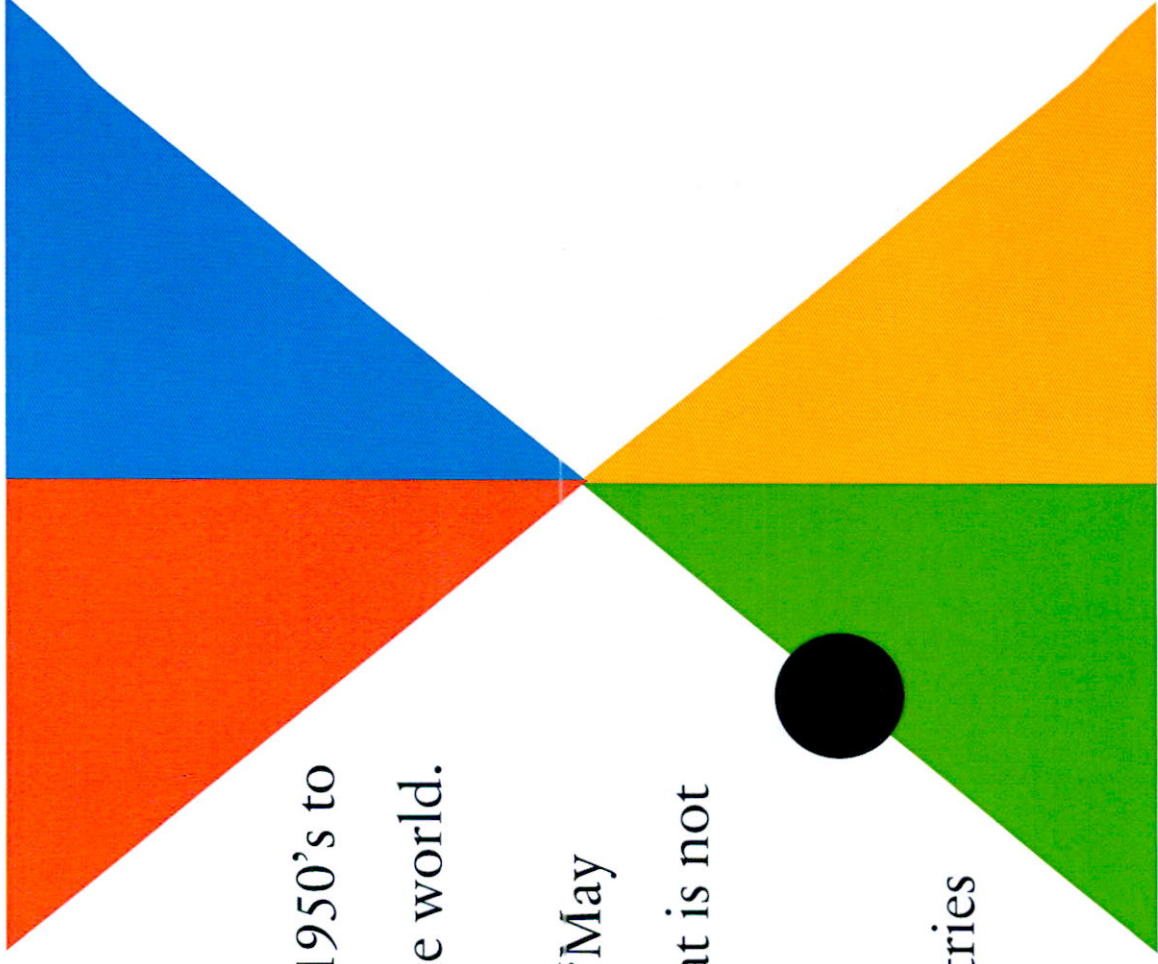


SCHOOL SPIRIT PEACE POLE PROJECT

Lynn Cavanaugh

HISTORY

- Peace poles were introduced in the 1950's to support a message of peace across the world.
- Original polies included the words "May Peace Prevail on Earth" although that is not followed strictly today
- The Poles have been placed in countries across the world



DETAILS

The Public Art Commission will work with the local Huntersville School Art Teachers to create the designs and complete block outlines on the poles with details painted by the students.

Designs must include the name of the school.



School Spirit Peace Pole Project



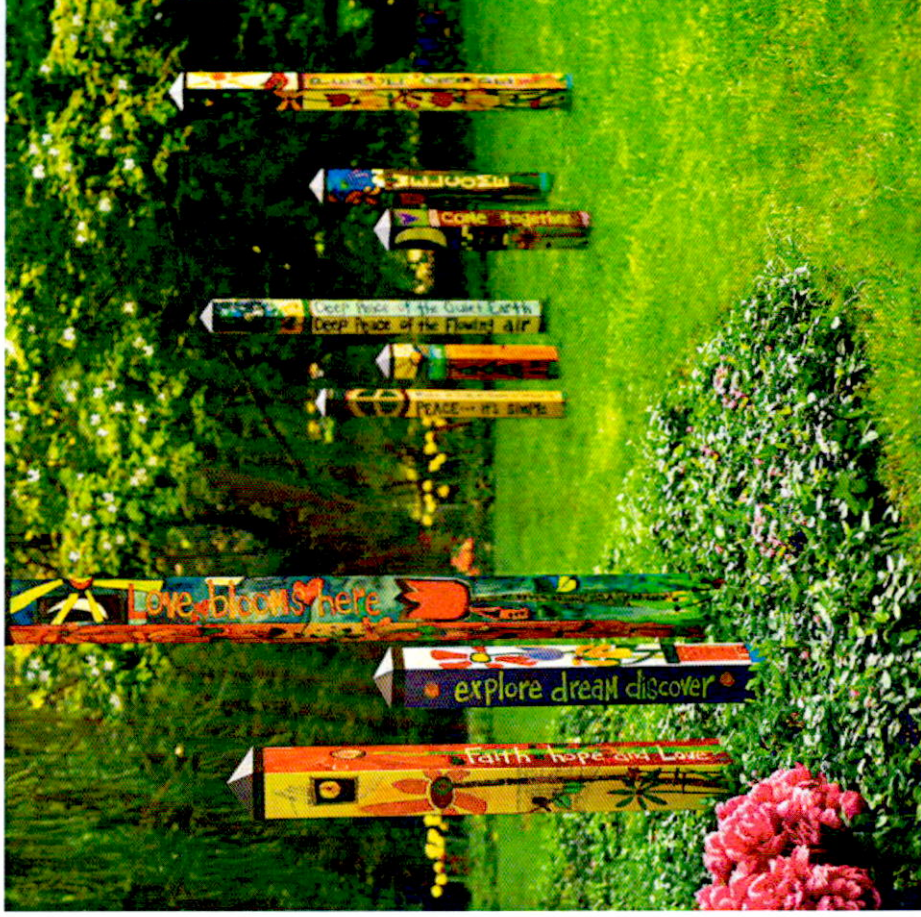
THE FINAL DESIGNS WILL BE REVIEWED BY THE PAC & TOWN BOARD FOR APPROVAL – FEB 2023

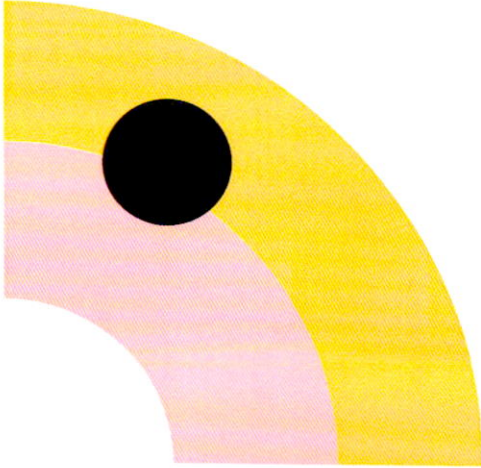
ONCE COMPLETE

The poles would be placed in our parks in groups, with the poles varying in height from 4 - 6ft. (4' Elementary, 5' Middle, 6' High School)

The PAC is recommending that we place poles in either:

- Huntersville Athletic Park
- North Mecklenburg Park





TIMELINE





School Spirit Peace Pole Project

QUESTIONS?

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Date 11-7-2022



THANK YOU

Lynn Cavanaugh
Public Art Commission

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Date 11-7-2022

Historic Landmark Designation: Cowan's Ford Marker

PART 1: BACKGROUND

There are several Edward Lee Baxter Davidson Historic Markers and Monuments (collectively, the "Markers") being proposed for historic designation, three of which are in Huntersville. The Markers are the direct result of a concerted effort in the 1920s by E.L. Baxter Davidson to memorialize his family's burial ground, to honor his family's Scottish-Irish heritage, and to celebrate American Revolutionary War happenings that occurred in north Mecklenburg County in 1780-1781. The Cowan's Ford marker is among those being proposed for historic landmark designation. The Cowan's Ford – Davidson College Monument is located to the immediate northeast of the intersection of Brown Mill and Beatties Ford Roads, associated with address 14910 NC-73.

PART 2: STAFF ANALYSIS

Historic landmark designation would be pursuant to Chapter 160D, Article 9, as amended, of the NC General Statutes. Chapter 160D-945 states: *"No property shall be recommended for designation as a historic landmark unless it is deemed and found by the historic preservation commission to be of special significance in terms of its historical, prehistorical, architectural, or cultural importance and to possess integrity of design, setting, workmanship, materials, feeling, and/or association."*

According to the "E.L. Baxter Davidson Historic Markers and Monuments Designation Report" prepared by the Charlotte-Mecklenburg Historic Landmarks Commission (HLC):

"The Markers represent locations, institutions, events, and individuals of significance in the early history of Mecklenburg County. A Revolutionary War event of special meaning for Baxter Davidson and his family was the Battle of Cowan's Ford, an engagement at the Catawba River between patriot troops and the British and Tories on February 1, 1781. The American commander was General William Lee Davidson (1746-1781), a cousin of Baxter Davidson's great grandfather. General Davidson was killed at the Battle of Cowan's Ford, and his corpse was interred at Hopewell Presbyterian Church.

The monument's purpose is to instruct people traveling northward by automobile on Beatties Ford Road to turn left if they wish to proceed to the site of the Battle of Cowan's Ford (a February 1, 1781, Revolutionary War battle) or to turn right if they wish to visit Davidson College. The Cowan's Ford – Davidson College marker features a large metal plaque that depicts two stylized hands, one indicating the direction of the site of the Battle of Cowan's Ford and the other pointing toward Davidson College. The plaque reads "COWAN'S FORD, CATAWBA RIVER / WHERE / THE REVOLUTIONARY HERO, / GEN'L. WILLIAM LEE DAVIDSON / WAS KILLED IN ACTION FEB. 1, 1781 / BORN AT / LANCASTER, PA. / 1746 / DAVIDSON COLLEGE / FOUNDED 1837 / ERECTED BY / EDWARD LEE BAXTER DAVIDSON."

Planning staff has reviewed the designation report and concurs with the assessment of the significance of the Cowan's Ford marker proposed for historic landmark designation.

PART 3: CHARLOTTE-MECKLENBURG HISTORIC LANDMARKS COMMISSION

Charlotte-Mecklenburg HLC held a virtual public hearing on September 12, 2022, focused on the question of designating, as historic landmarks, the E.L. Baxter Davidson Markers and Monuments.

Charlotte-Mecklenburg HLC recommends designating, as an historic landmark, a structure known as the "Cowan's Ford-Davidson College Monument", associated with the property listed under Tax Parcel Number

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00902102, and including the monument in its entirety and a fifteen (15) foot radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument.

PART 4: HUNTERSVILLE STAFF RECOMMENDATION

Town Staff met with the NC Department of Transportation (NCDOT) in October 2022 to discuss the Cowan's Ford and General Davidson markers. The monument is currently located in NCDOT right-of-way at the corner of Beatties Ford and Brown Mill Rd in Huntersville. NCDOT has planned roadway improvements in that area that will directly impact the marker (Project R-5721 A). Right-of-way acquisition for the improvements is scheduled to begin in February 2023 with construction starting around 2026.

Once a structure and/or property is designated historical, Chapter 160D-949 specifies a Certificate of Appropriateness must be obtained for the relocation, demolition, or destruction of a designated landmark or a building, structure, or site within a historic district. An application to the Charlotte-Mecklenburg HLC for a Certificate of Appropriateness for the relocation of the marker could not be denied but the effective date of the certificate can be delayed up to 365 days. Staff discussed with NCDOT the concern that if the marker is designated historical now, the relocation of the marker to allow for the planned road improvements could delay the road project.

In 2019 NCDOT discussed with the State Historic Preservation office the relocation of the marker within their right-of-way but out of the construction zone of the planned improvements. NCDOT recommended to Town Staff that after the marker has been relocated by them, the petition for historical designation of the Cowan's Ford marker be brought back before the Town Board for consideration. Town Staff concurs with the NCDOT recommendation and does not recommend historic landmark designation for the Cowan's Ford marker at this time.

PART 5: ACTION RECOMMENDED

Conduct the public hearing and then take final action.

PART 6: FINANCIAL IMPLICATIONS

Property is located in Huntersville corporate limits. Based on the current value and tax rate, the potential amount of deferrable taxes on the above mentioned property would be \$1.16 Town of Huntersville taxes, and \$2.90 for Mecklenburg County taxes.

PART 7: ATTACHMENTS

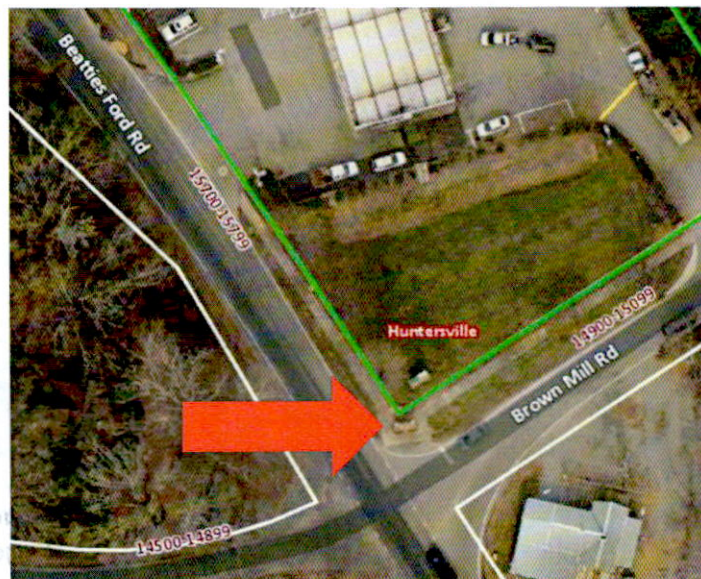
1. Cowan's Ford Cover Sheet
2. E.L. Baxter Davidson Landmark Designation Report
3. Cowan's Ford Exhibit
4. NC State Historic Preservation Office Letter
5. NC State Historic Preservation Office Memo
6. Charlotte-Mecklenburg HLC Vote
7. Mecklenburg County Tax Assessor's Office
8. Preliminary Road Plans for NCDOT Project R-5721 A
9. Ordinance

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Cowan's Ford-Davidson College Monument
14910 NC 73 Highway, Huntersville, NC



The Cowan's Ford-Davidson College Monument, located at the intersection of Brown Mill and Beatties Ford Roads, commemorates and instructs motorists as to the directions of Davidson College and the site of the 1781 Revolutionary War Battle of Cowan's Ford. Commissioned by local real estate investor E. L. Baxter Davidson during the 1920s, the monument is one of a series of such stone structures located throughout north Mecklenburg County erected at Davidson's behest to represent and raise public awareness of locations, institutions, events, and individuals of regional historic significance. In aggregate, the Davidson monuments and markers constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution, using ordinary native materials and deceptively simplistic traditional structural designs to honor Mecklenburg County's history of extraordinary efforts and achievements by ordinary people in an understated but respectful manner that complements the local landscape and the region's customs.





**Designation Report on the
E. L. Baxter Davidson Historic Markers and Monuments**



*Cowan's Ford – Davidson College Monument
Huntersville*



*General Davidson Memorial
Huntersville*



*Rural Hill Direction Marker
Huntersville*



*Battle of McIntyre's Farm Monument
Charlotte*



*Williams Memorial Presbyterian Church Marker
Charlotte*



*Williams Memorial Presbyterian Church Wall
Charlotte*

1. Name Of The Properties. The E. L. Baxter Davidson Historic Markers and Monuments (collectively, the "Markers") are located at various sites in north Mecklenburg County, within the spheres of influence of Charlotte or Huntersville. The exhibit(s) accompanying this report provide specific information about the structure(s) recommended for historic landmark designation and are incorporated herein by reference.
2. Designation Report Contents. This report contains a brief historical sketch and general physical description (both prepared by Dr. Dan L. Morrill) applicable to all of the Markers, representative photographs of the Markers, and documentation as to why and how the Markers meet the criteria for designation set forth in N.C.G.S. § 160D-945. More detailed information about the individual structure(s) recommended for historic landmark designation is available in the exhibit(s), including information as to current tax parcel reference and ad valorem tax appraisal, the location and ownership of the associated property, a map of the location, the recommended scope of the designation, additional photographs, and a brief architectural description of the structure(s).
3. Statements of Significance and Integrity.
 - a. *Statement of Significance in Terms of its History, Architecture, and/or Cultural Importance:* The Charlotte-Mecklenburg Historic Landmarks Commission judges that the E. L. Baxter Davidson Historic Markers and Monuments possess special significance in terms of their history, architecture, and cultural importance to Charlotte, Huntersville, and all of Mecklenburg County. The Commission bases its judgment on the following considerations:
 - i. Erected during the 1920s, the Markers represent locations, institutions, events, and individuals of importance in the early history of Mecklenburg County, including the Revolutionary War Battles of McIntyre's Farm and Cowan's Ford (October 3, 1780, and February 1, 1781, respectively), the battlefield death of General William Lee Davidson (February 1, 1781), the homestead of Major John Davidson (Rural Hill, built in 1788), and Williams Memorial Presbyterian Church (founded in 1885).
 - ii. In aggregate, the Markers located throughout Mecklenburg County constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution. The use of ordinary native materials and deceptively simplistic traditional structural designs commemorates Mecklenburg County's history of extraordinary efforts and achievements by ordinary people in an understated but respectful manner that complements, rather than dominates, the local landscape and the region's customs.
 - iii. The Markers bear lasting witness to the commitment and impact of a single person, E. L. Baxter Davidson, to the importance of making the general public more aware and appreciative of historically important locations, institutions, events, and individuals in the early history of Mecklenburg

County.

b. *Statement of Integrity of Location, Design, Setting, Materials, Workmanship, Feeling, and Association.* The Charlotte-Mecklenburg Historic Landmarks Commission judges that the "Physical Description" included in this report and the attached exhibit(s) demonstrates that the E. L. Baxter Davidson Historic Markers and Monuments meet this criterion as follows:

- i. Location: Except in limited instances – when necessitated to preserve a structure (such as the relocation of the General Davidson Memorial due to construction of the Cowan's Ford dam, and the repair and relocation of the Rural Hill Directional Marker to a safer distance from a busy thoroughfare) – the Markers remain in their original, highly visible public locations, continuing their decades-old service of memorializing the past for the citizens of Mecklenburg County.
- ii. Design: The original structural designs of the Markers, embodying within their vernacular styles the traditional folkways of North Carolina's Piedmont region, remain intact and unchanged since their original installation in the early decades of the twentieth century.
- iii. Setting: Each Marker stands in or near its original setting. While in some instances their surroundings may have been changed or modernized over the decades (such as, for example, the Markers lining the ever-busy Beatties Ford Road corridor), each Marker remains situated in a highly visible setting, bearing testament to simpler times when those settings were more rural in nature, while continuing to commemorate local historic achievements.
- iv. Materials: The materials – stone and mortar – are indigenous to the local region and appropriate to the purpose of longstanding remembrance of past times and people. In large part, the constituent elements of the Markers are the original materials used when the structures were first installed.
- v. Workmanship: Both the durability and absence of significant deterioration of the Markers, as well as the aesthetic symmetry and traditional artisanship reflected in their design and execution, indicate the unique skill and quality of the builders' workmanship.
- vi. Feeling: The locations and settings of the Markers, positioned at or near the actual locales of the events, institutions, or individual lives commemorated, convey a sense of the Markers' historical and cultural significance. That feeling is furthered by the design, execution, and materials comprising the Markers, reflecting Mecklenburg County's indigenous natural elements, traditions, and artistic skills. The longevity of their presence further invests the Markers with a familiarity that has made them recognizable landmarks skillfully crafted in a manner characteristic of the region.

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 Date 11-7-2020

- vii. Association: As intentionally commemorative structures, the Markers are intimately associated with the persons, institutions, and events they represent, as well as the individual (E. L. Baxter Davidson) whose personal mission to preserve the County's past within the memories of future generations prompted the installation of the Markers in the first place.
4. Recommendation for Designation. The Commission recommends the Marker(s) identified in this report and attached exhibit(s) for historic landmark designation. To maintain the integrity and built environment of each Marker, the Commission further recommends the inclusion within the landmark designation of a portion of the property immediately surrounding each Marker, consisting in each case of a radius measured from the central point of the applicable Marker, as further detailed in the attached exhibit(s).
5. Ad Valorem Tax Appraisal. The Commission is aware that designation would allow the owner of the property upon which each Marker sits to apply for an automatic deferral of up to 35% of the Ad Valorem taxes on all or any portion of the property that becomes a designated "historic landmark." The total appraised value of the entire parcel of land containing the Marker(s) is stated in the attached exhibit(s).

Date of the Preparation of this Report: April 16, 2018

Prepared by: Dr. Dan L. Morrill; updated by Tommy Warlick (December 2021)

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Date 11-7-2022

Brief History of the E. L. Baxter Davidson Historic Markers and Monuments



Edward Lee Baxter Davidson (1858-1944)

The E. L. Baxter Davidson Historic Markers and Monuments (collectively, the “Markers”) are the direct result of a concerted effort in the 1920s by a Mecklenburg County resident to memorialize his family’s burial ground, to honor his family’s Scots-Irish heritage, and to celebrate American Revolutionary War happenings that occurred in north Mecklenburg County in 1780-1781. Edward Lee (E. L.) Baxter Davidson (1858-1944) spent his boyhood and young adulthood in an area full of reminders of the American Revolutionary War. He was born at Rural Hill, the 1,300-acre north Mecklenburg County estate established in the late 1700s by Major John Davidson (1735-1832), his great grandfather. Rural Hill, or the Major John Davidson Homestead, was located on Neck Road near the Catawba River.¹ His family worshipped at nearby Hopewell Presbyterian Church, which owed its early success largely to Alexander Craighead (1707-1766), a fiery Presbyterian preacher known for his intense anti-British proclivities.² Among the stories the young Davidson heard was how a band of patriot militia had fired on British troops on October 3, 1780, at the so-called “Battle of the Bees” at McIntyre’s Farm on Beatties Ford Road, a few miles south of Rural Hill.³ A Revolutionary War event of special meaning for Baxter Davidson and his family was the

¹ Chalmers Gaston Davidson, *The Plantation World Around Davidson* (Davidson NC: Mecklenburg Historical Association, 1973), 59-60; *Charlotte Observer*, May 8, 1928; Charlotte-Mecklenburg Historic Landmarks Commission, “Survey and Research Report for Rural Hill,” October 5, 1987, <http://landmarkscommission.org/wp-content/uploads/2018/06/Rural-Hill-Plantation-SR.pdf> (accessed December 13, 2021).

² Charlotte-Mecklenburg Historic Landmarks Commission, “Survey and Research Report for Hopewell Presbyterian Church,” January 5, 1977, <http://landmarkscommission.org/wp-content/uploads/2018/05/Hopewell-Presbyterian-Church-SR.pdf> (accessed December 13, 2021).

³ Charlotte-Mecklenburg Historic Landmarks Commission, “Survey and Research Report for McIntyre Site,” <http://landmarkscommission.org/wp-content/uploads/2018/06/McIntyre-Farm-Site-SR.pdf> (accessed December 13, 2021). For an account of the battle, see David A. Norris, “McIntyre’s Farm, Battle of,” in *Encyclopedia of North*

Battle of Cowan's Ford, an engagement at the Catawba River between patriot troops and the British and Tories on February 1, 1781. The American commander was General William Lee Davidson (1746-1781), a cousin of Baxter Davidson's great grandfather. General Davidson was killed at the Battle of Cowan's Ford, and his corpse was interred at Hopewell Presbyterian Church.⁴ Davidson was told that his great grandfather was a signer of the alleged Mecklenburg Declaration of Independence (May 20, 1775), a document which purportedly was the first outright rejection of Royal authority in Colonial America.⁵ Not surprisingly, Baxter Davidson was a staunch and persistent defender of the authenticity of the so-called "Meck Deck."

Baxter Davidson believed that educating the local citizenry about Mecklenburg County's role in the American Revolutionary War was serious business. "The work we are accomplishing in preserving the history of our country cannot be underestimated," declared Davidson in a speech to the Sons of the American Revolution ("S.A.R."). "The erection of monuments and markers," he continued, "not only does honor to those patriots who established the republic . . . it also impresses the youth of the land and inspires them to emulate the achievements of their illustrious ancestors."⁶ Davidson understood that markers and monuments can be evocative elements in the manmade or built environment. Scholars agree. "In general, we cannot remember something if we were not aware of it in the first place," writes Rupert Sheldrake in his monograph, *The Presence of the Past*.⁷ The purpose of the rock walls, monuments, and markers that Baxter Davidson paid for and caused to be erected in north Mecklenburg County in the 1920s was to keep the past alive. "Monuments are history made visible," says historian Judith Dupre. "The best of them are redemptive, allowing us to understand the past that is meaningful to the present."⁸ A reporter wrote the following about Baxter Davidson in 1941: "He has had more to do with the marking of historic spots in the county than any other individual and wherever he thought one should be, he had it erected and quietly paid for it himself."⁹

A graduate of Davidson College in 1880 and its largest individual benefactor, Baxter Davidson amassed considerable wealth from the acquisition, management, and selling of real estate and eventually became a wealthy man.¹⁰ His father, Alexander Brevard Davidson (1808-1896), moved his family from Rural Hill to Charlotte in 1871, where he established a residence on South Tryon

Carolina, ed. William S. Powell (Chapel Hill: University of North Carolina Press, 2006), 723.

⁴ See Robert Henry, David Vance, and David Schenck, *Narrative of the Battle of Cowan's Ford* (Greensboro NC: Reece & Elam, 1891); Jerry L. Cross, "Cowan's Ford, Battle of," in *Encyclopedia of North Carolina*, 308.

⁵ See William Henry Hoyt, *The Mecklenburg Declaration of Independence* (Boston: Da Capo Press, 2006).

⁶ Manuscript in the Davidson College Archives.

⁷ Rupert Sheldrake, *The Presence of the Past, Morphic Resonance and The Habits of Nature* (New York: Vintage Books, 1989), 197.

⁸ Judith Dupre, *Monuments, America's History in Art and Memory*, (New York: Random House, 2007), xii.

⁹ *Charlotte Observer*, August 3, 1941.

¹⁰ *Charlotte Observer*, April 30, 1941.

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Street. The elder Davidson, like his son, was an astute businessman. He was a leading advocate for the building of railroads and factories in the postbellum years.¹¹ When his father died in 1896, Baxter Davidson inherited considerable property in the heart of Charlotte.¹² Baxter Davidson remained a bachelor until April 1935. He had no children and devoted most of his professional time to his real estate interests.¹³



Alexander Brevard Davidson



Hornet's Nest on the Cowan's Ford – Davidson College Monument. The Hornet's Nest was the historic Revolutionary War symbol of Mecklenburg County.



Hornet's Nest Symbol on the Sons of the American Revolution (S.A.R.) medal worn by E. L. Baxter Davidson at the National S.A.R. Convention in Charlotte in May 1931.

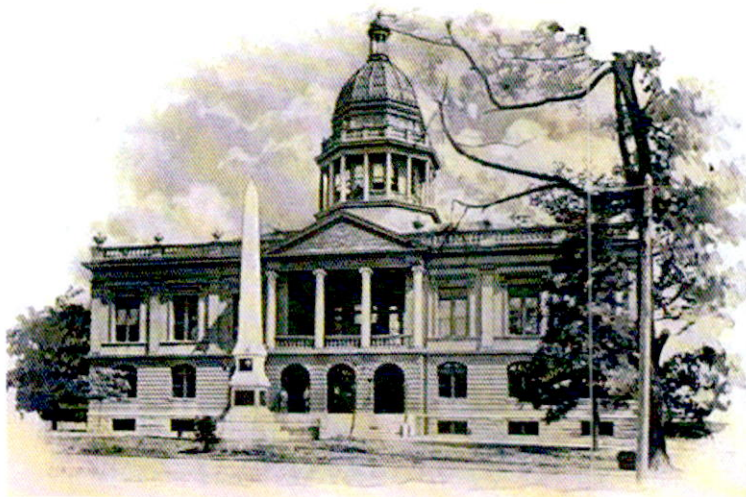
Baxter Davidson exhibited powerful patriotic feelings throughout his adulthood and spent much time and money giving expression to them as an avocation. He was a prominent leader of the S.A.R. organization and a charter member of the Mecklenburg Monument Association, which was organized on May 19, 1890. The latter organization raised the funds to erect a monument honoring

¹¹ *Charlotte Statesman*, July 16, 1993; Chalmers G. Davidson, "Davidson, Adam Brevard," *NCPedia*, January 1, 1986, <https://www.ncpedia.org/biography/davidson-adam-brevard> (accessed December 13, 2021).

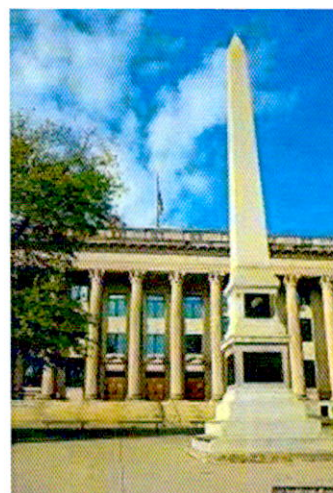
¹² *Charlotte Observer*, July 14, 1896.

¹³ *Charlotte Observer*, October 11, 1944.

the signers of the Mecklenburg Declaration of Independence. Dedicated on May 20, 1898, the marker was originally located at the Mecklenburg County Courthouse on South Tryon Street. It now stands in front of the former Courthouse on East Trade Street.¹⁴



Original Location of Signers' Monument



*E. Trade St. Location
of Signers' Monument*

On May 20, 1909, when President William Howard Taft visited Charlotte on the anniversary of the signing of the Mecklenburg Declaration of Independence, Baxter Davidson joined thirteen other descendants of "Meck Deck" signers atop the "float of floats from the historical standpoint" in a reportedly four-mile-long celebratory parade.¹⁵ In March 1925, he appeared before the Mecklenburg County Board of County Commissioners to request that the "old Mecklenburg method of marking roads with iron signs in the form of a hornet's nest" be revived as an emblem of "historical significance."¹⁶ Always devoted to his family's legacy, Davidson had a portrait of his father hung in the Charlotte Public Library in May 1921.¹⁷

In May 1925, Baxter Davidson was a cast member in a historical pageant honoring Mecklenburg County's heritage that was held in a "mammoth open-air theater" in Charlotte, "out under the stars."¹⁸ The *Charlotte Observer* described Davidson as a man "known for his philanthropies and for his interest in historic research."¹⁹ In May 1931, the Daughters of the American Revolution

¹⁴ *Charlotte Observer*, October 15, 1925.

¹⁵ *Charlotte Observer*, May 21, 1909.

¹⁶ *Charlotte Observer*, March 3, 1925.

¹⁷ *Charlotte Observer*, May 22, 1921.

¹⁸ *Charlotte Observer*, April 24, 1925.

¹⁹ *Charlotte Observer*, April 21, 1935.

("D.A.R.") unveiled a monument at the site of the Battle of McIntyre's Farm (also known as the "McIntyre Skirmish"). The brass plaque on the monument was a gift from Baxter Davidson.²⁰ Davidson also partly funded the erection of a grave marker at the General William Lee Davidson's burial site at Hopewell Presbyterian Church.²¹



D.A.R. Battle of McIntyre's Farm monument



General Davidson gravestone

The most imposing historic monument Baxter Davidson erected and paid for was the embellished stone wall that still encircles the Davidson family burial ground at Rural Hill in Huntersville.²² In a letter of January 15, 1927, Davidson wrote: "I am proud of my progenitor – Major John Davidson, signer of the Mecklenburg Declaration of Independence, who is buried at Rural Hill . . . and the wall 150 x 300 that I had built at great expense is in honor of him and his numerous descendants."²³ Baxter Davidson hired Lee Collier, an English architect, to superintend the job. It took two months to complete the cemetery wall at Rural Hill, and the effort required the participation of a foreman, sixteen laborers, and fifteen wagons. The cost of this impressive stone structure was reportedly \$20,000.²⁴ "To hear Mr. Davidson talk about designs and markers," said a local journalist, "one rightly concludes that he is a connoisseur of stones, and knows the artistic arrangement of them."²⁵ Davidson also provided a monument to Major John Davidson at the

²⁰ *Charlotte Observer*, May 17, 1931; University Library, University of North Carolina at Chapel Hill, "Commemorative Landscapes – Battle of McIntyre's Farm Monument, Charlotte," *Documenting the American South*, <https://docsouth.unc.edu/commland/monument/464/> (accessed December 13, 2021).

²¹ Letter of E. L. Baxter Davidson to Chalmers G. Davidson (January 15, 1927) in the Davidson College Archives (hereinafter cited as "Letter").

²² *Charlotte Observer*, October 11, 1944. As early as 1904, Baxter Davidson was advocating the construction of a wall at the Rural Hill Cemetery. See *Charlotte News*, January 16, 1904.

²³ Letter.

²⁴ *Charlotte Observer*, May 8, 1928.

²⁵ *Charlotte Observer*, December 9, 1928.

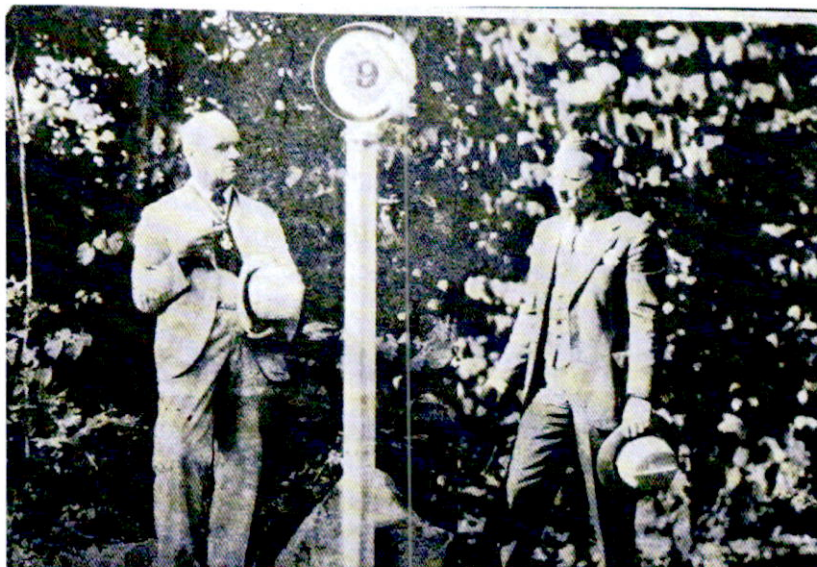
cemetery entrance, consisting of a bronze plaque mounted on a 4.5-foot-tall stone pier of two stacked boulders attached via stonework and mortar to the cemetery wall. Both the wall and the monument are prominent landscape features of the Rural Hill property and are included within a prior designation of Rural Hill as a local historic landmark by the Mecklenburg County Board of County Commissioners.²⁶



Northwestern Stem leading to Entry Gate of Rural Hill Cemetery



Major John Davidson Marker



E. L. Baxter Davidson (on left) at Historic Highway Marker at Hopewell Presbyterian Church

²⁶ Mecklenburg County Board of County Commissioners, "An Ordinance designating a property known as the 'Rural Hill Plantation' (the exterior of all improvements, the interior of all improvements, and the entire 221.04 acres comprising the plantation) as historic property, said property being located on both sides of Neck Road in Mecklenburg County, North Carolina, and recorded on tax parcel numbers 013-042-18, 013-042-19, 013-042-20, 013-181-01, and 013-181-02 in the Mecklenburg County tax office," Mecklenburg County Register of Deeds, Real Estate Book 5687, Page 582, December 21, 1987.

Baxter Davidson was also responsible for the construction of stone structures at Huntersville's Hopewell Presbyterian Church (10500 Beatties Ford Road), including stone walls lining both sides of Beatties Ford Road (each approximately 500 feet in length), a stone pier marker approximately 6 feet tall identifying the church and its founding date, and a pair of 6-foot-tall stone piers that support an engraved wooden church sign. Those stone structures are prominent landscape features of the Hopewell church property and are already included within a prior designation of the property as a local historic landmark by the Mecklenburg County Board of County Commissioners.²⁷

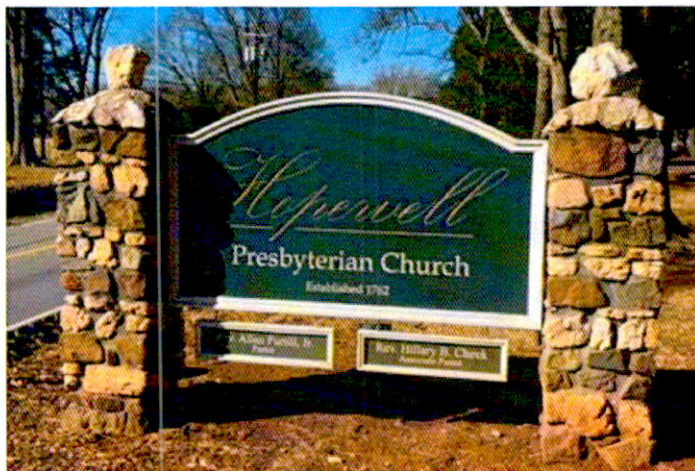


East Wall – Hopewell Presbyterian Church

²⁷ Mecklenburg County Board of County Commissioners, "An Ordinance designating a property known as the 'Hopewell Presbyterian Church' (the entire exterior of the church building, the entire interior of the church building, the entire exterior of the education building, the entire interior of the education building, a tract of land bounded on one side by a straight line running along the eastern exterior wall of the education building and extending to both edges of the tract of land recorded in the Mecklenburg County tax office under tax parcel number 015-171-09, and bounded on the other side by the edge of the public right-of-way of Beatties Ford Road extending to both edges of the tract of land recorded in the Mecklenburg County tax office under tax parcel number 015-171-09, and the rock walls on the tracts of land recorded in the Mecklenburg County tax office under tax parcel numbers 023-052-26 and 023-042-04) as historic property, said property being located on both sides of Beatties Ford Road near its intersection with Sample Road, in Mecklenburg County, North Carolina, and recorded on tax parcel numbers 015-171-09, 023-052-26, 023-042-04 in the Mecklenburg County tax office," Mecklenburg County Register of Deeds Real Estate Book 5733, Page 226, March 21, 1988.



Hopewell Church Marker



Hopewell Presbyterian Church Sign

The historical stone markers and monuments that Baxter Davidson had built in the mid-1920s throughout north Mecklenburg County were almost certainly designed by Lee Collier, because the designs are so similar to the Rural Hill structures that Collier designed for Davidson.²⁸ Like the Rural Hill cemetery wall, they are all composed of three types of native stone: white rock, brown rock, and flint rock. They include: (1) a marker originally located at the spot where General William Lee Davidson was killed at the Battle of Cowan's Ford (relocated in the early 1960s when construction of the Cowan's Ford Dam submerged the marker's original location beneath Lake Norman; the marker was moved to a small park on N.C. Highway 73); (2) a monument at the intersection of Beatties Ford and Brown Mill Roads, which displays a plaque referencing General Davidson's death and offering directional indicators for Davidson College and Cowan's Ford; (3) a directional marker at the intersection of Beatties Ford and Neck Roads incorporating a directional indicator for Rural Hill; (4) a rock wall and pier at Charlotte's Williams Memorial Presbyterian Church; and (5) a stone monument commemorating the Battle of McIntyre's Farm, located on Beatties Ford Road.²⁹

Davidson took an active role in the construction and design of the monuments, markers, and walls he caused to be placed in north Mecklenburg County. He was not a passive observer. "Mr. Davidson is not content to merely plan, design and designate where the walls and markers are to be erected, but he personally supervises them," reported the *Charlotte Observer*. "If they do not suit his fancy, he instructs the workers to tear them down and reconstruct them." There were times

²⁸ E. L. Baxter Davidson had another stone marker erected on Beatties Ford Road at the Mecklenburg County-Iredell County Line. That site is now part of Iredell County, and the marker has been destroyed. This writer remembers seeing it in the early 1980s. There is also mention of a marker having been erected on Highway 115 just north of Davidson. This writer has been unable to locate it if it was constructed or still exists.

²⁹ Letter.

when he ordered the walls and monuments destroyed and for the entire process to begin again.³⁰ Davidson ordered the plaques for the monuments and markers from the Newman Manufacturing Company in Cincinnati, Ohio.³¹ The entire project, including the Rural Hill cemetery wall, cost approximately \$30,000.³²

Baxter Davidson's bachelorhood ended on April 20, 1935, when at age 76 he married a 48-year-old widow, Sarah Williams Vosburg (1886-1973), who was a descendant of William A. Williams, a signer of the U.S. Declaration of Independence on July 4, 1776. The newlyweds purchased a home at 1401 Providence Road in July 1935, which in March 2000 was designated a local historic landmark by the Charlotte City Council. Baxter Davidson continued to be active in Davidson College alumni affairs and in patriotic organizations until his demise. He died in his sleep at home on October 10, 1944. His funeral was held at Hopewell Presbyterian Church, and his body was interred in the Rural Hill Cemetery.³³ The extant stone monuments, walls, and markers he caused to be built are his greatest legacy in terms of the built environment of Mecklenburg County. In this writer's opinion, considered aggregately, these rock features constitute the most architecturally significant collection of historic public art in Mecklenburg County.

³⁰ *Charlotte Observer*, December 9, 1928.

³¹ Newman Manufacturing Company invoice in Davidson College Archives.

³² *Charlotte Observer*, December 9, 1928.

³³ Charlotte-Mecklenburg Historic Landmarks Commission, "Survey and Research Report for E. L. Baxter Davidson House," March 30, 1998, <http://landmarkscommission.org/wp-content/uploads/2018/05/Davidson-House-E.L.-Baxter-SR.pdf> (accessed December 13, 2021); Charlotte City Council, "Ordinance designating as a Historic Landmark a property known as the 'E. L. Baxter Davidson House' (listed under Tax Parcel Number 155-121-02 as of November 15, 1999, and including the entire exterior of the E. L. Baxter Davidson House and the entire parcel of land listed under Tax Parcel Number 155-121-02 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of November 15, 1999)," City of Charlotte Ordinance Book 50, Page 95-98, March 20, 2000; *Charlotte Observer*, April 21, 1935, October 11, 1944.

**Physical Description
of the E. L. Baxter Davidson
Historic Markers and Monuments**



E. L. Baxter Davidson laying ceremonial stone at Hopewell Presbyterian Church wall (October 1928)

The E. L. Baxter Davidson Historic Markers and Monuments are built of stone, the most durable construction material provided by nature. That Baxter Davidson selected stone for his markers, monuments, and walls indicates that he wanted them to endure. His intent was to make these edifices instructive. Davidson hoped that generations of Mecklenburg County residents would learn from them and be inspired by them. Alas, that desire has largely been unrealized. Most people are unaware of the Markers' existence and intended commemorative and instructional purposes.

Human beings have been erecting rock structures, such as castles, forts, and cathedrals, for thousands of years. They have also gathered stones and piled them into dry stone walls, *i.e.*, without mortar. For example, the original stone wall enclosing the Hopewell Presbyterian Church,

constructed long before the Markers, was a dry-stacked wall. The use of stone in that wall may have influenced Davidson's decision to use stone in his walls and monuments. Also, rocks are plentiful in the fields of north Mecklenburg County. Builders have often embedded stones in mortar or plaster and constructed vertical structures (or piers) to provide greater stability for their rock walls. Stone is a superb building material. The best rock is highly resistant to weathering and to water penetration. Rock walls are held in place by gravity. One advantage of using stone is that it can tolerate a variety of soil types, thereby increasing a stone structure's resistance to ground shifting. The foundation or footing is a critical component of a stone structure, as are provisions for drainage. The footing locks the entire system into place and supports the stem, which is the main visible portion of a wall or other vertical structure. Many vertical stone structures have a "toe," an extension at the base of the stem that keeps the structure upright, prevents overturning, and reduces bearing pressures. Masonry walls require proper capping, which can extend the life of the wall, reduce maintenance, and aid sustainability. To be effective, caps must deflect water. If water is allowed to penetrate the top of a rock structure, the entire system will eventually fail.

A specific physical description of the structure(s) recommended for historic landmark designation is detailed in the attached exhibit(s), incorporated herein by reference.

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Mecklenburg County Board of County Commissioners. "An Ordinance designating a property known as the 'Hopewell Presbyterian Church' (the entire exterior of the church building, the entire interior of the church building, the entire exterior of the education building, the entire interior of the education building, a tract of land bounded on one side by a straight line running along the eastern exterior wall of the education building and extending to both edges of the tract of land recorded in the Mecklenburg County tax office under tax parcel number 015-171-09, and bounded on the other side by the edge of the public right-of-way of Beatties Ford Road extending to both edges of the tract of land recorded in the Mecklenburg County tax office under tax parcel number 015-171-09, and the rock walls on the tracts of land recorded in the Mecklenburg County tax office under tax parcel numbers 023-052-26 and 023-042-04) as historic property, said property being located on both sides of Beatties Ford Road near its intersection with Sample Road, in Mecklenburg County, North Carolina, and recorded on tax parcel numbers 015-171-09, 023-052-26, 023-042-04 in the Mecklenburg County tax office." Mecklenburg County Register of Deeds Real Estate Book 5733, Page 226, March 21, 1988.

_____. "An Ordinance designating a property known as the 'Rural Hill Plantation' (the exterior of all improvements, the interior of all improvements, and the entire 221.04 acres comprising the plantation) as historic property, said property being located on both sides of Neck Road in Mecklenburg County, North Carolina, and recorded on tax parcel numbers 013-042-18, 013-042-19, 013-042-20, 013-181-01, and 013-181-02 in the Mecklenburg County tax office." Mecklenburg County Register of Deeds, Real Estate Book 5687, Page 582, December 21, 1987.

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EXHIBIT B

Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments

Cowan's Ford – Davidson College Monument Huntersville, N.C.



South Face of Cowan's Ford – Davidson College Monument

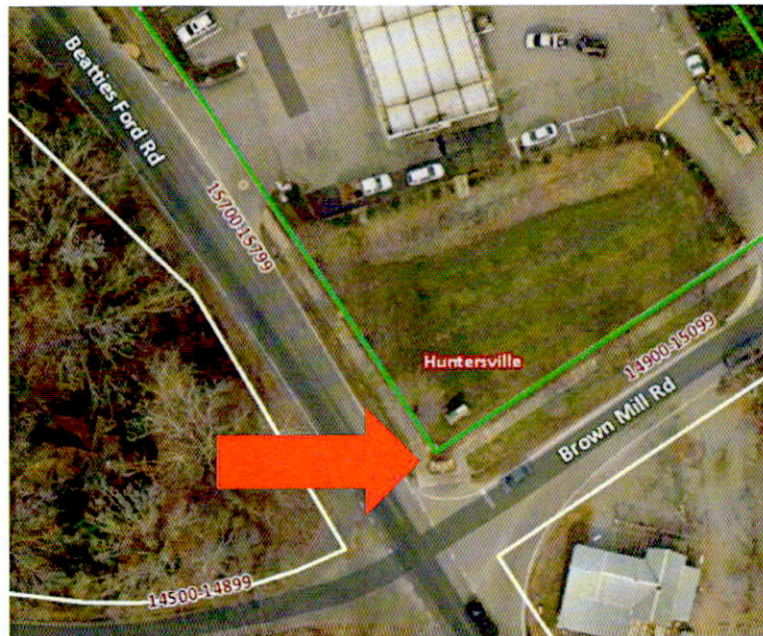
1. Name and Location of the Property. The Cowan's Ford – Davidson College Monument is located at 14910 NC 73 Highway, within Huntersville's sphere of influence. The tax parcel number for the property on which the marker stands is 00902102, and its UTM Coordinates are 17S 507553E 3920242N.
2. Name and Address of Parties to be notified.
 - a. North Carolina Department of Transportation
Division 10, District 2 Office
7605 District Drive
Charlotte, N.C. 28213
District Engineer: Wendy Taylor
Direct Phone and Email: (980) 523-0000; wataylor1@ncdot.gov
 - b. MDHB Properties LLC
1500 East Main Street
Lincolnton, N.C. 28092-3904
P.O. Box 795
Lincolnton, N.C. 28093
Registered Agent: David M. Boyd
Direct Phone: (704) 735-3092

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3. Ad Valorem Tax Appraisal. As of January 2021, the total appraised value of the property on which the Cowan's Ford – Davidson College Monument stands is \$1,990,700.
4. Recommendation for Designation. The Cowan's Ford – Davidson College Monument in its entirety, as well as a fifteen (15) foot radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument, is recommended for historic landmark designation.

The Cowan's Ford – Davidson College Monument

The Cowan's Ford – Davidson College Monument is located to the immediate northeast of the intersection of Brown Mill and Beatties Ford Roads. The monument's purpose is to instruct people traveling northward by automobile on Beatties Ford Road to turn left if they wish to proceed to the site of the Battle of Cowan's Ford (a February 1, 1781, Revolutionary War battle) or to turn right if they wish to visit Davidson College. The proximity of the monument to a busy Beatties Ford Road intersection that lies less than 400 feet south of North Carolina Highway 73 places the monument's continued integrity at risk, given the rapid growth of both development and vehicular traffic in the immediate area.



*Aerial Image of Cowan's Ford – Davidson College Monument
(arrow indicates monument's location) (source: Polaris 3G)*

The design, size, and configuration of the Cowan's Ford – Davidson College Monument is unique among the E. L. Baxter Davidson Historic Markers and Monuments, all of which were erected in the 1920s. An approximately 11-foot-tall stone pier of dark brown rock, topped by a pyramidal cap and finial of flint rock (together adding another 18 to 24 inches in height to each pier), is positioned at each of the two ends of the monument's stem or visible face. An arch of dark brown rock connects the two piers, and the remainder of the monument's stem is infilled with white rock. All stones are embedded in mortar. The overall monument stands approximately 10 feet long and 2.5 feet wide.

A large metal plaque is positioned on the south-facing side of the monument. It reads "COWAN'S FORD, CATAWBA RIVER / WHERE / THE REVOLUTIONARY HERO, / GEN'L. WILLIAM LEE DAVIDSON / WAS KILLED IN ACTION FEB. 1, 1781 / BORN AT / LANCASTER, PA. / 1746 / DAVIDSON COLLEGE / FOUNDED 1837 / ERECTED BY / EDWARD LEE BAXTER DAVIDSON." The top of the plaque features a depiction in relief of a hornet's nest attached to a tree branch surrounded by flying hornets, the historic Revolutionary War symbol of Mecklenburg County. That image incorporates similar design elements as the hornet's nest featured at the bottom of the Major John Davidson Marker plaque located at the Rural Hill Cemetery (also created at the behest of Baxter Davidson), but the two designs are decidedly different in overall conception and execution. The Cowan's Ford – Davidson College Monument plaque also depicts two stylized hands, one indicating the direction of the site of the Battle of Cowan's Ford and the other pointing toward Davidson College.



*Plaque on Cowan's Ford –
Davidson College Monument*



Plaque on Major John Davidson Marker



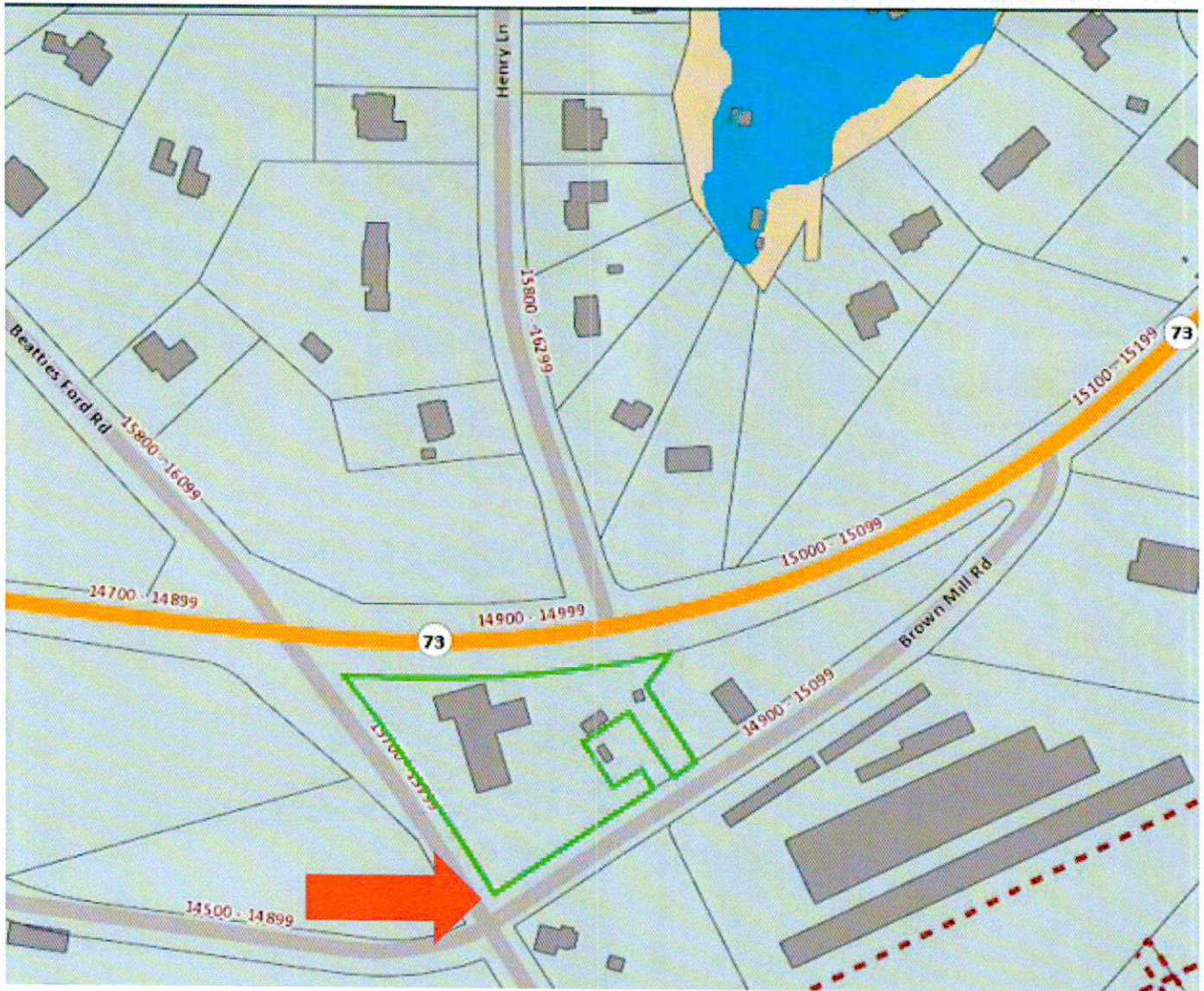
North Face of Cowan's Ford – Davidson College Monument



South Face of Cowan's Ford – Davidson College Monument

Polaris 3G Map – Mecklenburg County, North Carolina Cowan's Ford/Davidson College Monument

Date Printed: 9/22/2021 9:43:44 PM



Arrow indicates approximate location of Cowan's Ford – Davidson College Monument



North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary D. Reid Wilson

Office of Archives and History
Deputy Secretary Darin J. Waters, Ph.D.

March 18, 2022

Stewart Gray
Preservation Planner
Charlotte-Mecklenburg Historic Landmarks Commission
2100 Randolph Road
Charlotte, NC 28207

RE: Proposed Designation of the **E.L. Baxter Davidson Historic Markers at multiple locations throughout Mecklenburg County**

Dear Mr. Gray:

Thank you for the report we received on the proposed designation of the E.L. Baxter Davidson Historic Markers located throughout Mecklenburg County. We have reviewed the report and offer the following comments in accordance with North Carolina General Statute 160D-946.

The E.L. Baxter Davidson Historic Markers have special local significance for commemorating local historic events, places, and people; as a "uniquely sophisticated collection of Mecklenburg County public art"; and as representatives of Baxter Davidson's 1920s campaign to educate the public about local history.

We have shared recommendations with staff to perform very minor changes to the report. With these minor changes, we believe the commission and the local governing board will be able to more accurately determine if the E.L. Baxter Davidson Historic Markers possess the requisite special significance and integrity required for local historic landmark designation.

Landmark designation means the community recognizes the property is worthy of preservation because of its special significance to the local community. Any substantial changes in design, materials, and appearance to the property is subject to the design review procedures of the preservation commission.

Thank you for the opportunity to comment on the report. Please note, our comments are advisory only and therefore, nonbinding. Once the governing board has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission, it should proceed in the same manner as would otherwise be required for an amendment to the zoning ordinance. Once the decision has been made, please return a completed copy of the enclosed form to our office.

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Telephone/Fax: (919) 814-6570/814-

This letter serves as our comments on the proposed designation of the E.L. Baxter Davidson Historic Markers. Please contact me at Kristi.brantley@ncdcr.gov (preferred) or 919-814-6583 should you have any questions about our comments.

Sincerely,

A handwritten signature in black ink that reads "Kristi Brantley". The signature is written in a cursive style with a large, sweeping initial "K".

Kristi Brantley
Local Preservation Commissions / CLG Coordinator

CC: Commission Chair

Enclosure

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MEMO

To: File – E. L. Baxter Davidson Historic Markers and Monuments
From: HLC Staff
Date: May 4, 2021
Re: Comments from State Historic Preservation Office on Designation Report and Exhibit for Cowan's Ford-Davidson College Monument, Huntersville

By email dated March 18, 2022, SHPO staff provided feedback based on their review of the Designation Report and Exhibit for the Cowan's Ford-Davidson College Monument. In summary, the issues raised included the following:

- Greater clarity of vantage points within photo captions; and
- A typographical error.

Following review of the Designation Report and the SHPO feedback, the HLC staff revised and updated the Designation Report to address the issues raised.

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RECORD OF THE VOTE OF THE HISTORIC LANDMARKS COMMISSION ON THE

Cowan's Ford-Davidson College Monument

February 14, 2022

Motion: THE SURVEY COMMITTEE PRESENTED A SECONDED MOTION TO THE HISTORIC LANDMARKS COMMISSION THAT IT PROCESS THE E. L. BAXTER DAVIDSON HISTORIC MARKERS AND MONUMENTS WITH THE PROTECTED RADII AS RECOMMENDED BY STAFF FOR HISTORIC LANDMARK DESIGNATION. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

Favor

Mr. Akadius Berry, Ms. Lesley Carroll, Mr. Brian Clarke, Mr. William Hughes, Ms. Elizabeth Luke, Mr. Garrett Nelson, Mr. Jeffrey Parsons, Mr. Edwin Wilson

Oppose

None

Abstain

None

Absent

Ms. Diane Althouse, Mr. Robert Barfield, and Mr. Joshua Shope

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MECKLENBURG COUNTY
Assessor's Office
Real Estate Division

May 24, 2022

Tommy Warlick
Consulting Preservation Planner
Charlotte-Mecklenburg Historic Landmarks Commission
2100 Randolph Rd.
Charlotte, NC 28207

In Re: Parcel Number 00902102
The Cowan's Ford-Davidson College Monument
14910 NC73 Highway (The monument and 15ft radius of the land)
Huntersville, NC

Dear Mr. Tommy Warlick,

Based on the current value and tax rate, the potential amount of deferrable taxes on the above mentioned property would be \$1.16 City of Huntersville taxes, and \$2.90 for Mecklenburg County taxes.

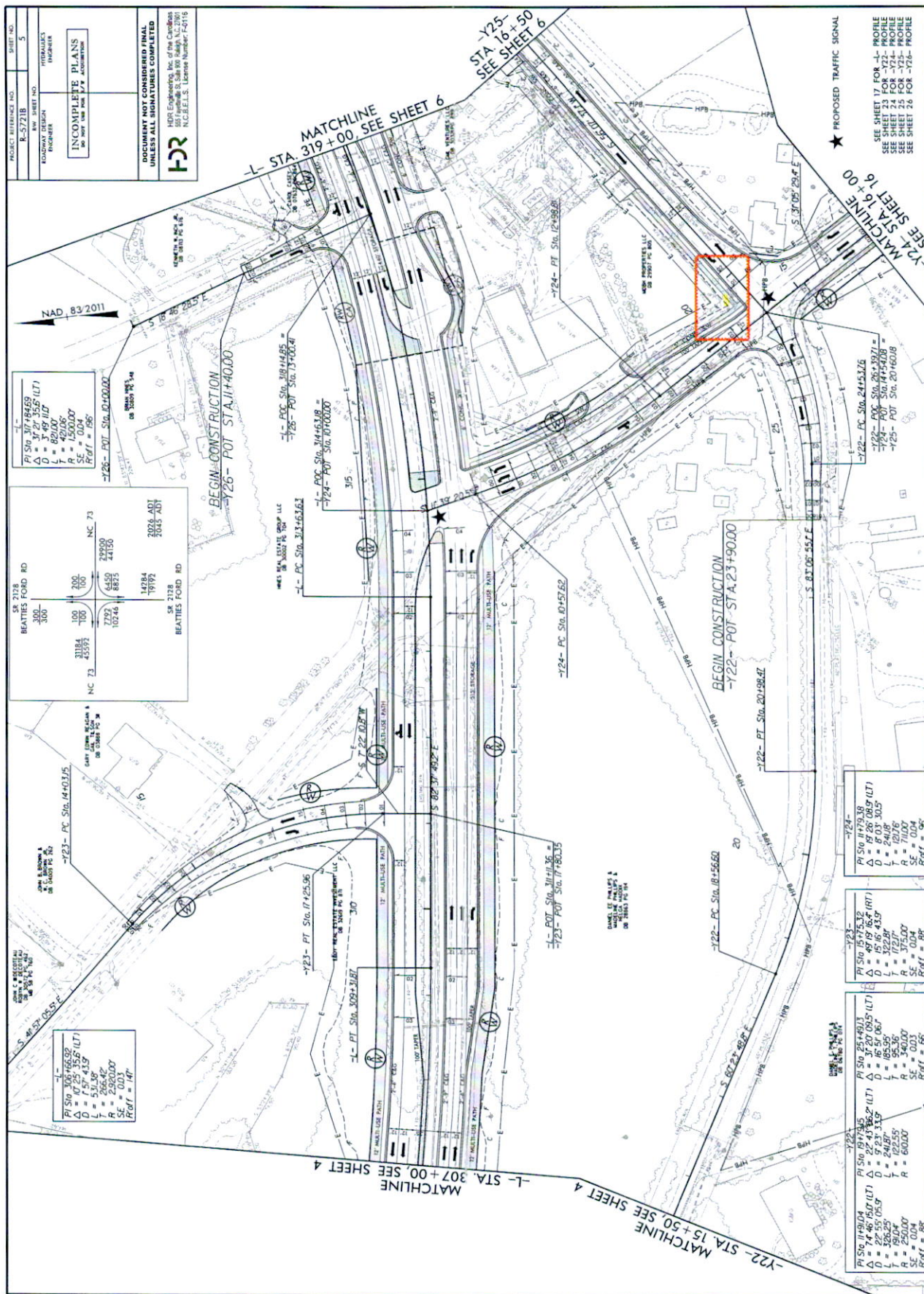
Very truly yours,

Mecklenburg County Real Estate Appr. Div.

LIVE * WORK * RECREATE

3205 Freedom Drive * P.O. Box 31127 * Charlotte, North Carolina 28231 * (980) 314-4226

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ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK A STRUCTURE KNOWN AS THE "COWAN'S FORD-DAVIDSON COLLEGE MONUMENT" (ASSOCIATED WITH THE PROPERTY LISTED UNDER TAX PARCEL NUMBER 00902102, AND INCLUDING THE MONUMENT IN ITS ENTIRETY AND A FIFTEEN (15) FOOT RADIUS OF THE LAND IMMEDIATELY SURROUNDING THE MONUMENT, MEASURED IN EACH DIRECTION FROM THE CENTRAL POINT OF THE MONUMENT, ALL AS ASSOCIATED WITH THE PROPERTY LISTED UNDER TAX PARCEL NUMBER 00902102 IN THE MECKLENBURG COUNTY TAX OFFICE, CHARLOTTE, NC, AS OF JULY 1, 2022). THE MONUMENT, STANDING NEAR THE INTERSECTION OF BROWN MILL AND BEATTIES FORD ROADS, IS ASSOCIATED WITH THE PROPERTY LOCATED AT 14910 NC 73 HIGHWAY, HUNTERSVILLE, N.C., WHICH IS OWNED BY MDHB PROPERTIES LLC.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the Board of Commissioners of the Town of Huntersville, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the 17th day of October, 2022, on the question of designating a structure known as the Cowan's Ford-Davidson College Monument as an historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at

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Ordinance – Cowan's Ford-Davidson College Monument

a public hearing held on the 12th day of September, 2022, on the question of designating a structure known as the Cowan's Ford-Davidson College Monument as an historic landmark; and

WHEREAS, the Cowan's Ford-Davidson College Monument is one of the E. L. Baxter Davidson Historic Markers and Monuments, a series of rock monuments, markers, and walls financed and erected across north Mecklenburg County during the 1920s by local real estate investor Edward Lee Baxter Davidson; and

WHEREAS, Davidson intended that series of rock structures to represent and raise public awareness of locations, institutions, events, and individuals of regional historic significance, including the Revolutionary War Battles of McIntyre's Farm and Cowan's Ford (October 3, 1780, and February 1, 1781, respectively), the battlefield death of General William Lee Davidson (February 1, 1781), the homestead of Major John Davidson (Rural Hill, built in 1788), and the founding of Williams Memorial Presbyterian Church (established in 1885); and

WHEREAS, the Cowan's Ford-Davidson College Monument specifically commemorates both Davidson College and the site of the 1781 Revolutionary War Battle of Cowan's Ford, offering motorists directions to both sites; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution; and

WHEREAS, using ordinary native materials and deceptively simplistic traditional structural designs, the E. L. Baxter Davidson Historic Markers and Monuments honor Mecklenburg County's history of extraordinary efforts and achievements by ordinary

people in an understood but respectful manner that complements the local landscape and the region's customs; and

WHEREAS, five of the E. L. Baxter Davidson Historic Markers and Monuments located across north Mecklenburg County are already designated as local historic landmarks, namely a rock memorial to Major John Davidson and the rock wall encircling the Davidson family cemetery, both located at the Rural Hill farmstead in Huntersville, and the rock wall, rock church marker, and rock signage piers, all located at Hopewell Presbyterian Church also in Huntersville; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments are of such historic, architectural, and cultural significance – both as commemorations of the early history of Mecklenburg County and as tributes to the commitment and impact of a single person determined to bring tangible form and expression to that history – that all known extant structures within the collection, including the Cowan's Ford-Davidson College Monument, should likewise be designated as local historic landmarks; and

WHEREAS, based on the additional information further detailed in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto, all of which are incorporated herein by reference, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the structure known as the Cowan's Ford-Davidson College Monument possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, to preserve as much of the existing built environment of the structure as reasonably possible, the Charlotte-Mecklenburg Historic Landmarks Commission has also demonstrated the importance of incorporating within the landmark designation a

protective buffer area of land within the immediately adjacent radius of the structure, as further detailed hereinafter; and

WHEREAS, the structure known as the Cowan’s Ford-Davidson College Monument, which stands near the intersection of Brown Mill and Beatties Ford Roads, is associated with property owned by MDHB Properties LLC.

NOW, THEREFORE, BE IT ORDAINED by the members of the Board of Commissioners of the Town of Huntersville, North Carolina:

1. That the structure known as the “Cowan’s Ford-Davidson College Monument” (associated with the property listed under Tax Parcel Number 00902102, and including the monument in its entirety and a fifteen (15) foot radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument, all as associated with the property listed under Tax Parcel Number 00902102 in the Mecklenburg County Tax Office, Charlotte, NC, as of July 1, 2022), is hereby designated as an historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina. The location of said landmark is associated with the property located at 14910 NC 73 Highway, Huntersville, N.C., near the intersection of Brown Mill and Beatties Ford Roads. Exterior features are more completely described in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto.

2. That said exterior is more specifically defined as the historic and structural fabric, especially including all original exterior architectural features and the contours of landscaping.

3. That said designated historic landmark may be materially altered, restored, moved, or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160D, Article 9, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

5. That a suitable sign may be posted indicating that said structure has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

Ordinance – Cowan's Ford-Davidson College Monument

6. That the owners of the property associated with the historic landmark known as the Cowan's Ford-Davidson College Monument be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the Town Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160D, Article 9, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the ____ day of _____, 2022, by the members of the Board of Commissioners of the Town of Huntersville, Mecklenburg County, North Carolina.

Clerk to Town Board

Approved as to form:

Town Attorney

Historic Landmark Designation: General Davidson Marker

PART 1: BACKGROUND

There are several Edward Lee Baxter Davidson Historic Markers and Monuments (collectively, the "Markers") being proposed for historic designation, three of which are in Huntersville. The Markers are the direct result of a concerted effort in the 1920s by E.L. Baxter Davidson to memorialize his family's burial ground, to honor his family's Scottish-Irish heritage, and to celebrate American Revolutionary War happenings that occurred in north Mecklenburg County in 1780-1781. The General Davidson marker is among those being proposed for historic landmark designation. The monument stands on property located at 5455 Cashion Road Huntersville, NC and is owned by Duke Power Company.

PART 2: STAFF ANALYSIS

Historic landmark designation would be pursuant to Chapter 160D, Article 9, as amended, of the NC General Statutes. Chapter 160D-945 states: *"No property shall be recommended for designation as a historic landmark unless it is deemed and found by the historic preservation commission to be of special significance in terms of its historical, prehistorical, architectural, or cultural importance and to possess integrity of design, setting, workmanship, materials, feeling, and/or association."*

According to the "E.L. Baxter Davidson Historic Markers and Monuments Designation Report" prepared by the Charlotte-Mecklenburg Historic Landmarks Commission (HLC):

"The Markers represent locations, institutions, events, and individuals of significance in the early history of Mecklenburg County. The General William Lee Davidson Monument commemorates General William Lee Davidson, an officer in the North Carolina militia and Continental Army who was killed during the February 1, 1781, Revolutionary War Battle of Cowan's Ford."

The marker stands approximately 6 feet tall and originally marked the location where General William Lee Davidson was believed to have been killed during the Revolutionary War Battle of Cowan's Ford in February 1, 1781. Construction of the Cowan's Ford Dam in the 1960s forced relocation of the memorial to its present location, as its original location is now submerged beneath Lake Norman. The pier bears a metal plaque which reads: "COWAN'S FORD, / WHERE FELL / THE REVOLUTIONARY HERO, / GENL WM LEE DAVIDSON, / 1781. / ERECTED BY / E. L. BAXTER DAVIDSON."

Planning staff has reviewed the designation report and concurs with the assessment of the significance of the General Davidson marker proposed for historic landmark designation.

PART 3: CHARLOTTE-MECKLENBURG HISTORIC LANDMARKS COMMISSION

Charlotte-Mecklenburg HLC held a virtual public hearing on September 12, 2022, focused on the question of designating, as historic landmarks, the E.L. Baxter Davidson Markers and Monuments.

Charlotte-Mecklenburg HLC recommends designating, as an historic landmark, a structure known as the "General William Lee Davidson Monument", listed under Tax Parcel Number 01315102, and including the monument in its entirety and a forty (40) foot radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument.

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PART 4: HUNTERSVILLE STAFF RECOMMENDATION

Town Staff recommends designating, as an historic landmark, a structure known as the "General William Lee Davidson Monument", listed under Tax Parcel Number 01315102, and including the monument in its entirety and an eight (8) foot radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument.

NC Department of Transportation (NCDOT) has planned roadway improvements to widen NC-73 in the same area as the marker (Project R-5721A). Right-of-way acquisition for the improvements is scheduled to begin in February 2023 with construction starting around 2026. NCDOT indicated the existing parking area in front of the marker may be impacted by the road project. Thus, Staff is recommending a reduced radius of land around the marker be dedicated historic so the radius does not include the existing parking area (General Davidson Exhibit B).

PART 5: ACTION RECOMMENDED

Conduct the public hearing and then take final action.

PART 6: FINANCIAL IMPLICATIONS

Based on the current value and tax rate, the potential amount of deferrable taxes on the above mentioned property would be \$4.02 Town of Huntersville taxes, and \$10.31 for Mecklenburg County taxes.

PART 7: ATTACHMENTS

1. General Davidson Cover Sheet
2. E.L. Baxter Davidson Landmark Designation Report
3. General Davidson Exhibit A
4. General Davidson Exhibit B
5. Portion of Preliminary Road Plans for R-5721A
6. NC State Historic Preservation Office Letter
7. NC State Historic Preservation Office Memo
8. Charlotte-Mecklenburg HLC Vote
9. Mecklenburg County Tax Assessor's Office
10. Ordinance for Adoption with 40' radius
11. Ordinance for Adoption with 8' radius

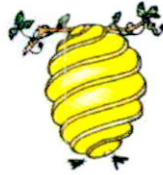
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General William Lee Davidson Monument
5455 Cashion Road, Huntersville, NC



The General William Lee Davidson Monument – located in a small memorial park near the intersection of North Carolina Highway 73 and McGuire Nuclear Station Road – commemorates General William Lee Davidson, an officer in the North Carolina militia and Continental Army who was killed during the February 1, 1781, Revolutionary War Battle of Cowan’s Ford. Originally placed at the believed location of Davidson’s battlefield death, the memorial was moved to its present location when construction of the Cowan’s Ford Dam in the 1960s submerged its original location beneath Lake Norman. Commissioned by local real estate investor E. L. Baxter Davidson during the 1920s, the monument is one of a series of such stone structures located throughout north Mecklenburg County erected at Davidson’s behest to represent and raise public awareness of locations, institutions, events, and individuals of regional historic significance. In aggregate, the Davidson monuments and markers constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution, using ordinary native materials and deceptively simplistic traditional structural designs to honor Mecklenburg County’s history of extraordinary efforts and achievements by ordinary people in an understated but respectful manner that complements the local landscape and the region’s customs.





**Designation Report on the
E. L. Baxter Davidson Historic Markers and Monuments**



*Cowan's Ford – Davidson College Monument
Huntersville*



*General Davidson Memorial
Huntersville*



*Rural Hill Direction Marker
Huntersville*



*Battle of McIntyre's Farm Monument
Charlotte*



*Williams Memorial Presbyterian Church Marker
Charlotte*



*Williams Memorial Presbyterian Church Wall
Charlotte*

1. Name Of The Properties. The E. L. Baxter Davidson Historic Markers and Monuments (collectively, the "Markers") are located at various sites in north Mecklenburg County, within the spheres of influence of Charlotte or Huntersville. The exhibit(s) accompanying this report provide specific information about the structure(s) recommended for historic landmark designation and are incorporated herein by reference.
2. Designation Report Contents. This report contains a brief historical sketch and general physical description (both prepared by Dr. Dan L. Morrill) applicable to all of the Markers, representative photographs of the Markers, and documentation as to why and how the Markers meet the criteria for designation set forth in N.C.G.S. § 160D-945. More detailed information about the individual structure(s) recommended for historic landmark designation is available in the exhibit(s), including information as to current tax parcel reference and ad valorem tax appraisal, the location and ownership of the associated property, a map of the location, the recommended scope of the designation, additional photographs, and a brief architectural description of the structure(s).
3. Statements of Significance and Integrity.
 - a. *Statement of Significance in Terms of its History, Architecture, and/or Cultural Importance:* The Charlotte-Mecklenburg Historic Landmarks Commission judges that the E. L. Baxter Davidson Historic Markers and Monuments possess special significance in terms of their history, architecture, and cultural importance to Charlotte, Huntersville, and all of Mecklenburg County. The Commission bases its judgment on the following considerations:
 - i. Erected during the 1920s, the Markers represent locations, institutions, events, and individuals of importance in the early history of Mecklenburg County, including the Revolutionary War Battles of McIntyre's Farm and Cowan's Ford (October 3, 1780, and February 1, 1781, respectively), the battlefield death of General William Lee Davidson (February 1, 1781), the homestead of Major John Davidson (Rural Hill, built in 1788), and Williams Memorial Presbyterian Church (founded in 1885).
 - ii. In aggregate, the Markers located throughout Mecklenburg County constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution. The use of ordinary native materials and deceptively simplistic traditional structural designs commemorates Mecklenburg County's history of extraordinary efforts and achievements by ordinary people in an understated but respectful manner that complements, rather than dominates, the local landscape and the region's customs.
 - iii. The Markers bear lasting witness to the commitment and impact of a single person, E. L. Baxter Davidson, to the importance of making the general public more aware and appreciative of historically important locations, institutions, events, and individuals in the early history of Mecklenburg

County.

b. *Statement of Integrity of Location, Design, Setting, Materials, Workmanship, Feeling, and Association.* The Charlotte-Mecklenburg Historic Landmarks Commission judges that the “Physical Description” included in this report and the attached exhibit(s) demonstrates that the E. L. Baxter Davidson Historic Markers and Monuments meet this criterion as follows:

- i. Location: Except in limited instances – when necessitated to preserve a structure (such as the relocation of the General Davidson Memorial due to construction of the Cowan’s Ford dam, and the repair and relocation of the Rural Hill Directional Marker to a safer distance from a busy thoroughfare) – the Markers remain in their original, highly visible public locations, continuing their decades-old service of memorializing the past for the citizens of Mecklenburg County.
- ii. Design: The original structural designs of the Markers, embodying within their vernacular styles the traditional folkways of North Carolina’s Piedmont region, remain intact and unchanged since their original installation in the early decades of the twentieth century.
- iii. Setting: Each Marker stands in or near its original setting. While in some instances their surroundings may have been changed or modernized over the decades (such as, for example, the Markers lining the ever-busy Beatties Ford Road corridor), each Marker remains situated in a highly visible setting, bearing testament to simpler times when those settings were more rural in nature, while continuing to commemorate local historic achievements.
- iv. Materials: The materials – stone and mortar – are indigenous to the local region and appropriate to the purpose of longstanding remembrance of past times and people. In large part, the constituent elements of the Markers are the original materials used when the structures were first installed.
- v. Workmanship: Both the durability and absence of significant deterioration of the Markers, as well as the aesthetic symmetry and traditional artisanship reflected in their design and execution, indicate the unique skill and quality of the builders’ workmanship.
- vi. Feeling: The locations and settings of the Markers, positioned at or near the actual locales of the events, institutions, or individual lives commemorated, convey a sense of the Markers’ historical and cultural significance. That feeling is furthered by the design, execution, and materials comprising the Markers, reflecting Mecklenburg County’s indigenous natural elements, traditions, and artistic skills. The longevity of their presence further invests the Markers with a familiarity that has made them recognizable landmarks skillfully crafted in a manner characteristic of the region.

- vii. Association: As intentionally commemorative structures, the Markers are intimately associated with the persons, institutions, and events they represent, as well as the individual (E. L. Baxter Davidson) whose personal mission to preserve the County's past within the memories of future generations prompted the installation of the Markers in the first place.
- 4. Recommendation for Designation. The Commission recommends the Marker(s) identified in this report and attached exhibit(s) for historic landmark designation. To maintain the integrity and built environment of each Marker, the Commission further recommends the inclusion within the landmark designation of a portion of the property immediately surrounding each Marker, consisting in each case of a radius measured from the central point of the applicable Marker, as further detailed in the attached exhibit(s).
- 5. Ad Valorem Tax Appraisal. The Commission is aware that designation would allow the owner of the property upon which each Marker sits to apply for an automatic deferral of up to 35% of the Ad Valorem taxes on all or any portion of the property that becomes a designated "historic landmark." The total appraised value of the entire parcel of land containing the Marker(s) is stated in the attached exhibit(s).

Date of the Preparation of this Report: April 16, 2018

Prepared by: Dr. Dan L. Morrill; updated by Tommy Warlick (December 2021)

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Brief History of the E. L. Baxter Davidson Historic Markers and Monuments



Edward Lee Baxter Davidson (1858-1944)

The E. L. Baxter Davidson Historic Markers and Monuments (collectively, the “Markers”) are the direct result of a concerted effort in the 1920s by a Mecklenburg County resident to memorialize his family’s burial ground, to honor his family’s Scots-Irish heritage, and to celebrate American Revolutionary War happenings that occurred in north Mecklenburg County in 1780-1781. Edward Lee (E. L.) Baxter Davidson (1858-1944) spent his boyhood and young adulthood in an area full of reminders of the American Revolutionary War. He was born at Rural Hill, the 1,300-acre north Mecklenburg County estate established in the late 1700s by Major John Davidson (1735-1832), his great grandfather. Rural Hill, or the Major John Davidson Homestead, was located on Neck Road near the Catawba River.¹ His family worshipped at nearby Hopewell Presbyterian Church, which owed its early success largely to Alexander Craighead (1707-1766), a fiery Presbyterian preacher known for his intense anti-British proclivities.² Among the stories the young Davidson heard was how a band of patriot militia had fired on British troops on October 3, 1780, at the so-called “Battle of the Bees” at McIntyre’s Farm on Beatties Ford Road, a few miles south of Rural Hill.³ A Revolutionary War event of special meaning for Baxter Davidson and his family was the

¹ Chalmers Gaston Davidson, *The Plantation World Around Davidson* (Davidson NC: Mecklenburg Historical Association, 1973), 59-60; *Charlotte Observer*, May 8, 1928; Charlotte-Mecklenburg Historic Landmarks Commission, “Survey and Research Report for Rural Hill,” October 5, 1987, <http://landmarkscommission.org/wp-content/uploads/2018/06/Rural-Hill-Plantation-SR.pdf> (accessed December 13, 2021).

² Charlotte-Mecklenburg Historic Landmarks Commission, “Survey and Research Report for Hopewell Presbyterian Church,” January 5, 1977, <http://landmarkscommission.org/wp-content/uploads/2018/05/Hopewell-Presbyterian-Church-SR.pdf> (accessed December 13, 2021).

³ Charlotte-Mecklenburg Historic Landmarks Commission, “Survey and Research Report for McIntyre Site,” <http://landmarkscommission.org/wp-content/uploads/2018/06/McIntyre-Farm-Site-SR.pdf> (accessed December 13, 2021). For an account of the battle, see David A. Norris, “McIntyre’s Farm, Battle of,” in *Encyclopedia of North*

Battle of Cowan's Ford, an engagement at the Catawba River between patriot troops and the British and Tories on February 1, 1781. The American commander was General William Lee Davidson (1746-1781), a cousin of Baxter Davidson's great grandfather. General Davidson was killed at the Battle of Cowan's Ford, and his corpse was interred at Hopewell Presbyterian Church.⁴ Davidson was told that his great grandfather was a signer of the alleged Mecklenburg Declaration of Independence (May 20, 1775), a document which purportedly was the first outright rejection of Royal authority in Colonial America.⁵ Not surprisingly, Baxter Davidson was a staunch and persistent defender of the authenticity of the so-called "Meck Deck."

Baxter Davidson believed that educating the local citizenry about Mecklenburg County's role in the American Revolutionary War was serious business. "The work we are accomplishing in preserving the history of our country cannot be underestimated," declared Davidson in a speech to the Sons of the American Revolution ("S.A.R."). "The erection of monuments and markers," he continued, "not only does honor to those patriots who established the republic . . . it also impresses the youth of the land and inspires them to emulate the achievements of their illustrious ancestors."⁶ Davidson understood that markers and monuments can be evocative elements in the manmade or built environment. Scholars agree. "In general, we cannot remember something if we were not aware of it in the first place," writes Rupert Sheldrake in his monograph, *The Presence of the Past*.⁷ The purpose of the rock walls, monuments, and markers that Baxter Davidson paid for and caused to be erected in north Mecklenburg County in the 1920s was to keep the past alive. "Monuments are history made visible," says historian Judith Dupre. "The best of them are redemptive, allowing us to understand the past that is meaningful to the present."⁸ A reporter wrote the following about Baxter Davidson in 1941: "He has had more to do with the marking of historic spots in the county than any other individual and wherever he thought one should be, he had it erected and quietly paid for it himself."⁹

A graduate of Davidson College in 1880 and its largest individual benefactor, Baxter Davidson amassed considerable wealth from the acquisition, management, and selling of real estate and eventually became a wealthy man.¹⁰ His father, Alexander Brevard Davidson (1808-1896), moved his family from Rural Hill to Charlotte in 1871, where he established a residence on South Tryon

Carolina, ed. William S. Powell (Chapel Hill: University of North Carolina Press, 2006), 723.

⁴ See Robert Henry, David Vance, and David Schenck, *Narrative of the Battle of Cowan's Ford* (Greensboro NC: Reece & Elam, 1891); Jerry L. Cross, "Cowan's Ford, Battle of," in *Encyclopedia of North Carolina*, 308.

⁵ See William Henry Hoyt, *The Mecklenburg Declaration of Independence* (Boston: Da Capo Press, 2006).

⁶ Manuscript in the Davidson College Archives.

⁷ Rupert Sheldrake, *The Presence of the Past, Morphic Resonance and The Habits of Nature* (New York: Vintage Books, 1989), 197.

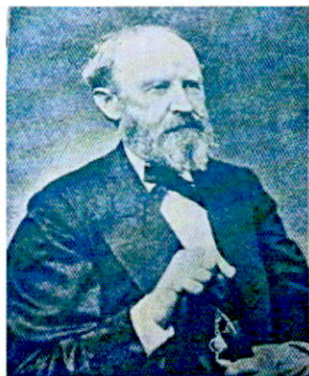
⁸ Judith Dupre, *Monuments, America's History in Art and Memory*, (New York: Random House, 2007), xii.

⁹ *Charlotte Observer*, August 3, 1941.

¹⁰ *Charlotte Observer*, April 30, 1941.

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Street. The elder Davidson, like his son, was an astute businessman. He was a leading advocate for the building of railroads and factories in the postbellum years.¹¹ When his father died in 1896, Baxter Davidson inherited considerable property in the heart of Charlotte.¹² Baxter Davidson remained a bachelor until April 1935. He had no children and devoted most of his professional time to his real estate interests.¹³



Alexander Brevard Davidson



Hornet's Nest on the Cowan's Ford – Davidson College Monument. The Hornet's Nest was the historic Revolutionary War symbol of Mecklenburg County.



Hornet's Nest Symbol on the Sons of the American Revolution (S.A.R.) medal worn by E. L. Baxter Davidson at the National S.A.R. Convention in Charlotte in May 1931.

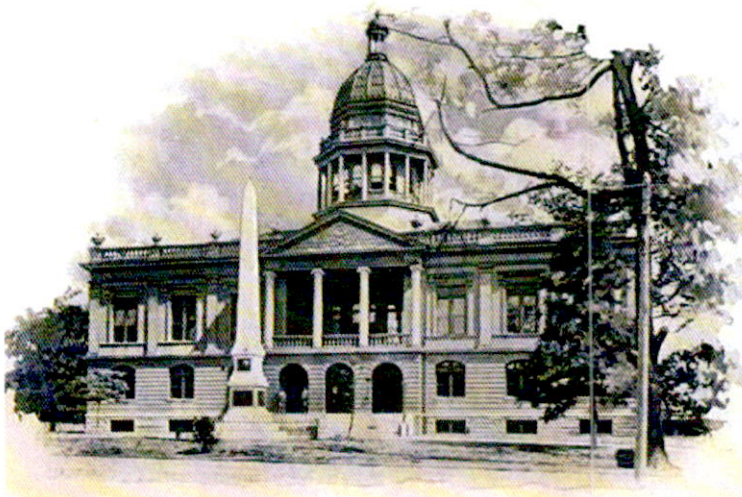
Baxter Davidson exhibited powerful patriotic feelings throughout his adulthood and spent much time and money giving expression to them as an avocation. He was a prominent leader of the S.A.R. organization and a charter member of the Mecklenburg Monument Association, which was organized on May 19, 1890. The latter organization raised the funds to erect a monument honoring

¹¹ *Charlotte Statesman*, July 16, 1993; Chalmers G. Davidson, "Davidson, Adam Brevard," *NCPedia*, January 1, 1986, <https://www.ncpedia.org/biography/davidson-adam-brevard> (accessed December 13, 2021).

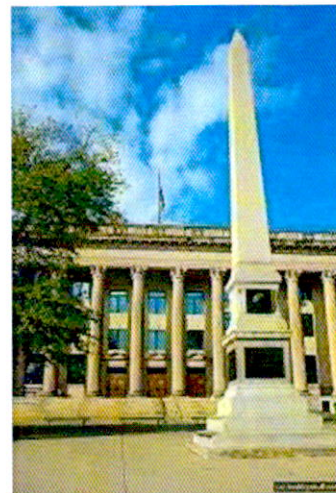
¹² *Charlotte Observer*, July 14, 1896.

¹³ *Charlotte Observer*, October 11, 1944.

the signers of the Mecklenburg Declaration of Independence. Dedicated on May 20, 1898, the marker was originally located at the Mecklenburg County Courthouse on South Tryon Street. It now stands in front of the former Courthouse on East Trade Street.¹⁴



Original Location of Signers' Monument



*E. Trade St. Location
of Signers' Monument*

On May 20, 1909, when President William Howard Taft visited Charlotte on the anniversary of the signing of the Mecklenburg Declaration of Independence, Baxter Davidson joined thirteen other descendants of "Meck Deck" signers atop the "float of floats from the historical standpoint" in a reportedly four-mile-long celebratory parade.¹⁵ In March 1925, he appeared before the Mecklenburg County Board of County Commissioners to request that the "old Mecklenburg method of marking roads with iron signs in the form of a hornet's nest" be revived as an emblem of "historical significance."¹⁶ Always devoted to his family's legacy, Davidson had a portrait of his father hung in the Charlotte Public Library in May 1921.¹⁷

In May 1925, Baxter Davidson was a cast member in a historical pageant honoring Mecklenburg County's heritage that was held in a "mammoth open-air theater" in Charlotte, "out under the stars."¹⁸ The *Charlotte Observer* described Davidson as a man "known for his philanthropies and for his interest in historic research."¹⁹ In May 1931, the Daughters of the American Revolution

¹⁴ *Charlotte Observer*, October 15, 1925.

¹⁵ *Charlotte Observer*, May 21, 1909.

¹⁶ *Charlotte Observer*, March 3, 1925.

¹⁷ *Charlotte Observer*, May 22, 1921.

¹⁸ *Charlotte Observer*, April 24, 1925.

¹⁹ *Charlotte Observer*, April 21, 1935.

("D.A.R.") unveiled a monument at the site of the Battle of McIntyre's Farm (also known as the "McIntyre Skirmish"). The brass plaque on the monument was a gift from Baxter Davidson.²⁰ Davidson also partly funded the erection of a grave marker at the General William Lee Davidson's burial site at Hopewell Presbyterian Church.²¹



D.A.R. Battle of McIntyre's Farm monument



General Davidson gravestone

The most imposing historic monument Baxter Davidson erected and paid for was the embellished stone wall that still encircles the Davidson family burial ground at Rural Hill in Huntersville.²² In a letter of January 15, 1927, Davidson wrote: "I am proud of my progenitor – Major John Davidson, signer of the Mecklenburg Declaration of Independence, who is buried at Rural Hill . . . and the wall 150 x 300 that I had built at great expense is in honor of him and his numerous descendants."²³ Baxter Davidson hired Lee Collier, an English architect, to superintend the job. It took two months to complete the cemetery wall at Rural Hill, and the effort required the participation of a foreman, sixteen laborers, and fifteen wagons. The cost of this impressive stone structure was reportedly \$20,000.²⁴ "To hear Mr. Davidson talk about designs and markers," said a local journalist, "one rightly concludes that he is a connoisseur of stones, and knows the artistic arrangement of them."²⁵ Davidson also provided a monument to Major John Davidson at the

²⁰ *Charlotte Observer*, May 17, 1931; University Library, University of North Carolina at Chapel Hill, "Commemorative Landscapes – Battle of McIntyre's Farm Monument, Charlotte," *Documenting the American South*, <https://docsouth.unc.edu/commland/monument/464/> (accessed December 13, 2021).

²¹ Letter of E. L. Baxter Davidson to Chalmers G. Davidson (January 15, 1927) in the Davidson College Archives (hereinafter cited as "Letter").

²² *Charlotte Observer*, October 11, 1944. As early as 1904, Baxter Davidson was advocating the construction of a wall at the Rural Hill Cemetery. See *Charlotte News*, January 16, 1904.

²³ Letter.

²⁴ *Charlotte Observer*, May 8, 1928.

²⁵ *Charlotte Observer*, December 9, 1928.

cemetery entrance, consisting of a bronze plaque mounted on a 4.5-foot-tall stone pier of two stacked boulders attached via stonework and mortar to the cemetery wall. Both the wall and the monument are prominent landscape features of the Rural Hill property and are included within a prior designation of Rural Hill as a local historic landmark by the Mecklenburg County Board of County Commissioners.²⁶



Northwestern Stem leading to Entry Gate of Rural Hill Cemetery



Major John Davidson Marker



E. L. Baxter Davidson (on left) at Historic Highway Marker at Hopewell Presbyterian Church

²⁶ Mecklenburg County Board of County Commissioners, "An Ordinance designating a property known as the 'Rural Hill Plantation' (the exterior of all improvements, the interior of all improvements, and the entire 221.04 acres comprising the plantation) as historic property, said property being located on both sides of Neck Road in Mecklenburg County, North Carolina, and recorded on tax parcel numbers 013-042-18, 013-042-19, 013-042-20, 013-181-01, and 013-181-02 in the Mecklenburg County tax office," Mecklenburg County Register of Deeds, Real Estate Book 5687, Page 582, December 21, 1987.

Baxter Davidson was also responsible for the construction of stone structures at Huntersville's Hopewell Presbyterian Church (10500 Beatties Ford Road), including stone walls lining both sides of Beatties Ford Road (each approximately 500 feet in length), a stone pier marker approximately 6 feet tall identifying the church and its founding date, and a pair of 6-foot-tall stone piers that support an engraved wooden church sign. Those stone structures are prominent landscape features of the Hopewell church property and are already included within a prior designation of the property as a local historic landmark by the Mecklenburg County Board of County Commissioners.²⁷

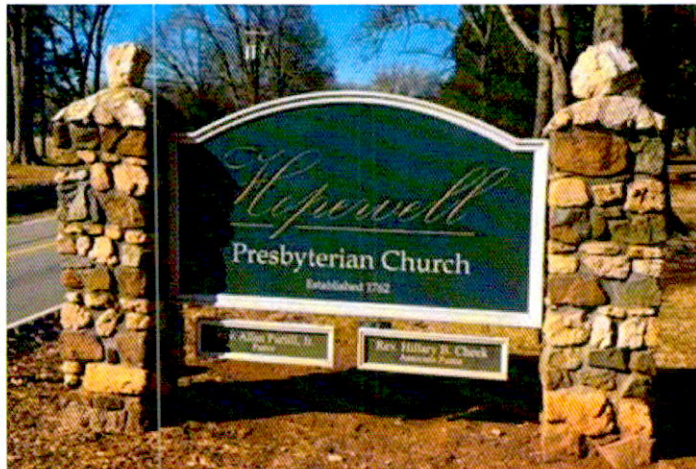


East Wall – Hopewell Presbyterian Church

²⁷ Mecklenburg County Board of County Commissioners, "An Ordinance designating a property known as the 'Hopewell Presbyterian Church' (the entire exterior of the church building, the entire interior of the church building, the entire exterior of the education building, the entire interior of the education building, a tract of land bounded on one side by a straight line running along the eastern exterior wall of the education building and extending to both edges of the tract of land recorded in the Mecklenburg County tax office under tax parcel number 015-171-09, and bounded on the other side by the edge of the public right-of-way of Beatties Ford Road extending to both edges of the tract of land recorded in the Mecklenburg County tax office under tax parcel number 015-171-09, and the rock walls on the tracts of land recorded in the Mecklenburg County tax office under tax parcel numbers 023-052-26 and 023-042-04) as historic property, said property being located on both sides of Beatties Ford Road near its intersection with Sample Road, in Mecklenburg County, North Carolina, and recorded on tax parcel numbers 015-171-09, 023-052-26, 023-042-04 in the Mecklenburg County tax office," Mecklenburg County Register of Deeds Real Estate Book 5733, Page 226, March 21, 1988.



Hopewell Church Marker



Hopewell Presbyterian Church Sign

The historical stone markers and monuments that Baxter Davidson had built in the mid-1920s throughout north Mecklenburg County were almost certainly designed by Lee Collier, because the designs are so similar to the Rural Hill structures that Collier designed for Davidson.²⁸ Like the Rural Hill cemetery wall, they are all composed of three types of native stone: white rock, brown rock, and flint rock. They include: (1) a marker originally located at the spot where General William Lee Davidson was killed at the Battle of Cowan's Ford (relocated in the early 1960s when construction of the Cowan's Ford Dam submerged the marker's original location beneath Lake Norman; the marker was moved to a small park on N.C. Highway 73); (2) a monument at the intersection of Beatties Ford and Brown Mill Roads, which displays a plaque referencing General Davidson's death and offering directional indicators for Davidson College and Cowan's Ford; (3) a directional marker at the intersection of Beatties Ford and Neck Roads incorporating a directional indicator for Rural Hill; (4) a rock wall and pier at Charlotte's Williams Memorial Presbyterian Church; and (5) a stone monument commemorating the Battle of McIntyre's Farm, located on Beatties Ford Road.²⁹

Davidson took an active role in the construction and design of the monuments, markers, and walls he caused to be placed in north Mecklenburg County. He was not a passive observer. "Mr. Davidson is not content to merely plan, design and designate where the walls and markers are to be erected, but he personally supervises them," reported the *Charlotte Observer*. "If they do not suit his fancy, he instructs the workers to tear them down and reconstruct them." There were times

²⁸ E. L. Baxter Davidson had another stone marker erected on Beatties Ford Road at the Mecklenburg County-Iredell County Line. That site is now part of Iredell County, and the marker has been destroyed. This writer remembers seeing it in the early 1980s. There is also mention of a marker having been erected on Highway 115 just north of Davidson. This writer has been unable to locate it if it was constructed or still exists.

²⁹ Letter.

when he ordered the walls and monuments destroyed and for the entire process to begin again.³⁰ Davidson ordered the plaques for the monuments and markers from the Newman Manufacturing Company in Cincinnati, Ohio.³¹ The entire project, including the Rural Hill cemetery wall, cost approximately \$30,000.³²

Baxter Davidson's bachelorhood ended on April 20, 1935, when at age 76 he married a 48-year-old widow, Sarah Williams Vosburg (1886-1973), who was a descendant of William A. Williams, a signer of the U.S. Declaration of Independence on July 4, 1776. The newlyweds purchased a home at 1401 Providence Road in July 1935, which in March 2000 was designated a local historic landmark by the Charlotte City Council. Baxter Davidson continued to be active in Davidson College alumni affairs and in patriotic organizations until his demise. He died in his sleep at home on October 10, 1944. His funeral was held at Hopewell Presbyterian Church, and his body was interred in the Rural Hill Cemetery.³³ The extant stone monuments, walls, and markers he caused to be built are his greatest legacy in terms of the built environment of Mecklenburg County. In this writer's opinion, considered aggregately, these rock features constitute the most architecturally significant collection of historic public art in Mecklenburg County.

³⁰ *Charlotte Observer*, December 9, 1928.

³¹ Newman Manufacturing Company invoice in Davidson College Archives.

³² *Charlotte Observer*, December 9, 1928.

³³ Charlotte-Mecklenburg Historic Landmarks Commission, "Survey and Research Report for E. L. Baxter Davidson House," March 30, 1998, <http://landmarkscommission.org/wp-content/uploads/2018/05/Davidson-House-E.L.-Baxter-SR.pdf> (accessed December 13, 2021); Charlotte City Council, "Ordinance designating as a Historic Landmark a property known as the 'E. L. Baxter Davidson House' (listed under Tax Parcel Number 155-121-02 as of November 15, 1999, and including the entire exterior of the E. L. Baxter Davidson House and the entire parcel of land listed under Tax Parcel Number 155-121-02 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of November 15, 1999)," City of Charlotte Ordinance Book 50, Page 95-98, March 20, 2000; *Charlotte Observer*, April 21, 1935, October 11, 1944.

**Physical Description
of the E. L. Baxter Davidson
Historic Markers and Monuments**



E. L. Baxter Davidson laying ceremonial stone at Hopewell Presbyterian Church wall (October 1928)

The E. L. Baxter Davidson Historic Markers and Monuments are built of stone, the most durable construction material provided by nature. That Baxter Davidson selected stone for his markers, monuments, and walls indicates that he wanted them to endure. His intent was to make these edifices instructive. Davidson hoped that generations of Mecklenburg County residents would learn from them and be inspired by them. Alas, that desire has largely been unrealized. Most people are unaware of the Markers' existence and intended commemorative and instructional purposes.

Human beings have been erecting rock structures, such as castles, forts, and cathedrals, for thousands of years. They have also gathered stones and piled them into dry stone walls, *i.e.*, without mortar. For example, the original stone wall enclosing the Hopewell Presbyterian Church,

constructed long before the Markers, was a dry-stacked wall. The use of stone in that wall may have influenced Davidson's decision to use stone in his walls and monuments. Also, rocks are plentiful in the fields of north Mecklenburg County. Builders have often embedded stones in mortar or plaster and constructed vertical structures (or piers) to provide greater stability for their rock walls. Stone is a superb building material. The best rock is highly resistant to weathering and to water penetration. Rock walls are held in place by gravity. One advantage of using stone is that it can tolerate a variety of soil types, thereby increasing a stone structure's resistance to ground shifting. The foundation or footing is a critical component of a stone structure, as are provisions for drainage. The footing locks the entire system into place and supports the stem, which is the main visible portion of a wall or other vertical structure. Many vertical stone structures have a "toe," an extension at the base of the stem that keeps the structure upright, prevents overturning, and reduces bearing pressures. Masonry walls require proper capping, which can extend the life of the wall, reduce maintenance, and aid sustainability. To be effective, caps must deflect water. If water is allowed to penetrate the top of a rock structure, the entire system will eventually fail.

A specific physical description of the structure(s) recommended for historic landmark designation is detailed in the attached exhibit(s), incorporated herein by reference.

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Mecklenburg County Board of County Commissioners. "An Ordinance designating a property known as the 'Hopewell Presbyterian Church' (the entire exterior of the church building, the entire interior of the church building, the entire exterior of the education building, the entire interior of the education building, a tract of land bounded on one side by a straight line running along the eastern exterior wall of the education building and extending to both edges of the tract of land recorded in the Mecklenburg County tax office under tax parcel number 015-171-09, and bounded on the other side by the edge of the public right-of-way of Beatties Ford Road extending to both edges of the tract of land recorded in the Mecklenburg County tax office under tax parcel number 015-171-09, and the rock walls on the tracts of land recorded in the Mecklenburg County tax office under tax parcel numbers 023-052-26 and 023-042-04) as historic property, said property being located on both sides of Beatties Ford Road near its intersection with Sample Road, in Mecklenburg County, North Carolina, and recorded on tax parcel numbers 015-171-09, 023-052-26, 023-042-04 in the Mecklenburg County tax office." Mecklenburg County Register of Deeds Real Estate Book 5733, Page 226, March 21, 1988.

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EXHIBIT A

Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments

General William Lee Davidson Memorial Huntersville, N.C.



North and east faces of General William Lee Davidson Memorial

1. Name and Location of the Property. The General William Lee Davidson Memorial is located at 5455 Cashion Road, within Huntersville's sphere of influence. The tax parcel number for the property on which the marker stands is 01315102, and its UTM Coordinates are 17S 50592E 3920425N.
2. Name and Address Of Parties to be Notified.
 - a. North Carolina Department of Transportation
Division 10, District 2 Office
7605 District Drive
Charlotte, N.C. 28213
District Engineer: Wendy Taylor
Direct Phone and Email: (980) 523-0000; wataylor1@ncdot.gov
 - b. Duke Energy
Attn. Christy Churchill, Project Manager for Historic Preservation
526 S. Church Street – EC12Q

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Charlotte, N.C. 28202

Direct Phone and Email: (980) 373-4183; Christy.Churchill@duke-energy.com

3. Ad Valorem Tax Appraisal. As of January 2021, the total appraised value of the property on which the General Davidson Memorial stands is \$15,450,200.
4. Recommendation for Designation. The General Davidson Memorial in its entirety, as well as a forty (40) foot radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument, is recommended for historic landmark designation.

The General William Lee Davidson Memorial

The General William Lee Davidson Memorial is one of only two extant solitary rock piers erected by Baxter Davidson, both of which are located in Huntersville. The second such standalone marker is the Rural Hill directional marker, located northwest of the intersection of Beatties Ford and Neck Roads. The General Davidson Memorial is in a small memorial park lying on the south side of North Carolina Highway 73, just west of the intersection of McGuire Nuclear Station Road and an unnamed service road with Highway 73. The park is situated directly across from the McGuire Nuclear Station and east of the Catawba River.



Aerial Image of General Davidson Memorial (arrow indicates monument's approximate location) (source: Polaris 3G)

The General Davidson Memorial, which stands approximately 6 feet tall, originally marked the location where General William Lee Davidson was believed to have been killed during the Battle of Cowan's Ford, a February 1, 1781, Revolutionary War battle. Construction of the Cowan's Ford Dam in the 1960s forced relocation of the memorial to its present location, as its original location is now submerged beneath Lake Norman. The pier bears a metal plaque which reads: "COWAN'S FORD, / WHERE FELL / THE REVOLUTIONARY HERO, / GENL WM LEE DAVIDSON, / 1781. / ERECTED BY / E. L. BAXTER DAVIDSON."

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Plaque on General Davidson Memorial

Like the Rural Hill directional marker, the stem or visible face of the General Davidson Memorial is composed of alternating strings of rough-faced dark brown and white stones. The stones are embedded in mortar, and the stem of the pier rises perpendicularly from a toeless foundation to a pyramidal cap (comprising approximately 12 inches of the entire memorial's height) that is partially decorated with small, smooth, white stones. Given its physical similarity to the Rural Hill directional marker, one would expect the cap of the General Davidson Memorial to be fully decorated with more small stones and topped with a large rock finial, like its Rural Hill counterpart. Over time, however, many of the decorative stones comprising the memorial's cap appear to have been dislodged, leaving the cap's surface bare and dimpled in several places. The slightly flattened top of the memorial's cap suggests that it may also have originally featured a stone finial. The memorial is approximately 2.5 feet in both length and width.

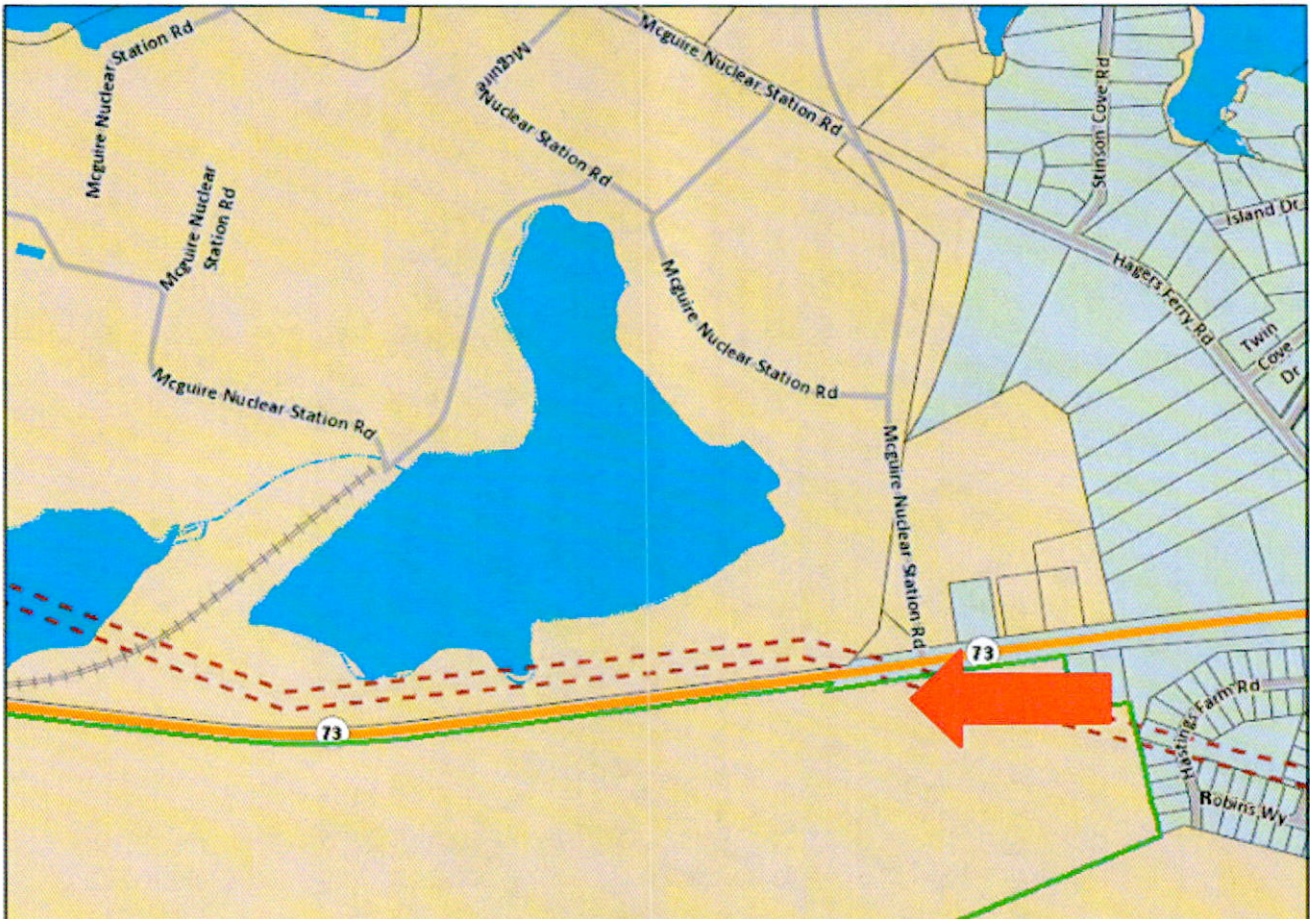


North face of General William Lee Davidson Memorial

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Polaris 3G Map – Mecklenburg County, North Carolina General Davidson Memorial

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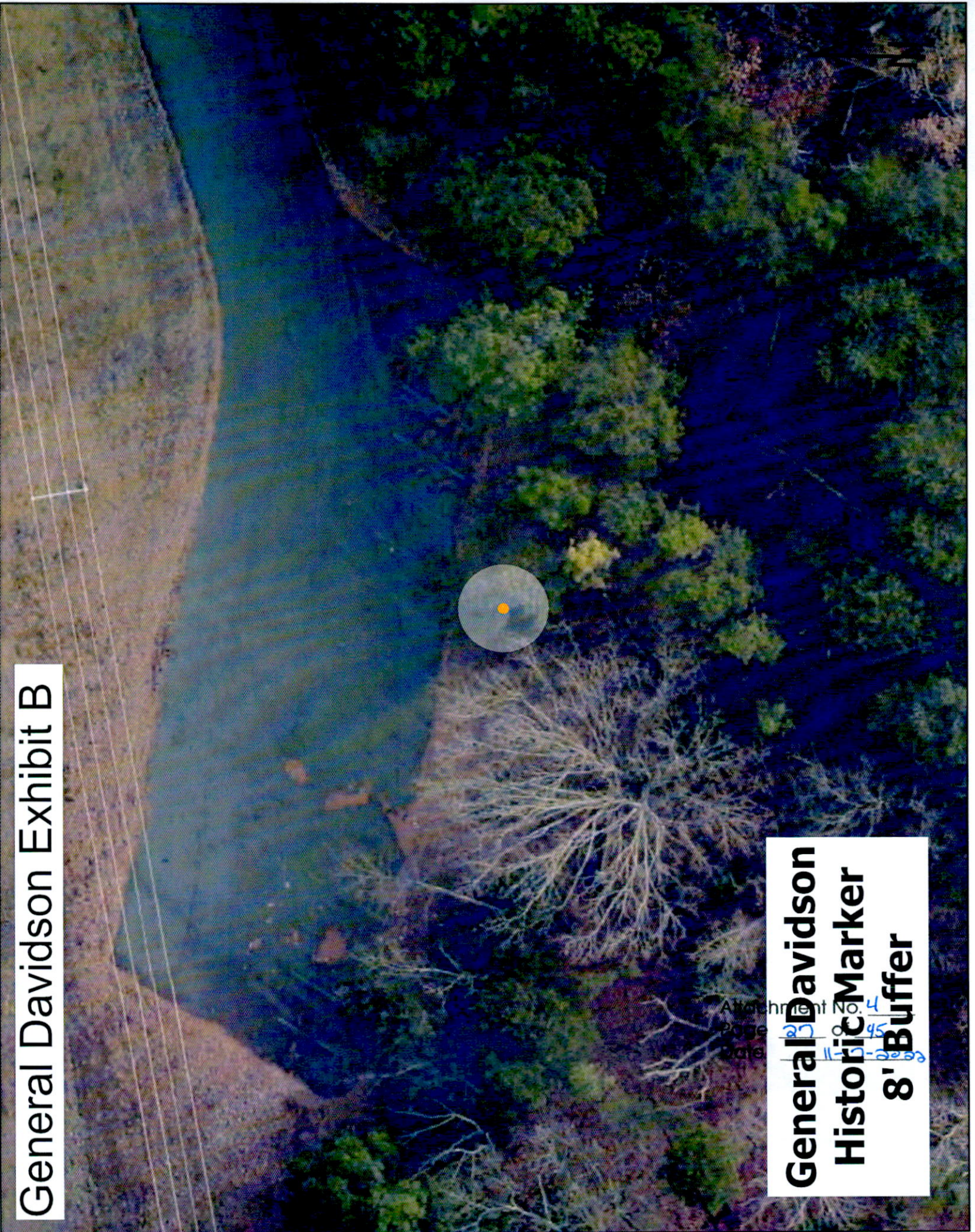
Arrow indicates approximate location of General Davidson Memorial

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General Davidson Exhibit B

**General Davidson
Historic Marker
8' Buffer**

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**North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary D. Reid Wilson

Office of Archives and History
Deputy Secretary Darin J. Waters, Ph.D.

March 18, 2022

Stewart Gray
Preservation Planner
Charlotte-Mecklenburg Historic Landmarks Commission
2100 Randolph Road
Charlotte, NC 28207

**RE: Proposed Designation of the E.L. Baxter Davidson Historic Markers at multiple locations
throughout Mecklenburg County**

Dear Mr. Gray:

Thank you for the report we received on the proposed designation of the E.L. Baxter Davidson Historic Markers located throughout Mecklenburg County. We have reviewed the report and offer the following comments in accordance with North Carolina General Statute 160D-946.

The E.L. Baxter Davidson Historic Markers have special local significance for commemorating local historic events, places, and people; as a "uniquely sophisticated collection of Mecklenburg County public art"; and as representatives of Baxter Davidson's 1920s campaign to educate the public about local history.

We have shared recommendations with staff to perform very minor changes to the report. With these minor changes, we believe the commission and the local governing board will be able to more accurately determine if the E.L. Baxter Davidson Historic Markers possess the requisite special significance and integrity required for local historic landmark designation.

Landmark designation means the community recognizes the property is worthy of preservation because of its special significance to the local community. Any substantial changes in design, materials, and appearance to the property is subject to the design review procedures of the preservation commission.

Thank you for the opportunity to comment on the report. Please note, our comments are advisory only and therefore, nonbinding. Once the governing board has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission, it should proceed in the same manner as would otherwise be required for an amendment to the zoning ordinance. Once the decision has been made, please return a completed copy of the enclosed form to our office.

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This letter serves as our comments on the proposed designation of the E.L. Baxter Davidson Historic Markers. Please contact me at Kristi.brantley@ncdcr.gov (preferred) or 919-814-6583 should you have any questions about our comments.

Sincerely,

A handwritten signature in black ink that reads "Kristi Brantley". The signature is written in a cursive, flowing style.

Kristi Brantley
Local Preservation Commissions / CLG Coordinator

CC: Commission Chair

Enclosure

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Date 11-7-2022

MEMO

To: File – E. L. Baxter Davidson Historic Markers and Monuments
From: HLC Staff
Date: May 4, 2021

Re: Comments from State Historic Preservation Office on Designation Report and Exhibit for General William Lee Davidson Monument, Huntersville

By email dated March 18, 2022, SHPO staff provided feedback based on their review of the Designation Report and Exhibit for the General William Lee Davidson Monument. In summary, the issues raised included the following:

- Greater clarity of vantage points within photo captions; and
- A typographical error.

Following review of the Designation Report and the SHPO feedback, the HLC staff revised and updated the Designation Report to address the issues raised.

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RECORD OF THE VOTE OF THE HISTORIC LANDMARKS COMMISSION ON THE

General William Lee Davidson Monument

February 14, 2022

Motion: THE SURVEY COMMITTEE PRESENTED A SECONDED MOTION TO THE HISTORIC LANDMARKS COMMISSION THAT IT PROCESS THE E. L. BAXTER DAVIDSON HISTORIC MARKERS AND MONUMENTS WITH THE PROTECTED RADII AS RECOMMENDED BY STAFF FOR HISTORIC LANDMARK DESIGNATION. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

Favor

Mr. Akadius Berry, Ms. Lesley Carroll, Mr. Brian Clarke, Mr. William Hughes, Ms. Elizabeth Luke, Mr. Garrett Nelson, Mr. Jeffrey Parsons, Mr. Edwin Wilson

Oppose

None

Abstain

None

Absent

Ms. Diane Althouse, Mr. Robert Barfield, and Mr. Joshua Shope

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MECKLENBURG COUNTY

Assessor's Office
Real Estate Division

May 24, 2022

Tommy Warlick
Consulting Preservation Planner
Charlotte-Mecklenburg Historic Landmarks Commission
2100 Randolph Rd.
Charlotte, NC 28207

In Re: Parcel Number 01315102
The General William Lee Davidson Monument
5455 Cashion Road (The monument and 40ft radius of the land)
Huntersville, NC

Dear Mr. Tommy Warlick,

Based on the current value and tax rate, the potential amount of deferrable taxes on the above mentioned property would be \$4.02 City of Huntersville taxes, and \$10.31 for Mecklenburg County taxes.

Very truly yours,

Mecklenburg County Real Estate Appr. Div.

LIVE * WORK * RECREATE

3205 Freedom Drive * P.O. Box 31127 * Charlotte, North Carolina 28231 * (980) 314-4226

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ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK A STRUCTURE KNOWN AS THE "GENERAL WILLIAM LEE DAVIDSON MONUMENT" (LISTED UNDER TAX PARCEL NUMBER 01315102, AND INCLUDING THE MONUMENT IN ITS ENTIRETY AND A FORTY (40) FOOT RADIUS OF THE LAND IMMEDIATELY SURROUNDING THE MONUMENT, MEASURED IN EACH DIRECTION FROM THE CENTRAL POINT OF THE MONUMENT, ALL AS SITUATED ON THE PROPERTY LISTED UNDER TAX PARCEL NUMBER 01315102 IN THE MECKLENBURG COUNTY TAX OFFICE, CHARLOTTE, NC, AS OF JULY 1, 2022). THE MONUMENT STANDS ON PROPERTY LOCATED AT 5455 CASHION ROAD, HUNTERSVILLE, NC, AND OWNED BY DUKE POWER COMPANY.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the Board of Commissioners of the Town of Huntersville, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the ____ day of _____, 2022, on the question of designating a structure known as the General William Lee Davidson Monument as an historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at a public hearing held on the 12th day of September, 2022, on the question of designating a

structure known as the General William Lee Davidson Monument as an historic landmark;
and

WHEREAS, the General William Lee Davidson Monument is one of the E. L. Baxter Davidson Historic Markers and Monuments, a series of rock monuments, markers, and walls financed and erected across north Mecklenburg County during the 1920s by local real estate investor Edward Lee Baxter Davidson; and

WHEREAS, Davidson intended that series of rock structures to represent and raise public awareness of locations, institutions, events, and individuals of regional historic significance, including the Revolutionary War Battles of McIntyre's Farm and Cowan's Ford (October 3, 1780, and February 1, 1781, respectively), the battlefield death of General William Lee Davidson (February 1, 1781), the homestead of Major John Davidson (Rural Hill, built in 1788), and the founding of Williams Memorial Presbyterian Church (established in 1885); and

WHEREAS, the General William Lee Davidson Monument originally marked the location where General William Lee Davidson was believed to have been killed during the 1781 Battle of Cowan's Ford, but was relocated to a nearby memorial park due to the construction of the Cowan's Ford Dam; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution; and

WHEREAS, using ordinary native materials and deceptively simplistic traditional structural designs, the E. L. Baxter Davidson Historic Markers and Monuments honor Mecklenburg County's history of extraordinary efforts and achievements by ordinary

people in an understood but respectful manner that complements the local landscape and the region's customs; and

WHEREAS, five of the E. L. Baxter Davidson Historic Markers and Monuments located across north Mecklenburg County are already designated as local historic landmarks, namely a rock memorial to Major John Davidson and the rock wall encircling the Davidson family cemetery, both located at the Rural Hill farmstead in Huntersville, and the rock wall, rock church marker, and rock signage piers, all located at Hopewell Presbyterian Church also in Huntersville; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments are of such historic, architectural, and cultural significance – both as commemorations of the early history of Mecklenburg County and as tributes to the commitment and impact of a single person determined to bring tangible form and expression to that history – that all known extant structures within the collection, including the General William Lee Davidson Monument, should likewise be designated as local historic landmarks; and

WHEREAS, based on the additional information further detailed in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto, all of which are incorporated herein by reference, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the structure known as the General William Lee Davidson Monument possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, to preserve as much of the existing built environment of the structure as reasonably possible, the Charlotte-Mecklenburg Historic Landmarks Commission has also demonstrated the importance of incorporating within the landmark designation a

protective buffer area of land within the immediately adjacent radius of the structure, as further detailed hereinafter; and

WHEREAS, the structure known as the General William Lee Davidson Monument stands on property owned by Duke Power Company in a memorial park located near the intersection of North Carolina Highway 73 and McGuire Nuclear Station Road.

NOW, THEREFORE, BE IT ORDAINED by the members of the Board of Commissioners of the Town of Huntersville, North Carolina:

1. That the structure known as the “General William Lee Davidson Monument” (listed under Tax Parcel Number 01315102, and including the monument in its entirety and a forty (40) foot radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument, all as situated on the property listed under Tax Parcel Number 01315102 in the Mecklenburg County Tax Office, Charlotte, NC, as of July 1, 2022) is hereby designated as an historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated in a memorial park near the intersection of North Carolina Highway 73 and McGuire Nuclear Station Road on property located at 5455 Cashion Road, Huntersville, NC. Exterior features are more completely described in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto.

2. That said exterior is more specifically defined as the historic and structural fabric, especially including all original exterior architectural features and the contours of landscaping.

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3. That said designated historic landmark may be materially altered, restored, moved, or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160D, Article 9, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

5. That a suitable sign may be posted indicating that said structure has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

6. That the owners of the property on which the historic landmark known as the General William Lee Davidson Monument stands be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the Town Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160D, Article 9, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the ____ day of _____, 2022, by the members of the Board of Commissioners of the Town of Huntersville, Mecklenburg County, North Carolina.

Clerk to Town Board

Approved as to form:

Town Attorney

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ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK A STRUCTURE KNOWN AS THE "GENERAL WILLIAM LEE DAVIDSON MONUMENT" (LISTED UNDER TAX PARCEL NUMBER 01315102, AND INCLUDING THE MONUMENT IN ITS ENTIRETY AND AN EIGHT (8) FOOT RADIUS OF THE LAND IMMEDIATELY SURROUNDING THE MONUMENT, MEASURED IN EACH DIRECTION FROM THE CENTRAL POINT OF THE MONUMENT, ALL AS SITUATED ON THE PROPERTY LISTED UNDER TAX PARCEL NUMBER 01315102 IN THE MECKLENBURG COUNTY TAX OFFICE, CHARLOTTE, NC, AS OF JULY 1, 2022). THE MONUMENT STANDS ON PROPERTY LOCATED AT 5455 CASHION ROAD, HUNTERSVILLE, NC, AND OWNED BY DUKE POWER COMPANY.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the Board of Commissioners of the Town of Huntersville, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the 17th day of October, 2022, on the question of designating a structure known as the General William Lee Davidson Monument as an historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at a public hearing held on the 12th day of September, 2022, on the question of designating a

structure known as the General William Lee Davidson Monument as an historic landmark;
and

WHEREAS, the General William Lee Davidson Monument is one of the E. L. Baxter Davidson Historic Markers and Monuments, a series of rock monuments, markers, and walls financed and erected across north Mecklenburg County during the 1920s by local real estate investor Edward Lee Baxter Davidson; and

WHEREAS, Davidson intended that series of rock structures to represent and raise public awareness of locations, institutions, events, and individuals of regional historic significance, including the Revolutionary War Battles of McIntyre's Farm and Cowan's Ford (October 3, 1780, and February 1, 1781, respectively), the battlefield death of General William Lee Davidson (February 1, 1781), the homestead of Major John Davidson (Rural Hill, built in 1788), and the founding of Williams Memorial Presbyterian Church (established in 1885); and

WHEREAS, the General William Lee Davidson Monument originally marked the location where General William Lee Davidson was believed to have been killed during the 1781 Battle of Cowan's Ford, but was relocated to a nearby memorial park due to the construction of the Cowan's Ford Dam; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution; and

WHEREAS, using ordinary native materials and deceptively simplistic traditional structural designs, the E. L. Baxter Davidson Historic Markers and Monuments honor Mecklenburg County's history of extraordinary efforts and achievements by ordinary

people in an understood but respectful manner that complements the local landscape and the region's customs; and

WHEREAS, five of the E. L. Baxter Davidson Historic Markers and Monuments located across north Mecklenburg County are already designated as local historic landmarks, namely a rock memorial to Major John Davidson and the rock wall encircling the Davidson family cemetery, both located at the Rural Hill farmstead in Huntersville, and the rock wall, rock church marker, and rock signage piers, all located at Hopewell Presbyterian Church also in Huntersville; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments are of such historic, architectural, and cultural significance – both as commemorations of the early history of Mecklenburg County and as tributes to the commitment and impact of a single person determined to bring tangible form and expression to that history – that all known extant structures within the collection, including the General William Lee Davidson Monument, should likewise be designated as local historic landmarks; and

WHEREAS, based on the additional information further detailed in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto, all of which are incorporated herein by reference, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the structure known as the General William Lee Davidson Monument possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, to preserve as much of the existing built environment of the structure as reasonably possible, the Charlotte-Mecklenburg Historic Landmarks Commission has also demonstrated the importance of incorporating within the landmark designation a

protective buffer area of land within the immediately adjacent radius of the structure, as further detailed hereinafter; and

WHEREAS, the structure known as the General William Lee Davidson Monument stands on property owned by Duke Power Company in a memorial park located near the intersection of North Carolina Highway 73 and McGuire Nuclear Station Road.

NOW, THEREFORE, BE IT ORDAINED by the members of the Board of Commissioners of the Town of Huntersville, North Carolina:

1. That the structure known as the “General William Lee Davidson Monument” (listed under Tax Parcel Number 01315102, and including the monument in its entirety and an eight (8) foot radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument, all as situated on the property listed under Tax Parcel Number 01315102 in the Mecklenburg County Tax Office, Charlotte, NC, as of July 1, 2022) is hereby designated as an historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated in a memorial park near the intersection of North Carolina Highway 73 and McGuire Nuclear Station Road on property located at 5455 Cashion Road, Huntersville, NC. Exterior features are more completely described in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto.

2. That said exterior is more specifically defined as the historic and structural fabric, especially including all original exterior architectural features and the contours of landscaping.

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3. That said designated historic landmark may be materially altered, restored, moved, or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160D, Article 9, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

5. That a suitable sign may be posted indicating that said structure has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

6. That the owners of the property on which the historic landmark known as the General William Lee Davidson Monument stands be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the Town Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160D, Article 9, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the ____ day of _____, 2022, by the members of the Board of Commissioners of the Town of Huntersville, Mecklenburg County, North Carolina.

Clerk to Town Board

Approved as to form:

Town Attorney

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Historic Landmark Designation: Rural Hill Marker

PART 1: BACKGROUND

There are several Edward Lee Baxter Davidson Historic Markers and Monuments (collectively, the "Markers") being proposed for historic designation, three of which are in Huntersville. The Markers are the direct result of a concerted effort in the 1920s by E.L. Baxter Davidson to memorialize his family's burial ground, to honor his family's Scottish-Irish heritage, and to celebrate American Revolutionary War happenings that occurred in north Mecklenburg County in 1780-1781. The Rural Hill marker is among those being proposed for historic landmark designation. The Rural Hill marker is located at the intersection of Neck and Beatties Ford Rd, associated with address 6645 Neck Rd, and owned by Herseng Yang.

PART 2: STAFF ANALYSIS

Historic landmark designation would be pursuant to Chapter 160D, Article 9, as amended, of the NC General Statutes. Chapter 160D-945 states: *"No property shall be recommended for designation as a historic landmark unless it is deemed and found by the historic preservation commission to be of special significance in terms of its historical, prehistorical, architectural, or cultural importance and to possess integrity of design, setting, workmanship, materials, feeling, and/or association."*

According to the "E.L. Baxter Davidson Historic Markers and Monuments Designation Report" prepared by the Charlotte-Mecklenburg Historic Landmarks Commission (HLC):

"The Markers represent locations, institutions, events, and individuals of significance in the early history of Mecklenburg County. The Rural Hill Directional Marker recognizes and instructs motorists as to the direction of Rural Hill, the antebellum homestead of Major John Davidson, a delegate to the 1773 colonial North Carolina Assembly and an officer in the state militia and Continental Army. E. L. Baxter Davidson (1858-1944) was born at Rural Hill, the 1,300-acre north Mecklenburg County estate established in the late 1700s.

The Rural Hill directional marker stands approximately 8 feet tall, and measures approximately 3 feet in both length and width. It features a metal plaque, which reads: "MAJOR JOHN DAVIDSON'S / HOMESTEAD. / BUILT 1788 BURNED 1886." Atop the plaque is a stylized depiction of a hand indicating the direction of the homestead, also known as Rural Hill."

Planning staff has reviewed this report and concurs with the assessment of the significance of the Rural Hill marker proposed for historic landmark designation.

PART 3: CHARLOTTE-MECKLENBURG HISTORIC LANDMARKS COMMISSION

Charlotte-Mecklenburg HLC held a virtual public hearing on September 12, 2022, focused on the question of designating, as historic landmarks, the E.L. Baxter Davidson Markers and Monuments".

Charlotte-Mecklenburg HLC recommends designating, as an historic landmark, a structure known as the "Rural Hill Directional Marker", listed under Tax Parcel Number 01301250, and including the marker in its entirety and a thirty-eight (38) foot radius of the land immediately surrounding the marker, measured in each direction from the central point of the marker.

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PART 4: HUNTERSVILLE STAFF RECOMMENDATION

Town Staff recommends designating, as an historic landmark, a structure known as the "Rural Hill Directional Marker", listed under Tax Parcel Number 01301250, and including the marker in its entirety and a ten (10) foot radius of the land immediately surrounding the marker, measured in each direction from the central point of the marker.

Town Engineering/Public Works has a Town Capital Improvement Plan (CIP) to realign Neck Rd and construct turn lanes at the intersection of Beatties Ford and Neck Rd. A CIP identifies capital projects, including transportation projects, and provides a planning schedule and options for financing the plan. The adopted CIP budget is from fiscal year 2023-2027. The Beatties Ford/Neck Rd project is listed in the future category of the budget, meaning it will not commence until after 2027.

Due to the lack of project plans and construction date for the CIP project, Town Engineering does not contest the proposed historical designation but recommends a reduced radius of land to be dedicated historical to keep as much existing Town right-of-way out of the radius as possible. Planning Staff concurs with the Engineering Staff recommendation.

PART 5: ACTION RECOMMENDED

Conduct the public hearing and then take final action.

PART 6: FINANCIAL IMPLICATIONS

Based on the current value and tax rate, the potential amount of deferrable taxes on the above mentioned property would be \$0.17 Town of Huntersville taxes, and \$0.45 for Mecklenburg County taxes.

PART 7: ATTACHMENTS

1. Rural Hill Cover Sheet
2. E.L. Baxter Davidson Landmark Designation Report
3. Rural Hill Exhibit
4. NC State Historic Preservation Office Letter
5. NC State Historic Preservation Office Memo
6. Charlotte-Mecklenburg HLC Vote
7. Mecklenburg County Tax Assessor's Office
8. Adopted town Budget for CIP
9. Ordinance for Adoption with 38' radius
10. Ordinance for Adoption with 10' radius

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Rural Hill Directional Marker
6645 Neck Road, Huntersville, NC



The Rural Hill Directional Marker, located near the intersection of Beatties Ford and Neck Roads, recognizes and instructs motorists as to the direction of Rural Hill, the antebellum homestead of Major John Davidson, a delegate to the 1773 colonial North Carolina Assembly and an officer in the state militia and Continental Army. Commissioned by local real estate investor E. L. Baxter Davidson during the 1920s, the marker is one of a series of such stone structures located throughout north Mecklenburg County erected at Davidson's behest to represent and raise public awareness of locations, institutions, events, and individuals of regional historic significance. In aggregate, the Davidson monuments and markers constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution, using ordinary native materials and deceptively simplistic traditional structural designs to honor Mecklenburg County's history of extraordinary efforts and achievements by ordinary people in an understated but respectful manner that complements the local landscape and the region's customs.





**Designation Report on the
E. L. Baxter Davidson Historic Markers and Monuments**



*Cowan's Ford – Davidson College Monument
Huntersville*



*General Davidson Memorial
Huntersville*



*Rural Hill Direction Marker
Huntersville*



*Battle of McIntyre's Farm Monument
Charlotte*



*Williams Memorial Presbyterian Church Marker
Charlotte*



*Williams Memorial Presbyterian Church Wall
Charlotte*

1. Name Of The Properties. The E. L. Baxter Davidson Historic Markers and Monuments (collectively, the "Markers") are located at various sites in north Mecklenburg County, within the spheres of influence of Charlotte or Huntersville. The exhibit(s) accompanying this report provide specific information about the structure(s) recommended for historic landmark designation and are incorporated herein by reference.
2. Designation Report Contents. This report contains a brief historical sketch and general physical description (both prepared by Dr. Dan L. Morrill) applicable to all of the Markers, representative photographs of the Markers, and documentation as to why and how the Markers meet the criteria for designation set forth in N.C.G.S. § 160D-945. More detailed information about the individual structure(s) recommended for historic landmark designation is available in the exhibit(s), including information as to current tax parcel reference and ad valorem tax appraisal, the location and ownership of the associated property, a map of the location, the recommended scope of the designation, additional photographs, and a brief architectural description of the structure(s).
3. Statements of Significance and Integrity.
 - a. *Statement of Significance in Terms of its History, Architecture, and/or Cultural Importance:* The Charlotte-Mecklenburg Historic Landmarks Commission judges that the E. L. Baxter Davidson Historic Markers and Monuments possess special significance in terms of their history, architecture, and cultural importance to Charlotte, Huntersville, and all of Mecklenburg County. The Commission bases its judgment on the following considerations:
 - i. Erected during the 1920s, the Markers represent locations, institutions, events, and individuals of importance in the early history of Mecklenburg County, including the Revolutionary War Battles of McIntyre's Farm and Cowan's Ford (October 3, 1780, and February 1, 1781, respectively), the battlefield death of General William Lee Davidson (February 1, 1781), the homestead of Major John Davidson (Rural Hill, built in 1788), and Williams Memorial Presbyterian Church (founded in 1885).
 - ii. In aggregate, the Markers located throughout Mecklenburg County constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution. The use of ordinary native materials and deceptively simplistic traditional structural designs commemorates Mecklenburg County's history of extraordinary efforts and achievements by ordinary people in an understated but respectful manner that complements, rather than dominates, the local landscape and the region's customs.
 - iii. The Markers bear lasting witness to the commitment and impact of a single person, E. L. Baxter Davidson, to the importance of making the general public more aware and appreciative of historically important locations, institutions, events, and individuals in the early history of Mecklenburg

County.

- b. *Statement of Integrity of Location, Design, Setting, Materials, Workmanship, Feeling, and Association.* The Charlotte-Mecklenburg Historic Landmarks Commission judges that the “Physical Description” included in this report and the attached exhibit(s) demonstrates that the E. L. Baxter Davidson Historic Markers and Monuments meet this criterion as follows:

- i. Location: Except in limited instances – when necessitated to preserve a structure (such as the relocation of the General Davidson Memorial due to construction of the Cowan’s Ford dam, and the repair and relocation of the Rural Hill Directional Marker to a safer distance from a busy thoroughfare) – the Markers remain in their original, highly visible public locations, continuing their decades-old service of memorializing the past for the citizens of Mecklenburg County.
- ii. Design: The original structural designs of the Markers, embodying within their vernacular styles the traditional folkways of North Carolina’s Piedmont region, remain intact and unchanged since their original installation in the early decades of the twentieth century.
- iii. Setting: Each Marker stands in or near its original setting. While in some instances their surroundings may have been changed or modernized over the decades (such as, for example, the Markers lining the ever-busy Beatties Ford Road corridor), each Marker remains situated in a highly visible setting, bearing testament to simpler times when those settings were more rural in nature, while continuing to commemorate local historic achievements.
- iv. Materials: The materials – stone and mortar – are indigenous to the local region and appropriate to the purpose of longstanding remembrance of past times and people. In large part, the constituent elements of the Markers are the original materials used when the structures were first installed.
- v. Workmanship: Both the durability and absence of significant deterioration of the Markers, as well as the aesthetic symmetry and traditional artisanship reflected in their design and execution, indicate the unique skill and quality of the builders’ workmanship.
- vi. Feeling: The locations and settings of the Markers, positioned at or near the actual locales of the events, institutions, or individual lives commemorated, convey a sense of the Markers’ historical and cultural significance. That feeling is furthered by the design, execution, and materials comprising the Markers, reflecting Mecklenburg County’s indigenous natural elements, traditions, and artistic skills. The longevity of their presence further invests the Markers with a familiarity that has made them recognizable landmarks skillfully crafted in a manner characteristic of the region.

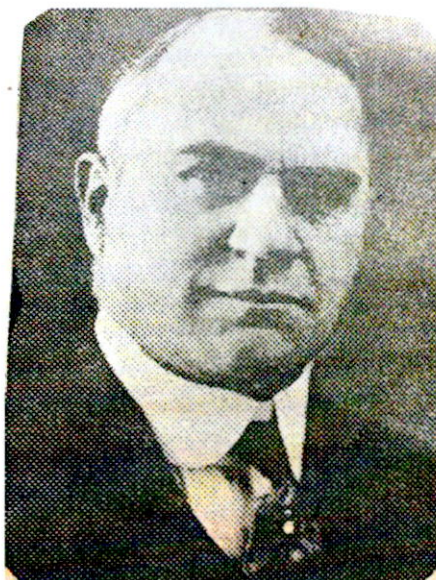
- vii. Association: As intentionally commemorative structures, the Markers are intimately associated with the persons, institutions, and events they represent, as well as the individual (E. L. Baxter Davidson) whose personal mission to preserve the County's past within the memories of future generations prompted the installation of the Markers in the first place.
- 4. Recommendation for Designation. The Commission recommends the Marker(s) identified in this report and attached exhibit(s) for historic landmark designation. To maintain the integrity and built environment of each Marker, the Commission further recommends the inclusion within the landmark designation of a portion of the property immediately surrounding each Marker, consisting in each case of a radius measured from the central point of the applicable Marker, as further detailed in the attached exhibit(s).
- 5. Ad Valorem Tax Appraisal. The Commission is aware that designation would allow the owner of the property upon which each Marker sits to apply for an automatic deferral of up to 35% of the Ad Valorem taxes on all or any portion of the property that becomes a designated "historic landmark." The total appraised value of the entire parcel of land containing the Marker(s) is stated in the attached exhibit(s).

Date of the Preparation of this Report: April 16, 2018

Prepared by: Dr. Dan L. Morrill; updated by Tommy Warlick (December 2021)

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Brief History of the E. L. Baxter Davidson Historic Markers and Monuments



Edward Lee Baxter Davidson (1858-1944)

The E. L. Baxter Davidson Historic Markers and Monuments (collectively, the “Markers”) are the direct result of a concerted effort in the 1920s by a Mecklenburg County resident to memorialize his family’s burial ground, to honor his family’s Scots-Irish heritage, and to celebrate American Revolutionary War happenings that occurred in north Mecklenburg County in 1780-1781. Edward Lee (E. L.) Baxter Davidson (1858-1944) spent his boyhood and young adulthood in an area full of reminders of the American Revolutionary War. He was born at Rural Hill, the 1,300-acre north Mecklenburg County estate established in the late 1700s by Major John Davidson (1735-1832), his great grandfather. Rural Hill, or the Major John Davidson Homestead, was located on Neck Road near the Catawba River.¹ His family worshipped at nearby Hopewell Presbyterian Church, which owed its early success largely to Alexander Craighead (1707-1766), a fiery Presbyterian preacher known for his intense anti-British proclivities.² Among the stories the young Davidson heard was how a band of patriot militia had fired on British troops on October 3, 1780, at the so-called “Battle of the Bees” at McIntyre’s Farm on Beatties Ford Road, a few miles south of Rural Hill.³ A Revolutionary War event of special meaning for Baxter Davidson and his family was the

¹ Chalmers Gaston Davidson, *The Plantation World Around Davidson* (Davidson NC: Mecklenburg Historical Association, 1973), 59-60; *Charlotte Observer*, May 8, 1928; Charlotte-Mecklenburg Historic Landmarks Commission, “Survey and Research Report for Rural Hill,” October 5, 1987, <http://landmarkscommission.org/wp-content/uploads/2018/06/Rural-Hill-Plantation-SR.pdf> (accessed December 13, 2021).

² Charlotte-Mecklenburg Historic Landmarks Commission, “Survey and Research Report for Hopewell Presbyterian Church,” January 5, 1977, <http://landmarkscommission.org/wp-content/uploads/2018/05/Hopewell-Presbyterian-Church-SR.pdf> (accessed December 13, 2021).

³ Charlotte-Mecklenburg Historic Landmarks Commission, “Survey and Research Report for McIntyre Site,” <http://landmarkscommission.org/wp-content/uploads/2018/06/McIntyre-Farm-Site-SR.pdf> (accessed December 13, 2021). For an account of the battle, see David A. Norris, “McIntyre’s Farm, Battle of,” in *Encyclopedia of North*

Battle of Cowan's Ford, an engagement at the Catawba River between patriot troops and the British and Tories on February 1, 1781. The American commander was General William Lee Davidson (1746-1781), a cousin of Baxter Davidson's great grandfather. General Davidson was killed at the Battle of Cowan's Ford, and his corpse was interred at Hopewell Presbyterian Church.⁴ Davidson was told that his great grandfather was a signer of the alleged Mecklenburg Declaration of Independence (May 20, 1775), a document which purportedly was the first outright rejection of Royal authority in Colonial America.⁵ Not surprisingly, Baxter Davidson was a staunch and persistent defender of the authenticity of the so-called "Meck Deck."

Baxter Davidson believed that educating the local citizenry about Mecklenburg County's role in the American Revolutionary War was serious business. "The work we are accomplishing in preserving the history of our country cannot be underestimated," declared Davidson in a speech to the Sons of the American Revolution ("S.A.R."). "The erection of monuments and markers," he continued, "not only does honor to those patriots who established the republic . . . it also impresses the youth of the land and inspires them to emulate the achievements of their illustrious ancestors."⁶ Davidson understood that markers and monuments can be evocative elements in the manmade or built environment. Scholars agree. "In general, we cannot remember something if we were not aware of it in the first place," writes Rupert Sheldrake in his monograph, *The Presence of the Past*.⁷ The purpose of the rock walls, monuments, and markers that Baxter Davidson paid for and caused to be erected in north Mecklenburg County in the 1920s was to keep the past alive. "Monuments are history made visible," says historian Judith Dupre. "The best of them are redemptive, allowing us to understand the past that is meaningful to the present."⁸ A reporter wrote the following about Baxter Davidson in 1941: "He has had more to do with the marking of historic spots in the county than any other individual and wherever he thought one should be, he had it erected and quietly paid for it himself."⁹

A graduate of Davidson College in 1880 and its largest individual benefactor, Baxter Davidson amassed considerable wealth from the acquisition, management, and selling of real estate and eventually became a wealthy man.¹⁰ His father, Alexander Brevard Davidson (1808-1896), moved his family from Rural Hill to Charlotte in 1871, where he established a residence on South Tryon

Carolina, ed. William S. Powell (Chapel Hill: University of North Carolina Press, 2006), 723.

⁴ See Robert Henry, David Vance, and David Schenck, *Narrative of the Battle of Cowan's Ford* (Greensboro NC: Reece & Elam, 1891); Jerry L. Cross, "Cowan's Ford, Battle of," in *Encyclopedia of North Carolina*, 308.

⁵ See William Henry Hoyt, *The Mecklenburg Declaration of Independence* (Boston: Da Capo Press, 2006).

⁶ Manuscript in the Davidson College Archives.

⁷ Rupert Sheldrake, *The Presence of the Past, Morphic Resonance and The Habits of Nature* (New York: Vintage Books, 1989), 197.

⁸ Judith Dupre, *Monuments, America's History in Art and Memory*, (New York: Random House, 2007), xii.

⁹ *Charlotte Observer*, August 3, 1941.

¹⁰ *Charlotte Observer*, April 30, 1941.

Street. The elder Davidson, like his son, was an astute businessman. He was a leading advocate for the building of railroads and factories in the postbellum years.¹¹ When his father died in 1896, Baxter Davidson inherited considerable property in the heart of Charlotte.¹² Baxter Davidson remained a bachelor until April 1935. He had no children and devoted most of his professional time to his real estate interests.¹³



Alexander Brevard Davidson



Hornet's Nest on the Cowan's Ford – Davidson College Monument. The Hornet's Nest was the historic Revolutionary War symbol of Mecklenburg County.



Hornet's Nest Symbol on the Sons of the American Revolution (S.A.R.) medal worn by E. L. Baxter Davidson at the National S.A.R. Convention in Charlotte in May 1931.

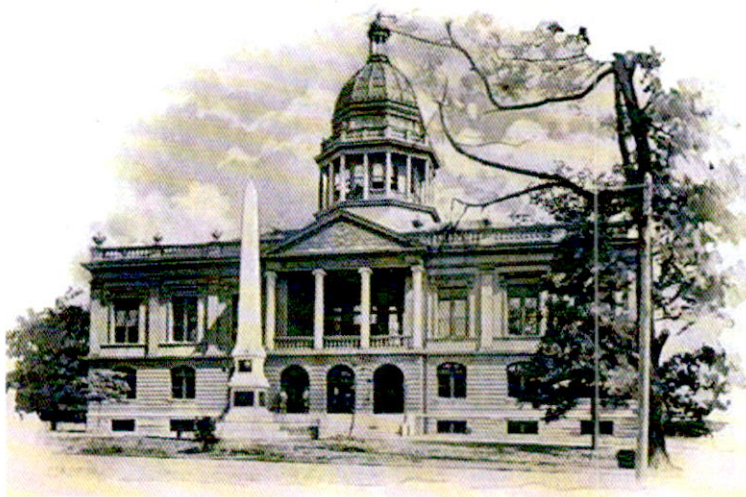
Baxter Davidson exhibited powerful patriotic feelings throughout his adulthood and spent much time and money giving expression to them as an avocation. He was a prominent leader of the S.A.R. organization and a charter member of the Mecklenburg Monument Association, which was organized on May 19, 1890. The latter organization raised the funds to erect a monument honoring

¹¹ *Charlotte Statesman*, July 16, 1993; Chalmers G. Davidson, "Davidson, Adam Brevard," *NCPedia*, January 1, 1986, <https://www.ncpedia.org/biography/davidson-adam-brevard> (accessed December 13, 2021).

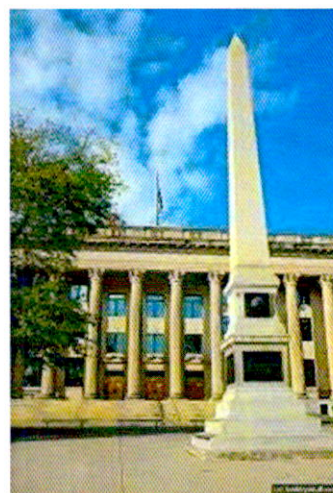
¹² *Charlotte Observer*, July 14, 1896.

¹³ *Charlotte Observer*, October 11, 1944.

the signers of the Mecklenburg Declaration of Independence. Dedicated on May 20, 1898, the marker was originally located at the Mecklenburg County Courthouse on South Tryon Street. It now stands in front of the former Courthouse on East Trade Street.¹⁴



Original Location of Signers' Monument



*E. Trade St. Location
of Signers' Monument*

On May 20, 1909, when President William Howard Taft visited Charlotte on the anniversary of the signing of the Mecklenburg Declaration of Independence, Baxter Davidson joined thirteen other descendants of "Meck Deck" signers atop the "float of floats from the historical standpoint" in a reportedly four-mile-long celebratory parade.¹⁵ In March 1925, he appeared before the Mecklenburg County Board of County Commissioners to request that the "old Mecklenburg method of marking roads with iron signs in the form of a hornet's nest" be revived as an emblem of "historical significance."¹⁶ Always devoted to his family's legacy, Davidson had a portrait of his father hung in the Charlotte Public Library in May 1921.¹⁷

In May 1925, Baxter Davidson was a cast member in a historical pageant honoring Mecklenburg County's heritage that was held in a "mammoth open-air theater" in Charlotte, "out under the stars."¹⁸ The *Charlotte Observer* described Davidson as a man "known for his philanthropies and for his interest in historic research."¹⁹ In May 1931, the Daughters of the American Revolution

¹⁴ *Charlotte Observer*, October 15, 1925.

¹⁵ *Charlotte Observer*, May 21, 1909.

¹⁶ *Charlotte Observer*, March 3, 1925.

¹⁷ *Charlotte Observer*, May 22, 1921.

¹⁸ *Charlotte Observer*, April 24, 1925.

¹⁹ *Charlotte Observer*, April 21, 1935.

("D.A.R.") unveiled a monument at the site of the Battle of McIntyre's Farm (also known as the "McIntyre Skirmish"). The brass plaque on the monument was a gift from Baxter Davidson.²⁰ Davidson also partly funded the erection of a grave marker at the General William Lee Davidson's burial site at Hopewell Presbyterian Church.²¹



D.A.R. Battle of McIntyre's Farm monument



General Davidson gravestone

The most imposing historic monument Baxter Davidson erected and paid for was the embellished stone wall that still encircles the Davidson family burial ground at Rural Hill in Huntersville.²² In a letter of January 15, 1927, Davidson wrote: "I am proud of my progenitor – Major John Davidson, signer of the Mecklenburg Declaration of Independence, who is buried at Rural Hill . . . and the wall 150 x 300 that I had built at great expense is in honor of him and his numerous descendants."²³ Baxter Davidson hired Lee Collier, an English architect, to superintend the job. It took two months to complete the cemetery wall at Rural Hill, and the effort required the participation of a foreman, sixteen laborers, and fifteen wagons. The cost of this impressive stone structure was reportedly \$20,000.²⁴ "To hear Mr. Davidson talk about designs and markers," said a local journalist, "one rightly concludes that he is a connoisseur of stones, and knows the artistic arrangement of them."²⁵ Davidson also provided a monument to Major John Davidson at the

²⁰ *Charlotte Observer*, May 17, 1931; University Library, University of North Carolina at Chapel Hill, "Commemorative Landscapes – Battle of McIntyre's Farm Monument, Charlotte," *Documenting the American South*, <https://docsouth.unc.edu/commland/monument/464/> (accessed December 13, 2021).

²¹ Letter of E. L. Baxter Davidson to Chalmers G. Davidson (January 15, 1927) in the Davidson College Archives (hereinafter cited as "Letter").

²² *Charlotte Observer*, October 11, 1944. As early as 1904, Baxter Davidson was advocating the construction of a wall at the Rural Hill Cemetery. See *Charlotte News*, January 16, 1904.

²³ Letter.

²⁴ *Charlotte Observer*, May 8, 1928.

²⁵ *Charlotte Observer*, December 9, 1928.

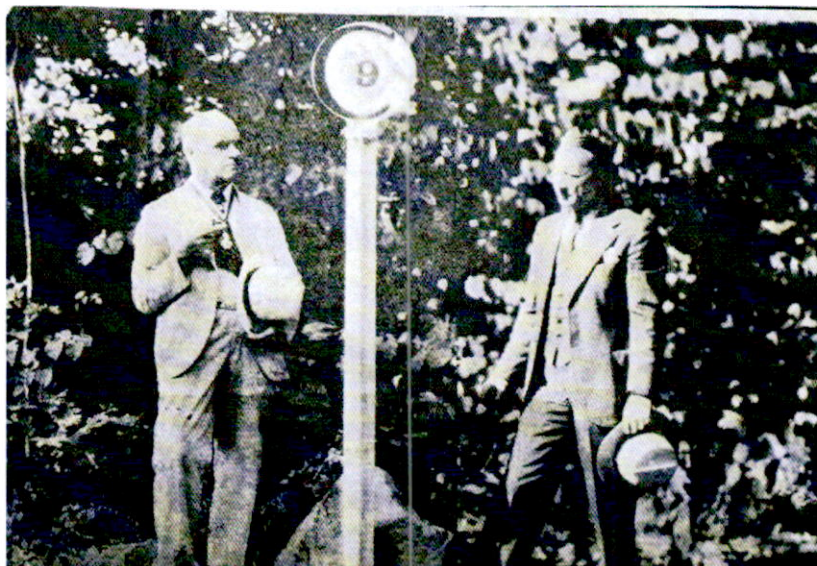
cemetery entrance, consisting of a bronze plaque mounted on a 4.5-foot-tall stone pier of two stacked boulders attached via stonework and mortar to the cemetery wall. Both the wall and the monument are prominent landscape features of the Rural Hill property and are included within a prior designation of Rural Hill as a local historic landmark by the Mecklenburg County Board of County Commissioners.²⁶



Northwestern Stem leading to Entry Gate of Rural Hill Cemetery



Major John Davidson Marker



E. L. Baxter Davidson (on left) at Historic Highway Marker at Hopewell Presbyterian Church

²⁶ Mecklenburg County Board of County Commissioners, "An Ordinance designating a property known as the 'Rural Hill Plantation' (the exterior of all improvements, the interior of all improvements, and the entire 221.04 acres comprising the plantation) as historic property, said property being located on both sides of Neck Road in Mecklenburg County, North Carolina, and recorded on tax parcel numbers 013-042-18, 013-042-19, 013-042-20, 013-181-01, and 013-181-02 in the Mecklenburg County tax office," Mecklenburg County Register of Deeds, Real Estate Book 5687, Page 582, December 21, 1987.

Baxter Davidson was also responsible for the construction of stone structures at Huntersville's Hopewell Presbyterian Church (10500 Beatties Ford Road), including stone walls lining both sides of Beatties Ford Road (each approximately 500 feet in length), a stone pier marker approximately 6 feet tall identifying the church and its founding date, and a pair of 6-foot-tall stone piers that support an engraved wooden church sign. Those stone structures are prominent landscape features of the Hopewell church property and are already included within a prior designation of the property as a local historic landmark by the Mecklenburg County Board of County Commissioners.²⁷

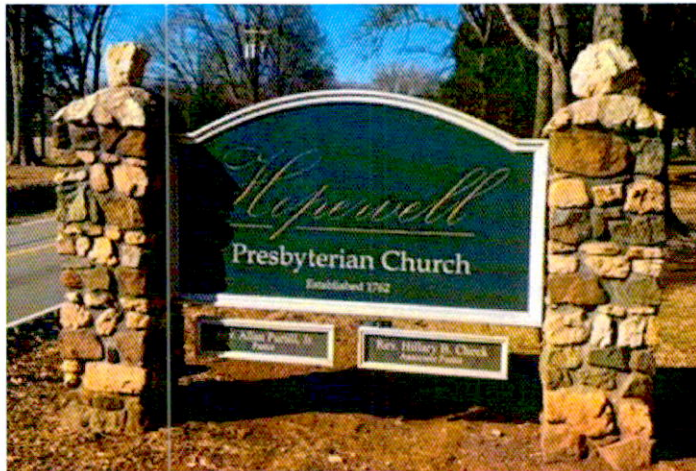


East Wall – Hopewell Presbyterian Church

²⁷ Mecklenburg County Board of County Commissioners, "An Ordinance designating a property known as the 'Hopewell Presbyterian Church' (the entire exterior of the church building, the entire interior of the church building, the entire exterior of the education building, the entire interior of the education building, a tract of land bounded on one side by a straight line running along the eastern exterior wall of the education building and extending to both edges of the tract of land recorded in the Mecklenburg County tax office under tax parcel number 015-171-09, and bounded on the other side by the edge of the public right-of-way of Beatties Ford Road extending to both edges of the tract of land recorded in the Mecklenburg County tax office under tax parcel number 015-171-09, and the rock walls on the tracts of land recorded in the Mecklenburg County tax office under tax parcel numbers 023-052-26 and 023-042-04) as historic property, said property being located on both sides of Beatties Ford Road near its intersection with Sample Road, in Mecklenburg County, North Carolina, and recorded on tax parcel numbers 015-171-09, 023-052-26, 023-042-04 in the Mecklenburg County tax office," Mecklenburg County Register of Deeds Real Estate Book 5733, Page 226, March 21, 1988.



Hopewell Church Marker



Hopewell Presbyterian Church Sign

The historical stone markers and monuments that Baxter Davidson had built in the mid-1920s throughout north Mecklenburg County were almost certainly designed by Lee Collier, because the designs are so similar to the Rural Hill structures that Collier designed for Davidson.²⁸ Like the Rural Hill cemetery wall, they are all composed of three types of native stone: white rock, brown rock, and flint rock. They include: (1) a marker originally located at the spot where General William Lee Davidson was killed at the Battle of Cowan's Ford (relocated in the early 1960s when construction of the Cowan's Ford Dam submerged the marker's original location beneath Lake Norman; the marker was moved to a small park on N.C. Highway 73); (2) a monument at the intersection of Beatties Ford and Brown Mill Roads, which displays a plaque referencing General Davidson's death and offering directional indicators for Davidson College and Cowan's Ford; (3) a directional marker at the intersection of Beatties Ford and Neck Roads incorporating a directional indicator for Rural Hill; (4) a rock wall and pier at Charlotte's Williams Memorial Presbyterian Church; and (5) a stone monument commemorating the Battle of McIntyre's Farm, located on Beatties Ford Road.²⁹

Davidson took an active role in the construction and design of the monuments, markers, and walls he caused to be placed in north Mecklenburg County. He was not a passive observer. "Mr. Davidson is not content to merely plan, design and designate where the walls and markers are to be erected, but he personally supervises them," reported the *Charlotte Observer*. "If they do not suit his fancy, he instructs the workers to tear them down and reconstruct them." There were times

²⁸ E. L. Baxter Davidson had another stone marker erected on Beatties Ford Road at the Mecklenburg County-Iredell County Line. That site is now part of Iredell County, and the marker has been destroyed. This writer remembers seeing it in the early 1980s. There is also mention of a marker having been erected on Highway 115 just north of Davidson. This writer has been unable to locate it if it was constructed or still exists.

²⁹ Letter.

when he ordered the walls and monuments destroyed and for the entire process to begin again.³⁰ Davidson ordered the plaques for the monuments and markers from the Newman Manufacturing Company in Cincinnati, Ohio.³¹ The entire project, including the Rural Hill cemetery wall, cost approximately \$30,000.³²

Baxter Davidson's bachelorhood ended on April 20, 1935, when at age 76 he married a 48-year-old widow, Sarah Williams Vosburg (1886-1973), who was a descendant of William A. Williams, a signer of the U.S. Declaration of Independence on July 4, 1776. The newlyweds purchased a home at 1401 Providence Road in July 1935, which in March 2000 was designated a local historic landmark by the Charlotte City Council. Baxter Davidson continued to be active in Davidson College alumni affairs and in patriotic organizations until his demise. He died in his sleep at home on October 10, 1944. His funeral was held at Hopewell Presbyterian Church, and his body was interred in the Rural Hill Cemetery.³³ The extant stone monuments, walls, and markers he caused to be built are his greatest legacy in terms of the built environment of Mecklenburg County. In this writer's opinion, considered aggregately, these rock features constitute the most architecturally significant collection of historic public art in Mecklenburg County.

³⁰ *Charlotte Observer*, December 9, 1928.

³¹ Newman Manufacturing Company invoice in Davidson College Archives.

³² *Charlotte Observer*, December 9, 1928.

³³ Charlotte-Mecklenburg Historic Landmarks Commission, "Survey and Research Report for E. L. Baxter Davidson House," March 30, 1998, <http://landmarkscommission.org/wp-content/uploads/2018/05/Davidson-House-E.L.-Baxter-SR.pdf> (accessed December 13, 2021); Charlotte City Council, "Ordinance designating as a Historic Landmark a property known as the 'E. L. Baxter Davidson House' (listed under Tax Parcel Number 155-121-02 as of November 15, 1999, and including the entire exterior of the E. L. Baxter Davidson House and the entire parcel of land listed under Tax Parcel Number 155-121-02 in the Mecklenburg County Tax Office, Charlotte, North Carolina as of November 15, 1999)," City of Charlotte Ordinance Book 50, Page 95-98, March 20, 2000; *Charlotte Observer*, April 21, 1935, October 11, 1944.

**Physical Description
of the E. L. Baxter Davidson
Historic Markers and Monuments**



E. L. Baxter Davidson laying ceremonial stone at Hopewell Presbyterian Church wall (October 1928)

The E. L. Baxter Davidson Historic Markers and Monuments are built of stone, the most durable construction material provided by nature. That Baxter Davidson selected stone for his markers, monuments, and walls indicates that he wanted them to endure. His intent was to make these edifices instructive. Davidson hoped that generations of Mecklenburg County residents would learn from them and be inspired by them. Alas, that desire has largely been unrealized. Most people are unaware of the Markers' existence and intended commemorative and instructional purposes.

Human beings have been erecting rock structures, such as castles, forts, and cathedrals, for thousands of years. They have also gathered stones and piled them into dry stone walls, *i.e.*, without mortar. For example, the original stone wall enclosing the Hopewell Presbyterian Church,

constructed long before the Markers, was a dry-stacked wall. The use of stone in that wall may have influenced Davidson's decision to use stone in his walls and monuments. Also, rocks are plentiful in the fields of north Mecklenburg County. Builders have often embedded stones in mortar or plaster and constructed vertical structures (or piers) to provide greater stability for their rock walls. Stone is a superb building material. The best rock is highly resistant to weathering and to water penetration. Rock walls are held in place by gravity. One advantage of using stone is that it can tolerate a variety of soil types, thereby increasing a stone structure's resistance to ground shifting. The foundation or footing is a critical component of a stone structure, as are provisions for drainage. The footing locks the entire system into place and supports the stem, which is the main visible portion of a wall or other vertical structure. Many vertical stone structures have a "toe," an extension at the base of the stem that keeps the structure upright, prevents overturning, and reduces bearing pressures. Masonry walls require proper capping, which can extend the life of the wall, reduce maintenance, and aid sustainability. To be effective, caps must deflect water. If water is allowed to penetrate the top of a rock structure, the entire system will eventually fail.

A specific physical description of the structure(s) recommended for historic landmark designation is detailed in the attached exhibit(s), incorporated herein by reference.

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Mecklenburg County Board of County Commissioners. "An Ordinance designating a property known as the 'Hopewell Presbyterian Church' (the entire exterior of the church building, the entire interior of the church building, the entire exterior of the education building, the entire interior of the education building, a tract of land bounded on one side by a straight line running along the eastern exterior wall of the education building and extending to both edges of the tract of land recorded in the Mecklenburg County tax office under tax parcel number 015-171-09, and bounded on the other side by the edge of the public right-of-way of Beatties Ford Road extending to both edges of the tract of land recorded in the Mecklenburg County tax office under tax parcel number 015-171-09, and the rock walls on the tracts of land recorded in the Mecklenburg County tax office under tax parcel numbers 023-052-26 and 023-042-04) as historic property, said property being located on both sides of Beatties Ford Road near its intersection with Sample Road, in Mecklenburg County, North Carolina, and recorded on tax parcel numbers 015-171-09, 023-052-26, 023-042-04 in the Mecklenburg County tax office." Mecklenburg County Register of Deeds Real Estate Book 5733, Page 226, March 21, 1988.

_____. "An Ordinance designating a property known as the 'Rural Hill Plantation' (the exterior of all improvements, the interior of all improvements, and the entire 221.04 acres comprising the plantation) as historic property, said property being located on both sides of Neck Road in Mecklenburg County, North Carolina, and recorded on tax parcel numbers 013-042-18, 013-042-19, 013-042-20, 013-181-01, and 013-181-02 in the Mecklenburg County tax office." Mecklenburg County Register of Deeds, Real Estate Book 5687, Page 582, December 21, 1987.

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EXHIBIT C

Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments

Rural Hill Directional Marker Huntersville, N.C.



Northeast face of Rural Hill Directional Marker

1. Name and Location of the Property. The Rural Hill directional marker is located at 6645 Neck Road, within Huntersville's sphere of influence. The tax parcel number for the property on which the marker stands is 01301250, and its UTM Coordinates are 17S 504679E 5915584N.
2. Name and Address of Parties to be Notified.
 - a. North Carolina Department of Transportation
Division 10, District 2 Office
7605 District Drive
Charlotte, N.C. 28213
District Engineer: Wendy Taylor
Direct Phone and Email: (980) 523-0000; wataylor1@ncdot.gov
 - b. Herseng Yang
6645 Neck Road
Huntersville, N.C. 28078

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3. Ad Valorem Tax Appraisal. As of January 2021, the total appraised value of the property on which the Rural Hill directional marker stands is \$255,700.
4. Recommendation for Designation. The Rural Hill directional marker in its entirety, as well as a thirty-eight(38) foot radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument, is recommended for historic landmark designation.

The Rural Hill Directional Marker

The Rural Hill directional marker is one of only two extant solitary rock piers erected by Baxter Davidson, both of which are located in Huntersville. The second such standalone marker is the General Davidson Memorial, located in a small memorial park on the south side of North Carolina Highway 73, directly across from the McGuire Nuclear Station. Standing on private residential property, some fifty feet from a busy Beatties Ford Road/Neck Road intersection, the continued integrity of the Rural Hill directional marker is at risk, given the rapid growth of both development and vehicular traffic in the immediate area. Indeed, the marker has already been struck and damaged by an automobile at least once, necessitating its reconstruction slightly westward to its current location.



*Aerial Image of Rural Hill directional marker
(arrow indicates monument's location) (source: Polaris 3G)*

The Rural Hill directional marker stands approximately 8 feet tall, and measures approximately 3 feet in both length and width. It is located to the northwest of the intersection of Beatties Ford and Neck Roads. It features a metal plaque, which reads: "MAJOR JOHN DAVIDSON'S / HOMESTEAD. / BUILT 1788 BURNED 1886." Atop the plaque is a stylized depiction of a hand

indicating the direction of the homestead, also known as Rural Hill.



Plaque on Rural Hill directional marker

Like the General Davidson Memorial and the Rural Hill cemetery wall, the stem or visible face of the Rural Hill directional marker is composed of alternating strings of rough-faced dark brown and white stones. The stones are embedded in mortar, and the stem of the marker rises perpendicularly from a toeless foundation to a pyramidal cap decorated with small, smooth, white stones. The cap is topped by a large flint rock finial that adds an additional 12 to 15 inches in height to the pier. The pier is surrounded by a small pentagon-shaped landscaped area bordered by large dark brown stones similar in appearance to those used to construct the pier.

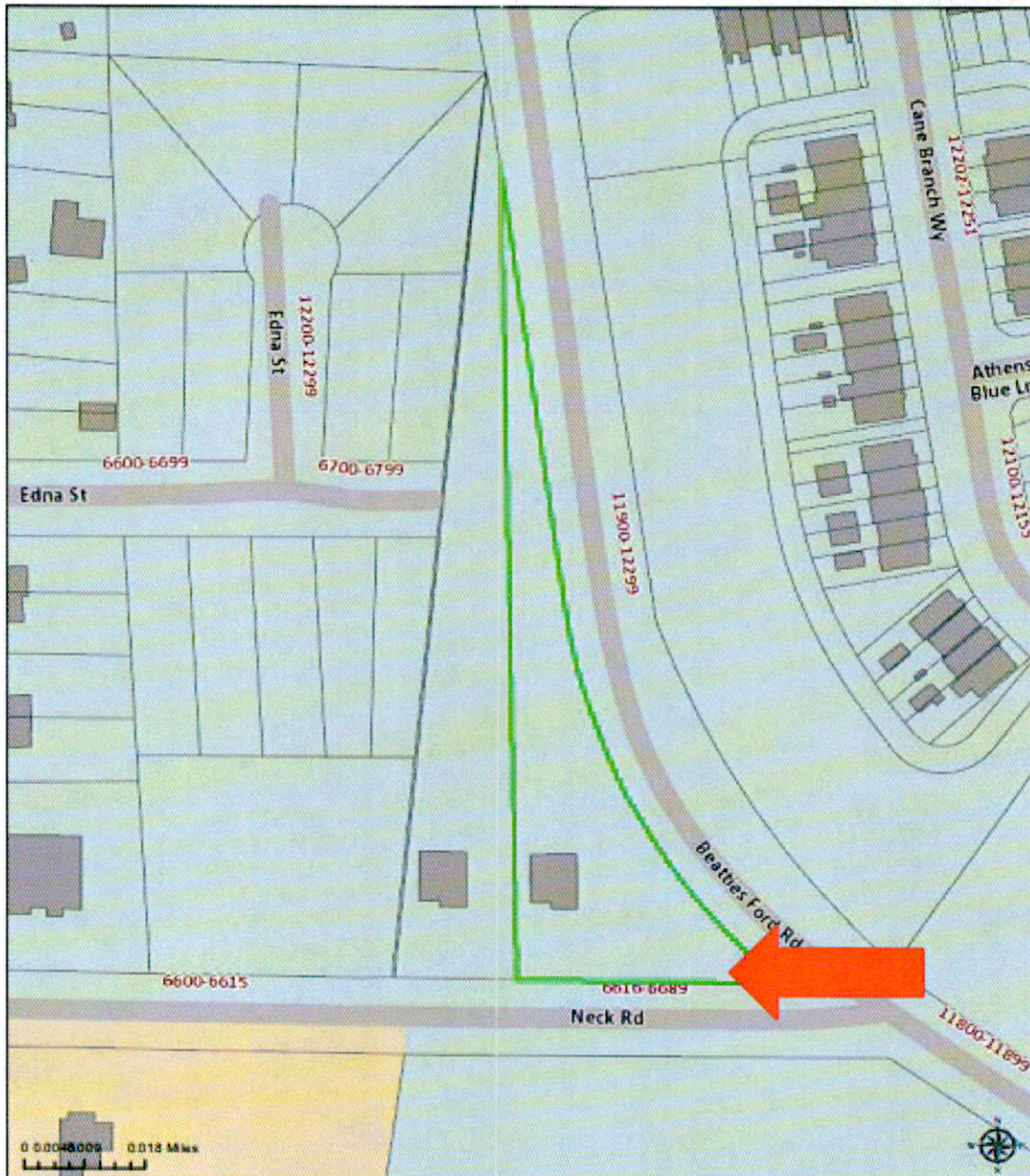


Northeast face of Rural Hill Directional Marker

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Polaris 3G Map – Mecklenburg County, North Carolina
Rural Hill Directional Marker

Date Printed: 9/22/2021 6:11:59 PM



Arrow indicates approximate location of Rural Hill directional marker

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Page 26 of 44
Date 11-7-2022



**North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary D. Reid Wilson

Office of Archives and History
Deputy Secretary Darin J. Waters, Ph.D.

March 18, 2022

Stewart Gray
Preservation Planner
Charlotte-Mecklenburg Historic Landmarks Commission
2100 Randolph Road
Charlotte, NC 28207

RE: Proposed Designation of the E.L. Baxter Davidson Historic Markers at multiple locations throughout Mecklenburg County

Dear Mr. Gray:

Thank you for the report we received on the proposed designation of the E.L. Baxter Davidson Historic Markers located throughout Mecklenburg County. We have reviewed the report and offer the following comments in accordance with North Carolina General Statute 160D-946.

The E.L. Baxter Davidson Historic Markers have special local significance for commemorating local historic events, places, and people; as a "uniquely sophisticated collection of Mecklenburg County public art"; and as representatives of Baxter Davidson's 1920s campaign to educate the public about local history.

We have shared recommendations with staff to perform very minor changes to the report. With these minor changes, we believe the commission and the local governing board will be able to more accurately determine if the E.L. Baxter Davidson Historic Markers possess the requisite special significance and integrity required for local historic landmark designation.

Landmark designation means the community recognizes the property is worthy of preservation because of its special significance to the local community. Any substantial changes in design, materials, and appearance to the property is subject to the design review procedures of the preservation commission.

Thank you for the opportunity to comment on the report. Please note, our comments are advisory only and therefore, nonbinding. Once the governing board has received a recommendation from the Charlotte-Mecklenburg Historic Landmarks Commission, it should proceed in the same manner as would otherwise be required for an amendment to the zoning ordinance. Once the decision has been made, please return a completed copy of the enclosed form to our office.

This letter serves as our comments on the proposed designation of the E.L. Baxter Davidson Historic Markers. Please contact me at Kristi.brantley@ncdcr.gov (preferred) or 919-814-6583 should you have any questions about our comments.

Sincerely,

A handwritten signature in black ink that reads "Kristi Brantley". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Kristi Brantley
Local Preservation Commissions / CLG Coordinator

CC: Commission Chair

Enclosure

Attachment No. 5
Page 28 of 44
Date 11-7-2022

MEMO

To: File – E. L. Baxter Davidson Historic Markers and Monuments
From: HLC Staff
Date: May 4, 2021

Re: Comments from State Historic Preservation Office on Designation Report and Exhibit for Rural Hill Directional Marker, Huntersville

By email dated March 18, 2022, SHPO staff provided feedback based on their review of the Designation Report and Exhibit for the Rural Hill Directional Marker. In summary, the issues raised included the following:

- Greater clarity of vantage points within photo captions; and
- A typographical error.

Following review of the Designation Report and the SHPO feedback, the HLC staff revised and updated the Designation Report to address the issues raised.

RECORD OF THE VOTE OF THE HISTORIC LANDMARKS COMMISSION ON THE

Rural Hill Directional Marker

February 14, 2022

Motion: THE SURVEY COMMITTEE PRESENTED A SECONDED MOTION TO THE HISTORIC LANDMARKS COMMISSION THAT IT PROCESS THE E. L. BAXTER DAVIDSON HISTORIC MARKERS AND MONUMENTS WITH THE PROTECTED RADII AS RECOMMENDED BY STAFF FOR HISTORIC LANDMARK DESIGNATION. THE COMMISSION UNANIMOUSLY APPROVED THE MOTION.

Favor

Mr. Akadius Berry, Ms. Lesley Carroll, Mr. Brian Clarke, Mr. William Hughes, Ms. Elizabeth Luke, Mr. Garrett Nelson, Mr. Jeffrey Parsons, Mr. Edwin Wilson

Oppose

None

Abstain

None

Absent

Ms. Diane Althouse, Mr. Robert Barfield, and Mr. Joshua Shope



MECKLENBURG COUNTY

Assessor's Office
Real Estate Division

May 24, 2022

Tommy Warlick
Consulting Preservation Planner
Charlotte-Mecklenburg Historic Landmarks Commission
2100 Randolph Rd.
Charlotte, NC 28207

In Re: Parcel Number 01301250
The Rural Hill Directional Marker
6645 Neck Road (The marker and 38ft radius of the land)
Huntersville, NC

Dear Mr. Tommy Warlick,

Based on the current value and tax rate, the potential amount of deferrable taxes on the above mentioned property would be \$0.17 City of Huntersville taxes, and \$0.45 for Mecklenburg County taxes.

Very truly yours,

Mecklenburg County Real Estate Appr. Div.

LIVE * WORK * RECREATE

3205 Freedom Drive * P.O. Box 31127 * Charlotte, North Carolina 28231 * (980) 314-4226

Attachment No. 5
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Date 11-7-2022

PROJECT NAME: Beatties Ford Rd / Neck Rd		DEPT: Engineering / Public Works					
PROJECT DESCRIPTION:		PROJECT COSTS:					
Realign Neck Road and construct turn lanes at intersection of Beatties Ford Road and Neck Road.		Project spent to date-12-29-2021 \$ - Remaining to be spent 2,600,000 Total Project costs \$ 2,600,000					
PART A: TOTAL PROJECT BUDGET							
DESCRIPTION/DETAIL	FY 23	FY 24	FY 25	FY 26	FY 27	Future	Total
Design / Right of Way / Utility Relocation / Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,600,000	\$ 2,600,000
TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,600,000	\$ 2,600,000
PART B: FUNDING SOURCES							
DESCRIPTION/DETAIL	FY 23	FY 24	FY 25	FY 26	FY 27	Future	Total
General Fund Appropriation							
Future funding	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,600,000	\$ 2,600,000
Special Revenue Funds: Transportation Reserve						-	-
Other(Describe):							
TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,600,000	\$ 2,600,000
PART C: OPERATING IMPACTS							
DESCRIPTION/DETAIL	FY 23	FY 24	FY 25	FY 26	FY 27	Future	Total
Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Facility Operating Cost							
Personnel							
Other Operation Cost: Grounds Maintenance							
TOTAL	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK A STRUCTURE KNOWN AS THE "RURAL HILL DIRECTIONAL MARKER" (LISTED UNDER TAX PARCEL NUMBER 01301250, AND INCLUDING THE MARKER IN ITS ENTIRETY AND A TEN (10) FOOT RADIUS OF THE LAND IMMEDIATELY SURROUNDING THE MARKER, MEASURED IN EACH DIRECTION FROM THE CENTRAL POINT OF THE MARKER, ALL AS SITUATED ON THE PROPERTY LISTED UNDER TAX PARCEL NUMBER 01301250 IN THE MECKLENBURG COUNTY TAX OFFICE, CHARLOTTE, NC, AS OF JULY 1, 2022). THE MARKER STANDS AT THE INTERSECTION OF BEATTIES FORD AND NECK ROADS ON PROPERTY LOCATED AT 6645 NECK ROAD, HUNTERSVILLE, NC, AND OWNED BY HERSENG YANG.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the Board of Commissioners of the Town of Huntersville, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the 17th day of October, 2022, on the question of designating a structure known as the Rural Hill Directional Marker as an historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at

a public hearing held on the 12th day of September, 2022, on the question of designating a structure known as the Rural Hill Directional Marker as an historic landmark; and

WHEREAS, the Rural Hill Directional Marker is one of the E. L. Baxter Davidson Historic Markers and Monuments, a series of rock monuments, markers, and walls financed and erected across north Mecklenburg County during the 1920s by local real estate investor Edward Lee Baxter Davidson; and

WHEREAS, Davidson intended that series of rock structures to represent and raise public awareness of locations, institutions, events, and individuals of regional historic significance, including the Revolutionary War Battles of McIntyre's Farm and Cowan's Ford (October 3, 1780, and February 1, 1781, respectively), the battlefield death of General William Lee Davidson (February 1, 1781), the homestead of Major John Davidson (Rural Hill, built in 1788), and the founding of Williams Memorial Presbyterian Church (established in 1885); and

WHEREAS, the Rural Hill Directional Marker specifically commemorates Rural Hill, the homestead of Major John Davidson, offering motorists directions as to the site; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution; and

WHEREAS, using ordinary native materials and deceptively simplistic traditional structural designs, the E. L. Baxter Davidson Historic Markers and Monuments honor Mecklenburg County's history of extraordinary efforts and achievements by ordinary people in an understood but respectful manner that complements the local landscape and the region's customs; and

WHEREAS, five of the E. L. Baxter Davidson Historic Markers and Monuments located across north Mecklenburg County are already designated as local historic landmarks, namely a rock memorial to Major John Davidson and the rock wall encircling the Davidson family cemetery, both located at the Rural Hill farmstead in Huntersville, and the rock wall, rock church marker, and rock signage piers, all located at Hopewell Presbyterian Church also in Huntersville; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments are of such historic, architectural, and cultural significance – both as commemorations of the early history of Mecklenburg County and as tributes to the commitment and impact of a single person determined to bring tangible form and expression to that history – that all known extant structures within the collection, including the Rural Hill Directional Marker, should likewise be designated as local historic landmarks; and

WHEREAS, based on the additional information further detailed in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto, all of which are incorporated herein by reference, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the structure known as the Rural Hill Directional Marker possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, to preserve as much of the existing built environment of the structure as reasonably possible, the Charlotte-Mecklenburg Historic Landmarks Commission has also demonstrated the importance of incorporating within the landmark designation a protective buffer area of land within the immediately adjacent radius of the structure, as further detailed hereinafter; and

WHEREAS, the structure known as the Rural Hill Directional Marker stands at the intersection of Beatties Ford and Neck Roads on property owned by Herseng Yang.

NOW, THEREFORE, BE IT ORDAINED by the members of the Board of Commissioners of the Town of Huntersville, North Carolina:

1. That the structure known as the “Rural Hill Directional Marker” (listed under Tax Parcel Number 01301250, and including the marker in its entirety and a ten (10) foot radius of the land immediately surrounding the marker, measured in each direction from the central point of the marker, all as situated on the property listed under Tax Parcel Number 01301250 in the Mecklenburg County Tax Office, Charlotte, NC, as of July 1, 2022), is hereby designated as an historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at the intersection of Beatties Ford and Neck Roads on property located at 6645 Neck Road, Huntersville, NC. Exterior features are more completely described in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto.

2. That said exterior is more specifically defined as the historic and structural fabric, especially including all original exterior architectural features and the contours of landscaping.

3. That said designated historic landmark may be materially altered, restored, moved, or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of

the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160D, Article 9, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

5. That a suitable sign may be posted indicating that said structure has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

6. That the owners of the property on which the historic landmark known as the Rural Hill Directional Marker stands be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the Town Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160D, Article 9, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the _____ day of _____, 2022, by the members of the Board of Commissioners of the Town of Huntersville, Mecklenburg County, North Carolina.

Clerk to Town Board

Approved as to form:

Town Attorney

ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK A STRUCTURE KNOWN AS THE "RURAL HILL DIRECTIONAL MARKER" (LISTED UNDER TAX PARCEL NUMBER 01301250, AND INCLUDING THE MARKER IN ITS ENTIRETY AND A THIRTY-EIGHT (38) FOOT RADIUS OF THE LAND IMMEDIATELY SURROUNDING THE MARKER, MEASURED IN EACH DIRECTION FROM THE CENTRAL POINT OF THE MARKER, ALL AS SITUATED ON THE PROPERTY LISTED UNDER TAX PARCEL NUMBER 01301250 IN THE MECKLENBURG COUNTY TAX OFFICE, CHARLOTTE, NC, AS OF JULY 1, 2022). THE MARKER STANDS AT THE INTERSECTION OF BEATTIES FORD AND NECK ROADS ON PROPERTY LOCATED AT 6645 NECK ROAD, HUNTERSVILLE, NC, AND OWNED BY HERSENG YANG.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the Board of Commissioners of the Town of Huntersville, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the 17th day of October, 2022, on the question of designating a structure known as the Rural Hill Directional Marker as an historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at

a public hearing held on the 12th day of September, 2022, on the question of designating a structure known as the Rural Hill Directional Marker as an historic landmark; and

WHEREAS, the Rural Hill Directional Marker is one of the E. L. Baxter Davidson Historic Markers and Monuments, a series of rock monuments, markers, and walls financed and erected across north Mecklenburg County during the 1920s by local real estate investor Edward Lee Baxter Davidson; and

WHEREAS, Davidson intended that series of rock structures to represent and raise public awareness of locations, institutions, events, and individuals of regional historic significance, including the Revolutionary War Battles of McIntyre's Farm and Cowan's Ford (October 3, 1780, and February 1, 1781, respectively), the battlefield death of General William Lee Davidson (February 1, 1781), the homestead of Major John Davidson (Rural Hill, built in 1788), and the founding of Williams Memorial Presbyterian Church (established in 1885); and

WHEREAS, the Rural Hill Directional Marker specifically commemorates Rural Hill, the homestead of Major John Davidson, offering motorists directions as to the site; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution; and

WHEREAS, using ordinary native materials and deceptively simplistic traditional structural designs, the E. L. Baxter Davidson Historic Markers and Monuments honor Mecklenburg County's history of extraordinary efforts and achievements by ordinary people in an understated but respectful manner that complements the local landscape and the region's customs; and

WHEREAS, five of the E. L. Baxter Davidson Historic Markers and Monuments located across north Mecklenburg County are already designated as local historic landmarks, namely a rock memorial to Major John Davidson and the rock wall encircling the Davidson family cemetery, both located at the Rural Hill farmstead in Huntersville, and the rock wall, rock church marker, and rock signage piers, all located at Hopewell Presbyterian Church also in Huntersville; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments are of such historic, architectural, and cultural significance – both as commemorations of the early history of Mecklenburg County and as tributes to the commitment and impact of a single person determined to bring tangible form and expression to that history – that all known extant structures within the collection, including the Rural Hill Directional Marker, should likewise be designated as local historic landmarks; and

WHEREAS, based on the additional information further detailed in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto, all of which are incorporated herein by reference, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the structure known as the Rural Hill Directional Marker possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, to preserve as much of the existing built environment of the structure as reasonably possible, the Charlotte-Mecklenburg Historic Landmarks Commission has also demonstrated the importance of incorporating within the landmark designation a protective buffer area of land within the immediately adjacent radius of the structure, as further detailed hereinafter; and

WHEREAS, the structure known as the Rural Hill Directional Marker stands at the intersection of Beatties Ford and Neck Roads on property owned by Herseng Yang.

NOW, THEREFORE, BE IT ORDAINED by the members of the Board of Commissioners of the Town of Huntersville, North Carolina:

1. That the structure known as the “Rural Hill Directional Marker” (listed under Tax Parcel Number 01301250, and including the marker in its entirety and a thirty-eight (38) foot radius of the land immediately surrounding the marker, measured in each direction from the central point of the marker, all as situated on the property listed under Tax Parcel Number 01301250 in the Mecklenburg County Tax Office, Charlotte, NC, as of July 1, 2022), is hereby designated as an historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at the intersection of Beatties Ford and Neck Roads on property located at 6645 Neck Road, Huntersville, NC. Exterior features are more completely described in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto.

2. That said exterior is more specifically defined as the historic and structural fabric, especially including all original exterior architectural features and the contours of landscaping.

3. That said designated historic landmark may be materially altered, restored, moved, or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of

the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160D, Article 9, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

5. That a suitable sign may be posted indicating that said structure has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

6. That the owners of the property on which the historic landmark known as the Rural Hill Directional Marker stands be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the Town Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160D, Article 9, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the _____ day of _____, 2022, by the members of the Board of Commissioners of the Town of Huntersville, Mecklenburg County, North Carolina.

Clerk to Town Board

Approved as to form:

Town Attorney

Attachment No. 5
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Date 11-7-2022

ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK A STRUCTURE KNOWN AS THE "COWAN'S FORD-DAVIDSON COLLEGE MONUMENT" (ASSOCIATED WITH THE PROPERTY LISTED UNDER TAX PARCEL NUMBER 00902102, AND INCLUDING THE MONUMENT IN ITS ENTIRETY AND A FIFTEEN (15) FOOT RADIUS OF THE LAND IMMEDIATELY SURROUNDING THE MONUMENT, MEASURED IN EACH DIRECTION FROM THE CENTRAL POINT OF THE MONUMENT, ALL AS ASSOCIATED WITH THE PROPERTY LISTED UNDER TAX PARCEL NUMBER 00902102 IN THE MECKLENBURG COUNTY TAX OFFICE, CHARLOTTE, NC, AS OF JULY 1, 2022). THE MONUMENT, STANDING NEAR THE INTERSECTION OF BROWN MILL AND BEATTIES FORD ROADS, IS ASSOCIATED WITH THE PROPERTY LOCATED AT 14910 NC 73 HIGHWAY, HUNTERSVILLE, N.C., WHICH IS OWNED BY MDHB PROPERTIES LLC.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the Board of Commissioners of the Town of Huntersville, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the 17th day of October, 2022, on the question of designating a structure known as the Cowan's Ford-Davidson College Monument as an historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at

a public hearing held on the 12th day of September, 2022, on the question of designating a structure known as the Cowan's Ford-Davidson College Monument as an historic landmark; and

WHEREAS, the Cowan's Ford-Davidson College Monument is one of the E. L. Baxter Davidson Historic Markers and Monuments, a series of rock monuments, markers, and walls financed and erected across north Mecklenburg County during the 1920s by local real estate investor Edward Lee Baxter Davidson; and

WHEREAS, Davidson intended that series of rock structures to represent and raise public awareness of locations, institutions, events, and individuals of regional historic significance, including the Revolutionary War Battles of McIntyre's Farm and Cowan's Ford (October 3, 1780, and February 1, 1781, respectively), the battlefield death of General William Lee Davidson (February 1, 1781), the homestead of Major John Davidson (Rural Hill, built in 1788), and the founding of Williams Memorial Presbyterian Church (established in 1885); and

WHEREAS, the Cowan's Ford-Davidson College Monument specifically commemorates both Davidson College and the site of the 1781 Revolutionary War Battle of Cowan's Ford, offering motorists directions to both sites; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution; and

WHEREAS, using ordinary native materials and deceptively simplistic traditional structural designs, the E. L. Baxter Davidson Historic Markers and Monuments honor Mecklenburg County's history of extraordinary efforts and achievements by ordinary

people in an understated but respectful manner that complements the local landscape and the region's customs; and

WHEREAS, five of the E. L. Baxter Davidson Historic Markers and Monuments located across north Mecklenburg County are already designated as local historic landmarks, namely a rock memorial to Major John Davidson and the rock wall encircling the Davidson family cemetery, both located at the Rural Hill farmstead in Huntersville, and the rock wall, rock church marker, and rock signage piers, all located at Hopewell Presbyterian Church also in Huntersville; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments are of such historic, architectural, and cultural significance – both as commemorations of the early history of Mecklenburg County and as tributes to the commitment and impact of a single person determined to bring tangible form and expression to that history – that all known extant structures within the collection, including the Cowan's Ford-Davidson College Monument, should likewise be designated as local historic landmarks; and

WHEREAS, based on the additional information further detailed in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto, all of which are incorporated herein by reference, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the structure known as the Cowan's Ford-Davidson College Monument possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, to preserve as much of the existing built environment of the structure as reasonably possible, the Charlotte-Mecklenburg Historic Landmarks Commission has also demonstrated the importance of incorporating within the landmark designation a

protective buffer area of land within the immediately adjacent radius of the structure, as further detailed hereinafter; and

WHEREAS, the structure known as the Cowan's Ford-Davidson College Monument, which stands near the intersection of Brown Mill and Beatties Ford Roads, is associated with property owned by MDHB Properties LLC.

NOW, THEREFORE, BE IT ORDAINED by the members of the Board of Commissioners of the Town of Huntersville, North Carolina:

1. That the structure known as the "Cowan's Ford-Davidson College Monument" (associated with the property listed under Tax Parcel Number 00902102, and including the monument in its entirety and a fifteen (15) foot radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument, all as associated with the property listed under Tax Parcel Number 00902102 in the Mecklenburg County Tax Office, Charlotte, NC, as of July 1, 2022), is hereby designated as an historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina. The location of said landmark is associated with the property located at 14910 NC 73 Highway, Huntersville, N.C., near the intersection of Brown Mill and Beatties Ford Roads. Exterior features are more completely described in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto.

2. That said exterior is more specifically defined as the historic and structural fabric, especially including all original exterior architectural features and the contours of landscaping.

3. That said designated historic landmark may be materially altered, restored, moved, or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160D, Article 9, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

5. That a suitable sign may be posted indicating that said structure has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

Ordinance – Cowan's Ford-Davidson College Monument

6. That the owners of the property associated with the historic landmark known as the Cowan's Ford-Davidson College Monument be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the Town Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160D, Article 9, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the ____ day of _____, 2022, by the members of the Board of Commissioners of the Town of Huntersville, Mecklenburg County, North Carolina.

Clerk to Town Board

Approved as to form:

Town Attorney

ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK A STRUCTURE KNOWN AS THE "GENERAL WILLIAM LEE DAVIDSON MONUMENT" (LISTED UNDER TAX PARCEL NUMBER 01315102, AND INCLUDING THE MONUMENT IN ITS ENTIRETY AND A FORTY (40) FOOT RADIUS OF THE LAND IMMEDIATELY SURROUNDING THE MONUMENT, MEASURED IN EACH DIRECTION FROM THE CENTRAL POINT OF THE MONUMENT, ALL AS SITUATED ON THE PROPERTY LISTED UNDER TAX PARCEL NUMBER 01315102 IN THE MECKLENBURG COUNTY TAX OFFICE, CHARLOTTE, NC, AS OF JULY 1, 2022). THE MONUMENT STANDS ON PROPERTY LOCATED AT 5455 CASHION ROAD, HUNTERSVILLE, NC, AND OWNED BY DUKE POWER COMPANY.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the Board of Commissioners of the Town of Huntersville, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the ____ day of _____, 2022, on the question of designating a structure known as the General William Lee Davidson Monument as an historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at a public hearing held on the 12th day of September, 2022, on the question of designating a

structure known as the General William Lee Davidson Monument as an historic landmark;
and

WHEREAS, the General William Lee Davidson Monument is one of the E. L. Baxter Davidson Historic Markers and Monuments, a series of rock monuments, markers, and walls financed and erected across north Mecklenburg County during the 1920s by local real estate investor Edward Lee Baxter Davidson; and

WHEREAS, Davidson intended that series of rock structures to represent and raise public awareness of locations, institutions, events, and individuals of regional historic significance, including the Revolutionary War Battles of McIntyre's Farm and Cowan's Ford (October 3, 1780, and February 1, 1781, respectively), the battlefield death of General William Lee Davidson (February 1, 1781), the homestead of Major John Davidson (Rural Hill, built in 1788), and the founding of Williams Memorial Presbyterian Church (established in 1885); and

WHEREAS, the General William Lee Davidson Monument originally marked the location where General William Lee Davidson was believed to have been killed during the 1781 Battle of Cowan's Ford, but was relocated to a nearby memorial park due to the construction of the Cowan's Ford Dam; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution; and

WHEREAS, using ordinary native materials and deceptively simplistic traditional structural designs, the E. L. Baxter Davidson Historic Markers and Monuments honor Mecklenburg County's history of extraordinary efforts and achievements by ordinary

people in an understood but respectful manner that complements the local landscape and the region's customs; and

WHEREAS, five of the E. L. Baxter Davidson Historic Markers and Monuments located across north Mecklenburg County are already designated as local historic landmarks, namely a rock memorial to Major John Davidson and the rock wall encircling the Davidson family cemetery, both located at the Rural Hill farmstead in Huntersville, and the rock wall, rock church marker, and rock signage piers, all located at Hopewell Presbyterian Church also in Huntersville; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments are of such historic, architectural, and cultural significance – both as commemorations of the early history of Mecklenburg County and as tributes to the commitment and impact of a single person determined to bring tangible form and expression to that history – that all known extant structures within the collection, including the General William Lee Davidson Monument, should likewise be designated as local historic landmarks; and

WHEREAS, based on the additional information further detailed in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto, all of which are incorporated herein by reference, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the structure known as the General William Lee Davidson Monument possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, to preserve as much of the existing built environment of the structure as reasonably possible, the Charlotte-Mecklenburg Historic Landmarks Commission has also demonstrated the importance of incorporating within the landmark designation a

protective buffer area of land within the immediately adjacent radius of the structure, as further detailed hereinafter; and

WHEREAS, the structure known as the General William Lee Davidson Monument stands on property owned by Duke Power Company in a memorial park located near the intersection of North Carolina Highway 73 and McGuire Nuclear Station Road.

NOW, THEREFORE, BE IT ORDAINED by the members of the Board of Commissioners of the Town of Huntersville, North Carolina:

1. That the structure known as the “General William Lee Davidson Monument” (listed under Tax Parcel Number 01315102, and including the monument in its entirety and a forty (40) foot radius of the land immediately surrounding the monument, measured in each direction from the central point of the monument, all as situated on the property listed under Tax Parcel Number 01315102 in the Mecklenburg County Tax Office, Charlotte, NC, as of July 1, 2022) is hereby designated as an historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated in a memorial park near the intersection of North Carolina Highway 73 and McGuire Nuclear Station Road on property located at 5455 Cashion Road, Huntersville, NC. Exterior features are more completely described in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto.

2. That said exterior is more specifically defined as the historic and structural fabric, especially including all original exterior architectural features and the contours of landscaping.

6. That the owners of the property on which the historic landmark known as the General William Lee Davidson Monument stands be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the Town Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160D, Article 9, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the _____ day of _____, 2022, by the members of the Board of Commissioners of the Town of Huntersville, Mecklenburg County, North Carolina.

Clerk to Town Board

Approved as to form:

Town Attorney

3. That said designated historic landmark may be materially altered, restored, moved, or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160D, Article 9, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

5. That a suitable sign may be posted indicating that said structure has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

ORDINANCE DESIGNATING AS AN HISTORIC LANDMARK A STRUCTURE KNOWN AS THE "RURAL HILL DIRECTIONAL MARKER" (LISTED UNDER TAX PARCEL NUMBER 01301250, AND INCLUDING THE MARKER IN ITS ENTIRETY AND A THIRTY-EIGHT (38) FOOT RADIUS OF THE LAND IMMEDIATELY SURROUNDING THE MARKER, MEASURED IN EACH DIRECTION FROM THE CENTRAL POINT OF THE MARKER, ALL AS SITUATED ON THE PROPERTY LISTED UNDER TAX PARCEL NUMBER 01301250 IN THE MECKLENBURG COUNTY TAX OFFICE, CHARLOTTE, NC, AS OF JULY 1, 2022). THE MARKER STANDS AT THE INTERSECTION OF BEATTIES FORD AND NECK ROADS ON PROPERTY LOCATED AT 6645 NECK ROAD, HUNTERSVILLE, NC, AND OWNED BY HERSENG YANG.

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina have been met; and

WHEREAS, the members of the Board of Commissioners of the Town of Huntersville, North Carolina, have taken into full consideration all statements and information presented at a public hearing held on the 7th day of November, 2022, on the question of designating a structure known as the Rural Hill Directional Marker as an historic landmark; and

WHEREAS, the members of the Charlotte-Mecklenburg Historic Landmarks Commission have taken into full consideration all statements and information presented at

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a public hearing held on the 12th day of September, 2022, on the question of designating a structure known as the Rural Hill Directional Marker as an historic landmark; and

WHEREAS, the Rural Hill Directional Marker is one of the E. L. Baxter Davidson Historic Markers and Monuments, a series of rock monuments, markers, and walls financed and erected across north Mecklenburg County during the 1920s by local real estate investor Edward Lee Baxter Davidson; and

WHEREAS, Davidson intended that series of rock structures to represent and raise public awareness of locations, institutions, events, and individuals of regional historic significance, including the Revolutionary War Battles of McIntyre's Farm and Cowan's Ford (October 3, 1780, and February 1, 1781, respectively), the battlefield death of General William Lee Davidson (February 1, 1781), the homestead of Major John Davidson (Rural Hill, built in 1788), and the founding of Williams Memorial Presbyterian Church (established in 1885); and

WHEREAS, the Rural Hill Directional Marker specifically commemorates Rural Hill, the homestead of Major John Davidson, offering motorists directions as to the site; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments constitute a uniquely sophisticated and cohesive collection of vernacular public art in terms of material, design, and execution; and

WHEREAS, using ordinary native materials and deceptively simplistic traditional structural designs, the E. L. Baxter Davidson Historic Markers and Monuments honor Mecklenburg County's history of extraordinary efforts and achievements by ordinary people in an understated but respectful manner that complements the local landscape and the region's customs; and

WHEREAS, five of the E. L. Baxter Davidson Historic Markers and Monuments located across north Mecklenburg County are already designated as local historic landmarks, namely a rock memorial to Major John Davidson and the rock wall encircling the Davidson family cemetery, both located at the Rural Hill farmstead in Huntersville, and the rock wall, rock church marker, and rock signage piers, all located at Hopewell Presbyterian Church also in Huntersville; and

WHEREAS, the E. L. Baxter Davidson Historic Markers and Monuments are of such historic, architectural, and cultural significance – both as commemorations of the early history of Mecklenburg County and as tributes to the commitment and impact of a single person determined to bring tangible form and expression to that history – that all known extant structures within the collection, including the Rural Hill Directional Marker, should likewise be designated as local historic landmarks; and

WHEREAS, based on the additional information further detailed in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto, all of which are incorporated herein by reference, the Charlotte-Mecklenburg Historic Landmarks Commission has demonstrated that the structure known as the Rural Hill Directional Marker possesses special significance in terms of its history, architecture, and/or cultural importance; and

WHEREAS, to preserve as much of the existing built environment of the structure as reasonably possible, the Charlotte-Mecklenburg Historic Landmarks Commission has also demonstrated the importance of incorporating within the landmark designation a protective buffer area of land within the immediately adjacent radius of the structure, as further detailed hereinafter; and

WHEREAS, the structure known as the Rural Hill Directional Marker stands at the intersection of Beatties Ford and Neck Roads on property owned by Herseng Yang.

NOW, THEREFORE, BE IT ORDAINED by the members of the Board of Commissioners of the Town of Huntersville, North Carolina:

1. That the structure known as the “Rural Hill Directional Marker”, listed under Tax Parcel Number 01301250, including the marker in its entirety and a thirty-eight (38) foot radius, not to include any part of Neck Rd, immediately surrounding the monument, measured in each direction from the central part of the monument, all as situated on the property listed under Tax Parcel Number 01301250 in the Mecklenburg County Tax Office, Charlotte, NC, as of July 1, 2022), is hereby designated as an historic landmark pursuant to Chapter 160D, Article 9, as amended, of the General Statutes of North Carolina. The location of said landmark is noted as being situated at the intersection of Beatties Ford and Neck Roads on property located at 6645 Neck Road, Huntersville, NC. Exterior features are more completely described in the *Designation Report on the E. L. Baxter Davidson Historic Markers and Monuments* (December 2021) and the exhibits attached thereto.

2. That said exterior is more specifically defined as the historic and structural fabric, especially including all original exterior architectural features and the contours of landscaping.

3. That said designated historic landmark may be materially altered, restored, moved, or demolished only following issuance of a Certificate of Appropriateness by the Charlotte-Mecklenburg Historic Landmarks Commission. An application for a Certificate of Appropriateness authorizing the demolition of said landmark may not be denied, except

if such landmark is judged to be of State-wide significance by duly authorized officials of the North Carolina Division of Archives and History. However, the effective date of such Certificate may be delayed in accordance with Chapter 160D, Article 9, and amendments thereto, and hereinafter adopted.

4. Nothing in this ordinance shall be construed to prevent or delay ordinary maintenance or repair of any architectural feature in or on said landmark that does not involve a change in design, material or outer appearance thereof, nor to prevent or delay the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a building inspector or similar official certifies to the Commission that such action is required for the public safety because of an unsafe condition. Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances, or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, the guidelines used by the Charlotte-Mecklenburg Historic Landmarks Commission to evaluate proposed alterations or additions.

5. That a suitable sign may be posted indicating that said structure has been designated as a historic landmark and containing any other appropriate information. If the owner consents, the sign may be placed on said historic landmark.

6. That the owners of the property on which the historic landmark known as the Rural Hill Directional Marker stands be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the offices of the

Town Clerk, Building Standards Department, Mecklenburg County Register of Deeds, and the Tax Supervisor, as required by applicable law.

7. That which is designated as a historic landmark shall be subject to Chapter 160D, Article 9, of the General Statutes of North Carolina as amended, and any amendments to it and any amendments hereinafter adopted.

Adopted the ____ day of _____, 2022, by the members of the Board of Commissioners of the Town of Huntersville, Mecklenburg County, North Carolina.

Clerk to Town Board

Approved as to form:

Town Attorney

I. Referendum Option:

If the Town Board did wish to amend the Town's form of government by referendum, the general procedure for calling a referendum is set out in N.C.G.S. § 163-287, which is laid out here:

1. The Town must ***adopt a resolution specifying the details*** of the election, and forthwith deliver the resolution to the local board of elections. The resolution shall call on the local board of elections to conduct the election described in the resolution and shall state the date on which the special election is to be conducted. The statute encourages for the election to be held on a date that will result in the highest possible turnout.
2. The ***referendum may only be held at certain dates allowed by law. Generally, that means referendums may be held at the time of primary or general elections in even-numbered years or at the time of that Town's general elections in odd-numbered years.*** Note, that there are a few exceptions to this rule, but those do not apply for Charter amendments.
3. Legal notice of the election is required to be published no less than 45 days prior to the referendum. The local board of elections is responsible for publishing this notice.

II. Ordinance Option:

N.C.G.S. § 160A-101 through 160A-111 sets out the procedure for amending the form of government (and Charter) via ordinance:

1. **Adopt a resolution** of intent to consider an ordinance amending the Charter
2. **Call a public hearing** on the amendments. The hearing must be not more than 45 days after adoption of the resolution. It must be published at least once at least 10 days prior to the hearing and contain a summary of the proposed amendments.
3. Following the public hearing (but not at the public hearing and not later than 60 days from the public hearing), the Town Board may adopt an ordinance amending the Charter to implement the amendments proposed in the resolution of intent.
4. Within 10 days of the adoption, notice must be published of the adoption.

Additional Notes:

1. The people of the Town can force a referendum to amend the charter at any time with a petition signed by at least 5,000 qualified voters.
2. If the Board amends the charter through ordinance without a referendum, the people may, within 30 days of the notice of the ordinance adoption, submit a petition signed by at least 5,000 qualified voters and require the amendment to go to a referendum.

Best Practices for Motions

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Drafting the Motion

- Use clear and concise language in the motion.
- Avoid run-on sentences in the motion.
- Motions related to quasi-judicial matters should incorporate findings of fact.
 - Planning staff typically include proposed findings of fact in the agenda package, but
- Town Board members may choose to make their own findings of fact to support the action taken.
- Motions related to the text of development regulations (i.e. Zoning Ordinance, Subdivision Ordinance, etc.) and rezonings should include a statement in accordance with N.C.G.S. § 160D-605(a) regarding whether the proposed amendment or rezoning is consistent or inconsistent with the Town's comprehensive land use plan.
- Motions related to rezonings should also include a reasonableness statement regarding whether the proposed rezoning is reasonable in accordance with N.C.G.S § 160D-605(b).
- Motions related to planning matters should be reviewed by Planning staff.
- Motions should also be reviewed by the Legal Department to ensure legal sufficiency.

Vested Development Rights

Be aware of vested development rights, how they are created, and for how long they last.

Article 2.2 of the Zoning Ordinance specifies which development approvals create statutorily vested development rights, including site-specific vesting plans pursuant to N.C.G.S. § 160D-108.1, and their duration.
<https://www.huntersville.org/999/Article-22---Vested-Development-Rights>.

Common law vested development rights may be established when:

- (1) substantial expenditures were made;
- (2) the expenditures were made in good faith;
- (3) the expenditures were made in reliance on valid government approval, if so required; and
- (4) the owner would be harmed without vested rights.

See *Browning-Ferris Indus. Of S. Atl. Inc. v. Guilford County Bd. of Adjustment*, 126 N.C. App. 168, 171-72, 484 S.E. 2d, 411m 414 (1997).

Vested Development Rights

Common law vested development rights do not have a specific expiration date, but rather, likely continue while the development is being pursued and expire if there is an extended period of time during which there is no activity or pursuit of the development.

Pursuant to N.C.G.S. §§160D-108(c) and 160D-108.1(f)(1), once a vested right is established by statute or common law, a local government is precluded from any zoning action that would change, alter, impair, prevent, diminish, or otherwise delay the development or use of the property allowed by the establishment of the vested right. Some exceptions exist under 160D-108.1(f)(1)(a)-(e) for rights established under site-specific vesting plans.

Making the Motion

Ensure that your microphone is turned on when making the motion.

Ensure that you are speaking at a pace and volume understandable by your fellow Board members and the Town Clerk.

Clarification of the Motion

Prior to seconding or voting on a motion, ask for clarification of the wording and/or intent of the motion as may be necessary to make an informed decision.

After a motion has been made, but prior to the vote being taken, the staff member(s) presenting the matter being voted on should ask for clarification of the proposed motion as may be necessary to execute the intent of the Board.

Changing Votes

Pursuant to Robert's Rules of Order:

- A member has the right to change their vote on a motion until the result of the vote has been announced by the presiding officer (i.e. Mayor or Mayor Pro Tem).
- Once the result of the vote has been announced, a member who wishes to change their vote must request unanimous consent to do so.
- A member's request for unanimous consent to change a vote may be granted only if it comes promptly after the result has been announced and before any intervening debate or business.
- See RONR (12th ed.), p. 386-387 (45:8-45:9)

Motions for Reconsideration

Motions for reconsideration may be made at the same meeting that the matter was initially voted on by a member who voted with the majority on the original vote. (See Rules of Procedure Rule 18, Motion 15).