

LINCOLN COUNTY
HISTORIC PROPERTIES COMMISSION

FILE COPY

302 North Academy Street
Lincolnton, North Carolina 28092
(704) 732-9000

March 26, 1991

Lincoln County Manager
115 West Main Street
Lincolnton, NC 28092

Dear Mr. Sharp:

Your property, Lincoln County Courthouse, is one of only thirteen in Lincoln County listed on the National Register of Historic Places. The demonstrated interest you have shown in historic preservation and the importance of your property in the history of Lincoln County prompts this letter.

The Lincoln County Historic Properties Commission is now ready to begin a program of recognizing sites which are important historically, culturally and architecturally, by recommending them to the Lincoln County Board of Commissioners for local designation as historic landmarks.

We ask that you permit us to apply for this local designation on your behalf. This recognition will generate interest by people who own properties eligible for local designation, and encourage them to begin the process of filing an application. We hope to publicize each property so designated, fostering an appreciation of our rich heritage.

Please review the application you filed for the National Register and note any changes that have occurred. We wish to use the same information found in your property's National Register Application. A copy is enclosed for your convenience. Also enclosed is information on the tax deferral option and review procedures of the Commission. If you have any questions, please contact Steve Killian, Lincoln County Planner, at 732-9000 or call me at 735-7106.

Very truly yours,

Peggy C. Simmons
Peggy C. Simmons
Chairman

Enclosures

/m

HISTORIC DESIGNATIONS

THE LOCAL DESIGNATION OF HISTORIC PROPERTIES PROGRAM AS AUTHORIZED BY THE HISTORIC PROPERTIES ORDINANCE ADOPTED JANUARY 17, 1983

This applies only to individual historic properties studied by the Lincoln County Historic Properties Commission and designated as "historic" by an ordinance passed by the Lincoln County Board of Commissioners.

Its meaning:

1. Honor. It is also an honor meaning the community believes the property is important enough to try to preserve.
2. Financial Incentive. The owner is entitled to apply for a 50% property tax deferral. This is to encourage reinvestment in maintenance of the property. The owner loses the deferral and may be required to pay up to three years of back taxes plus interest if he does anything to cause the property to lose its historic value to the community.
3. Preservation before Demolition. A property designated as a "local historic property" may not be materially altered, restored, moved or demolished unless the owner has been issued a Certificate of Appropriateness by the Historic Properties Commission. A Certificate to Demolish the building may not be denied but its effective date may be delayed for a period of up to 180 days from the date of approval. This delay gives the Commission time to negotiate with the owner and seek a practical alternative to its destruction. If no solution is found within 180 days, the owner may proceed with demolition although he may become liable for back taxes.

HISTORIC DESIGNATIONS

THE NATIONAL REGISTER OF HISTORIC PLACES

The National Register of Historic Places can apply to individual properties or entire districts or neighborhoods.

Its meaning:

1. Honor. The site or district is officially recognized as having architectural, historical or cultural value and being worthy of preservation. This designation comes about only after intensive study and review in Raleigh and Washington, DC.
2. Protection. The site or district has a degree of protection from state and federally funded or licensed projects (highways, urban renewal, etc.) that might destroy or compromise the property. This does not affect private owners using private money with the possible exception mentioned in number three below.
3. Financial Incentives.
 - A. Possible income tax incentives. This applies only to income producing (rental or commercial) property, not private residential property. The amount of tax savings, if any, will depend on the nature and cost of rehabilitation, the owner's tax bracket and other factors. There are income tax disincentives to discourage demolition. (These tax incentives and disincentives may also apply to a local historic district designation even if the area is not listed in the National Register provided the local ordinance establishing the district is certified by the Secretary of the Interior.)
 - B. Possible (not guaranteed) Grant Assistance. Limited federal money is available for preservation grants, but these are highly competitive. National Register listing does not guarantee a grant.



North Carolina Department of Cultural Resources

James G. Martin, Governor
Patric Dorsey, Secretary

Division of Archives and History
William S. Price, Jr., Director

April 25, 1991

Mr. Steve Killian, County Planner
Lincoln County Planning Dept.
302 North Academy Street
Lincolnton, NC 28092

Re: Proposed designation of Woodside, Magnolia Grove, Shadow Lawn, Pleasant Retreat Academy, and the Lincoln County Courthouse as historic properties

Dear Steve:

Thank you for your letter of April 17 and the documentation for designation of the five above-cited properties as local historic properties. We have reviewed the information pursuant to GS 160A-400.6 and would like to offer the following comments.

The historical and architectural significance of all five properties has been well documented and recognized through their listing in the National Register of Historic Places. Therefore, all of them are also excellent candidates for local designation and we support the commission's recommendation that they be so designated. I would, however, like to offer specific suggestions for each property in terms of appropriate elements to include in the designation.

As you know, historic properties commissions may designate the interiors of privately owned properties for which the owner has given written consent for designation and review, and of public properties (with no special conditions for written consent required). I am assuming that you intend to include the interiors of these buildings in a designation along with the exteriors and the lands associated with the structures, as noted in the nominations. If this assumption is correct, I remind you that you must have the owners' written consent for interior review and the designation ordinance must specify what interior elements are included and what the nature of the commission's jurisdiction over those designated interiors will be. In addition, in order for the designation of interiors to be binding on future owners, the current owner's consent must be filed with the Register of Deeds office along with the designation.

Mr. Steve Killian
April 25, 1991
page two

ordinance, once it is adopted. The enabling legislation spells all this out quite specifically and I encourage you to review the filing requirements to which you will be subject.

In considering the designation of interiors, I suggest the following be included (in addition to any other elements you feel warrant designation which I may not mention):

Magnolia Grove: This property does retain much of its original interior fabric, including Federal style mantels in the 3 original rooms, wainscoting, 6-panel doors, the unusual front and rear doors (with raised panels on the exterior and diagonal sheathing on the interior side), and the stairs with their marbleized risers. In addition, another important feature is the three-room Quaker plan. I would recommend that the designation specify at least these elements for inclusion in the designation and things over which the Commission would have review authority. The designation ordinance, then, would specify that the exterior of the house, the interiors cited above, and the 3 acres upon which the house sits be designated.

Shadow Lawn: This property has lost some of its original interiors, but retains elements which are worthy for consideration for designation. I would specifically include the original center hall plan, the stair, the dining room mantel, and remaining original fabric on the second floor, which I understand from Marvin Brown's book is largely intact. The ordinance should specify these features, the exterior of the house, and the 1/4 acre lot.

Woodside: Again, this is a property which retains a significant degree of its original interiors. The Quaker plan is intact, except that the stair has been moved, and various Federal trim, including wainscoting, mantels, and ceiling medallions) also survives. The four-bay front elevation, with matched central doors, is unique and interesting, and is protected through designation of the exterior. These features, the 1/2 acre lot, and the exterior of the house should be designated.

Pleasant Retreat Academy: Of the five properties proposed for designation this one retains the least amount of original interiors. As far as I can tell, only two Federal mantels remaining inside may warrant designation, but you are in a better position than I to determine if there is other original fabric as well. Of course, the exterior does exhibit interesting features, including the corbeled cornice, and the front door arrangement with fanlights, pilasters, and cornice. Include the mantels, the exterior, and the 2 acres in the designation.

Mr. Steve Killian
April 26, 1991
page three

Lincoln County Courthouse: What seems primarily important about the interior of this building is the cross hall plan with octagonal public area on the first floor, and the various marble baseboards, floors, 10-panel doors, classical light fixtures, and pilasters. I understand the courtroom has been completely altered and now retains no original features. It is appropriate to recommend these interior features, the exterior, and the 1.9 acre square upon which this building stands and which is a significant landscape feature of its overall character.

This discussion of interiors may seem excessively detailed, and I want to assure you that not every building you may wish to designate will warrant this level of consideration of interiors. Of course, you may already have decided not to deal with interiors at all, given the sometimes difficult nature of "monitoring" changes inside buildings and owners' reluctance to have someone reviewing what they do inside their home. I do think these properties, particularly the three Federal houses, are worth the effort it may take to protect their interiors. However, you should decide what the best course for your commission will be:

I thoroughly enjoyed reviewing these proposals, for this was a wonderful collection of properties you have proposed for your initial designations. I sincerely hope the county commissioners will look favorably upon these proposals. Please call me if you have any questions about our comments.

Sincerely,



Beth P. Thomas
Preservation Planner
State Historic Preservation Office

bpt/s

Mr. Steve Killian
April 26, 1991
page three

[Lincoln County Courthouse:] What seems primarily important about the interior of this building is the cross hall plan with octagonal public area on the first floor, and the various marble baseboards, floors, 10-panel doors, classical light fixtures, and pilasters. I understand the courtroom has been completely altered and now retains no original features. It is appropriate to recommend these interior features, the exterior, and the 1.9 acre square upon which this building stands and which is a significant landscape feature of its overall character.

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Sincerely,

Beth Thomas

Beth P. Thomas
Preservation Planner
State Historic Preservation Office

bpt/s

FILE COPY



COUNTY OF LINCOLN, NORTH CAROLINA

302 NORTH ACADEMY STREET, LINCOLNTON, NORTH CAROLINA 28092

PLANNING DEPARTMENT
(704) 732-9000

May 8, 1991

Dear Madame/Sir:

The Lincoln County Historic Properties Commission is recommending the designation of certain properties with architectural, historical or cultural significance as historic properties. As part of the designation process the Historic Properties Commission will be reviewing the Designation of Historic Property Report for the Lincoln County Court House during its May 16, 1991 4:00 p.m. meeting in the first floor conference room of the Academy Street Building, 302 North Academy Street, Lincolnton. In accordance with General Statute 160A-400 you are hereby notified of the meeting at which the matter will be heard and are invited to attend. If you can not attend your comments are welcomed and should be forwarded to the Lincoln County Historic Properties Commission prior to May 16, 1991.

Once the report is approved by the Historic Properties Commission the Lincoln County Court House shall be recommended to the Lincoln County Board of Commissioners for designation as an historic property. The Board of Commissioners may then take action to designate the property as historic through the adoption of an ordinance.

If you have any questions, please do not hesitate to contact Steve Killian, County Planner, at 704-732-9000 extension 410.

Very truly yours,

A handwritten signature in cursive script that reads "Peggy C. Simmons".

Peggy Simmons, Chairperson
Lincoln County Historic Properties Commission

SK/m

FILE COPY

HISTORIC PROPERTIES COMMISSION

302 North Academy Street
Lincolnton, NC 28092

May 29, 1991

To Whom It May Concern:

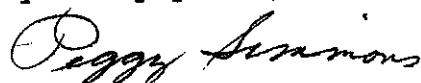
You are cordially invited to the next regularly scheduled meeting of the Lincoln County Historic Properties Commission which is recommending the designation of certain properties with architectural, historical or cultural significance as historic properties. As part of the designation process the Historic Properties Commission had planned to review the Designation of Historic Property Report for The Lincoln County Court House during its May 16, 1991 meeting. As a result of a quorum not being available, the report will be reviewed at the June 20, 1991 4:00 p.m. meeting in the first floor conference room of the Academy Street Building, 302 North Academy Street, Lincolnton.

If you can not attend your comments are welcomed and should be forwarded to the Lincoln County Historic Properties Commission prior to June 20, 1991. The designation of neighboring property only indirectly affects you. The valuation and uses of your property are not changed.

Once the report is approved by the Historic Properties Commission The Lincoln County Court House shall be recommended to the Lincoln County Board of Commissioners for designation as a historic property. The Board of Commissioners may then take action to designate the property as historic through the adoption of an ordinance.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Peggy Simmons, Chairman
Lincoln County Historic Properties Commission

SK/m

Ordinance Adopted 4/2/92

LINCOLN COUNTY COURTHOUSE

Historical Sketch

Tryon Courthouse was the first county seat of Lincoln County which was formed from Tryon County in 1779. The first court was held in 1783 about nine miles from Lincolnton at the home of Christian Mauney. An upstairs room served as the jail. In 1784 court was held at another private home where the top floor of the spring house was used as a jail. One year later Lincolnton was designated as county seat and the first courthouse and jail was built of logs. In 1788 it was replaced by a frame building which in 1810 was removed and converted into a dwelling, and a third courthouse was built. Still another courthouse appeared in 1853, built of brick and stone, and featuring a cupola covered with lead.¹

In April, 1921, the county commissioners decreed "that the present Court House is inadequate and not suited for the business of the county and that the court and the business of the county requires a larger and more commodious court building." They further ordered that, "excepting and reserving the present fire vault doors and clock," the old courthouse was to be torn down and removed and a new one erected on the same site. James A. Salter was appointed architect. The county offices were moved into the Childs Building on Main Street while the new courthouse was being built. The commissioners authorized the issuance of \$225,000 worth of bonds to finance the new building, and in September, 1921, the cornerstone of the structure "was laid by the Grand Lodge of Masons of North Carolina . . . in accordance with the ancient forms and ceremonies of the order." In June, 1923, the county officials moved into the newly-constructed courthouse.²

Architectural Description

Commanding all the major roads into Lincolnton, the Lincoln County Courthouse is a monumental Neo-Classical Revival "Temple of Justice" that dwarfs the surrounding commercial buildings. Set on a beautifully landscaped square, the courthouse is an excellent example of the academic and more austere Neo-Classicism of the 1920s. It was designed by James A. Salter, a Raleigh architect known for his elegant Georgian Revival houses, including the Andrews-London House (now the Capital City Visitors Center).

Begun in 1921, and completed in 1923, the large ashlar courthouse is a rectangular structure with three-story flat roof wings flanking a taller gabled roof central block. Matching pedimented hexastyle Doric porticos on the front and rear of the center section, a Doric frieze along its sides, and antefixes decorating the corners and ridge of its roof, give the building its distinctive Greek character. In addition, the side

¹ Olds, Story of the Counties, pp. 40-41.

² Lincoln County, Minutes of Board of County Commissioners, April 4, 5, May 3, 10, June 6, October 3, 1921; June 4, 1923.

entrances to the wings are sheltered by smaller two columned versions of the monumental main porticoes. Doors and windows are set in plain linteled surrounds.

The interior has the conventional cross hall plan with an octagonal circulation area at the intersection on the first floor. The courtroom is on the second floor. Although recently remodeled, most of the finishing details on the first floor remain intact, including marble floors and baseboards, handsome ten-panel doors, and classical light fixtures. A dentil crown mold, bundled bay leaf bands and paneled pilasters with acanthus and palmette capitals have been retained in the halls and circulation area. The courtroom, which was also renovated, has only its early auditorium seating with monogrammed end standards and heavy, beautifully detailed acanthus and palmette consoles supporting the now enclosed gallery to suggest its original finish.

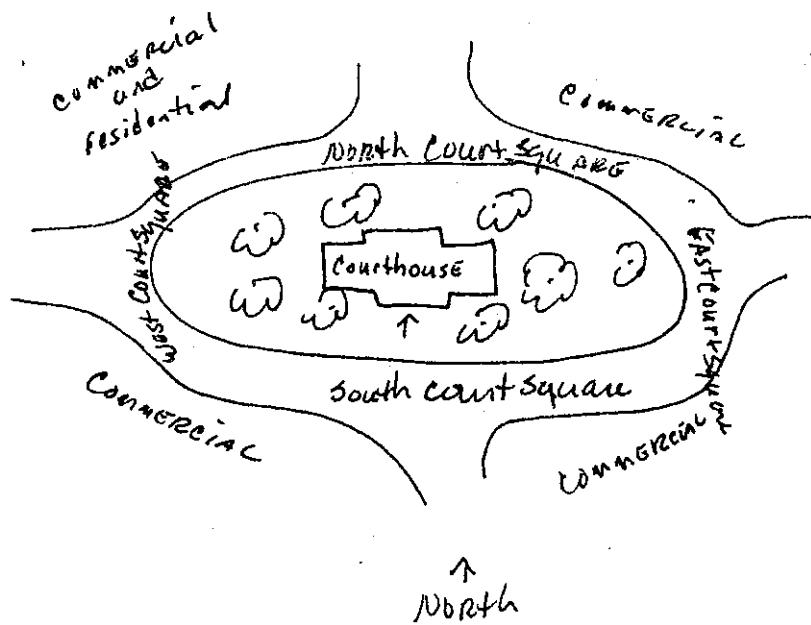
The 1858 Lincoln County Courthouse was demolished in 1921 to make room for the present building. A small Greek Revival brick structure resting on a high basement, the courthouse was similar to the Old Burke County Courthouse which is in the National Register of Historic Places.

Address: James W. Warren, Chairman, Lincoln County Commissioners, Lincoln County Courthouse, Lincolnton, N.C. 28092

Acreage: 1.9 acres

UTM reference: Latitude: $35^{\circ}28'41''$ Longitude: $81^{\circ}15'26''$

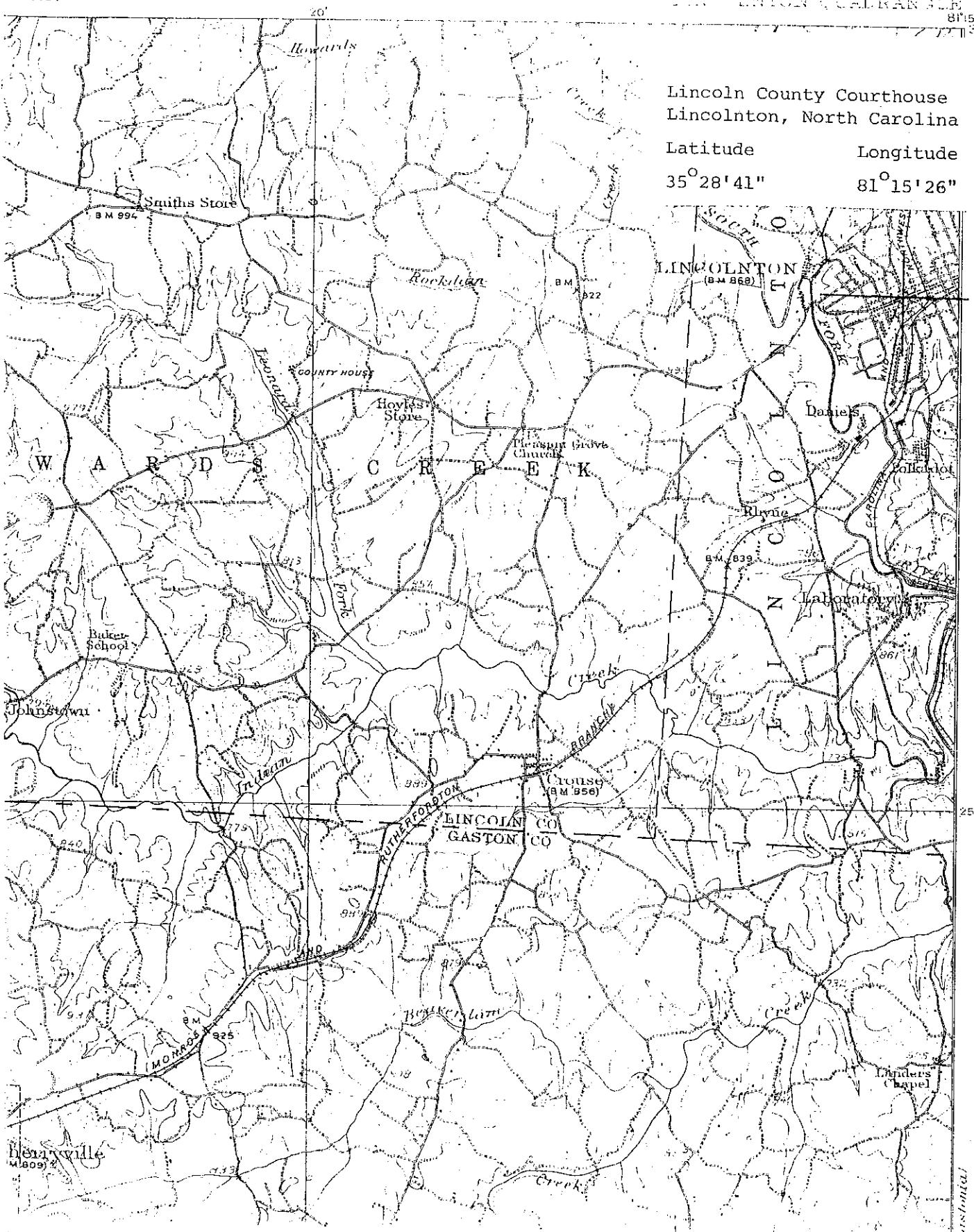
Verbal boundary description: The Lincoln County Courthouse lawn forms a traffic circle bounded to the east by East Court Square, to the west by West Court Square, to the north by North Court Square, and to the south by South Court Square.



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LOGIST

1:125,000
N. L. TH. CAROLINA
LINCOLNTON QUADRANGLE

81°15'
35°30'



REQUEST TO LINCOLN COUNTY BOARD OF COMMISSIONERS
FROM HISTORIC PROPERTIES COMMISSION

In June 1923 the county officials moved into the newly-constructed Court House. Soon after the National Register of Historic Places was established, our Court House was listed on the National Register by the North Carolina State Historic Preservation Officer. Quoting from that nomination "Commanding all the major roads into Lincolnton, the Lincoln County Court House is a monumental Neo-Classical Revival 'Temple of Justice' that dwarfs the surrounding commercial buildings. Set on a beautifully landscaped square, the Court House is an excellent example of the academic and more austere Neo-Classicism of the 1920s. It was designed by James A. Salter, a Raleigh architect known for his elegant Georgian Revival houses, including the Andrews London House (now the Capital City Visitor's Center)."

Listing on the National Register is an honor, a recognition of the importance of the property to the past and present of the locality state and nation. If you so desire, we will be glad to order a National Register plaque to be placed on the building. Without any question, this is the most prominent building in our county. From the establishment of Lincoln County, in 1779, this parcel has been set aside for court and public use.

The Lincoln County Historic Properties Commission thanks you for the steps you have taken to preserve intact the integrity of the building and the grounds. We understand there is planning underway for the use and also the landscaping of the grounds. At the last meeting of the Historic Properties Commission we voted to express appreciation for what you have done and to request that we be given a chance to review and comment on any changes planned.

Peggy C. Simmons

Peggy C. Simmons, Chairman
Lincoln County Historic
Properties Commission

ANNUAL REPORT OF THE
LINCOLN COUNTY HISTORIC PROPERTIES COMMISSION

The commission is currently composed of the following:

Dan Barefoot
Mary Dellinger
Darrell Harkey
David Heavner
Linda Hovis
Doris Lail
Peggy Simmons
Dennis Williams

There is one vacancy which you need to fill. Of these eight members, four were new at the beginning of 1991, and due to a resignation, another new member has been added.

There has been much accomplished:

1. On Sunday, May 9, 1991, with much help from the Lincoln County Historical Association, we had on public display in the rotunda of the Court House, the artifacts and the documents removed from the cornerstone of the Lincolnton Grammar School when it was torn down. There was much interest from the community and the event was well attended.
2. Four members attended an all-day workshop in Hickory sponsored by the State Preservation Office.
3. Five books concerned with the subject of historic architecture in Rowan, Burke, Iredell, Union, and Rutherford Counties were purchased with funds from the sale of Our Enduring Past and given to the Lincoln County Room of the county library.
4. Work on the site of Ramsour's Mill Battleground continued. Requests for bids for the archeological survey resulted in nine bids received and reviewed. The firm of Baker and Hall of Weaverville, North Carolina, was hired and August 9-11 they conducted an archeological dig definitely establishing the location of the burial site on the battlefield. As many as 70 bodies may have been interred the day after the battle of June 20, 1780. Many of the participants in that battle were from other counties. Accounts written soon after the battle tell of a trench dug north to south and both Loyalists and Patriots, about an equal number, buried together. This archeological work was funded by the remainder of a grant to the commission. I am including a copy of Dr. Baker's report for your information. We are now planning to

erect signs and markers on the site and to apply for listing on the National Register.

5. Following the procedures set out in the Historic Properties Ordinance, we recommended to the commission and they awarded the local historic designation to the following properties:

Woodside, Magnolia Grove, Vesuvius, and the Andrew Seagle Farm.

We are working on others.

6. We have revised our Rules of Procedure and have revised the Historic Properties Ordinance and submitted it to the County Commission for its adoption. We have applied for Local Certified Government status from the State Historic Preservation Officer and expect to be approved soon.

The county Planner and his staff have been of much assistance to the commission in the many things we have accomplished this year. Thank you for your cooperation and interest in the important work of preserving the historic buildings and sites of Lincoln County.

Peggy C. Simmons, Chairman
February 17, 1992



February 6, 1992

The Honorable Jerry Campbell, Mayor
Lincolnton City Hall

Dear Mayor Campbell:

The Lincoln County Historic Properties Commission wants to recommend that four properties within the city be designated as historically significant. These are the Lincoln County Courthouse, Pleasant Retreat Academy (The UDC Hall), Shadow Lawn, and the Caldwell-Cobb-Love House. All four of these properties are on the National Register of Historic Places.

In 1982 there was an informal agreement between the city and the commission giving the commission permission to operate within the city's jurisdiction for the purpose of historic preservation. Now, the State Historic Preservation Officer has asked for formal documentation. He wrote that the documentation could be in the form of an ordinance or resolution authorizing the Lincoln County Historic Properties Commission to operate within the city's jurisdiction for the purposes of historic preservation.

I have included a fact sheet from the State Preservation Office that you may find of interest. Owners of private properties so designated are eligible to apply for a 50 percent tax deferral on that part determined to be historic. This encourages the owner to maintain the property appropriately. I know you agree that historic landmarks contribute to the economic, social, and cultural well-being of our historic town and are well worth preserving.

Sincerely,

Peggy C. Simmons

Peggy C. Simmons, Chairman
Lincoln County Historic
Properties Commission

gmh

Enclosure

cc: Marcia Cloninger

Harold Craig

Jill Eaddy

Bob Huitt

David Lowe

Pin# 3623 0084 0161

LINCOLN COUNTY, N.C.

OFFICE OF THE TAX ADMINISTRATOR

Plot From County Geographic Information System

LINCOLN COUNTY AND ITS MAPPING CONTRACTORS ASSUME NO LEGAL RESPONSIBILITY FOR THE INFORMATION CONTAINED ON THIS MAP. THIS MAP IS NOT TO BE USED FOR LAND CONVEYANCE.

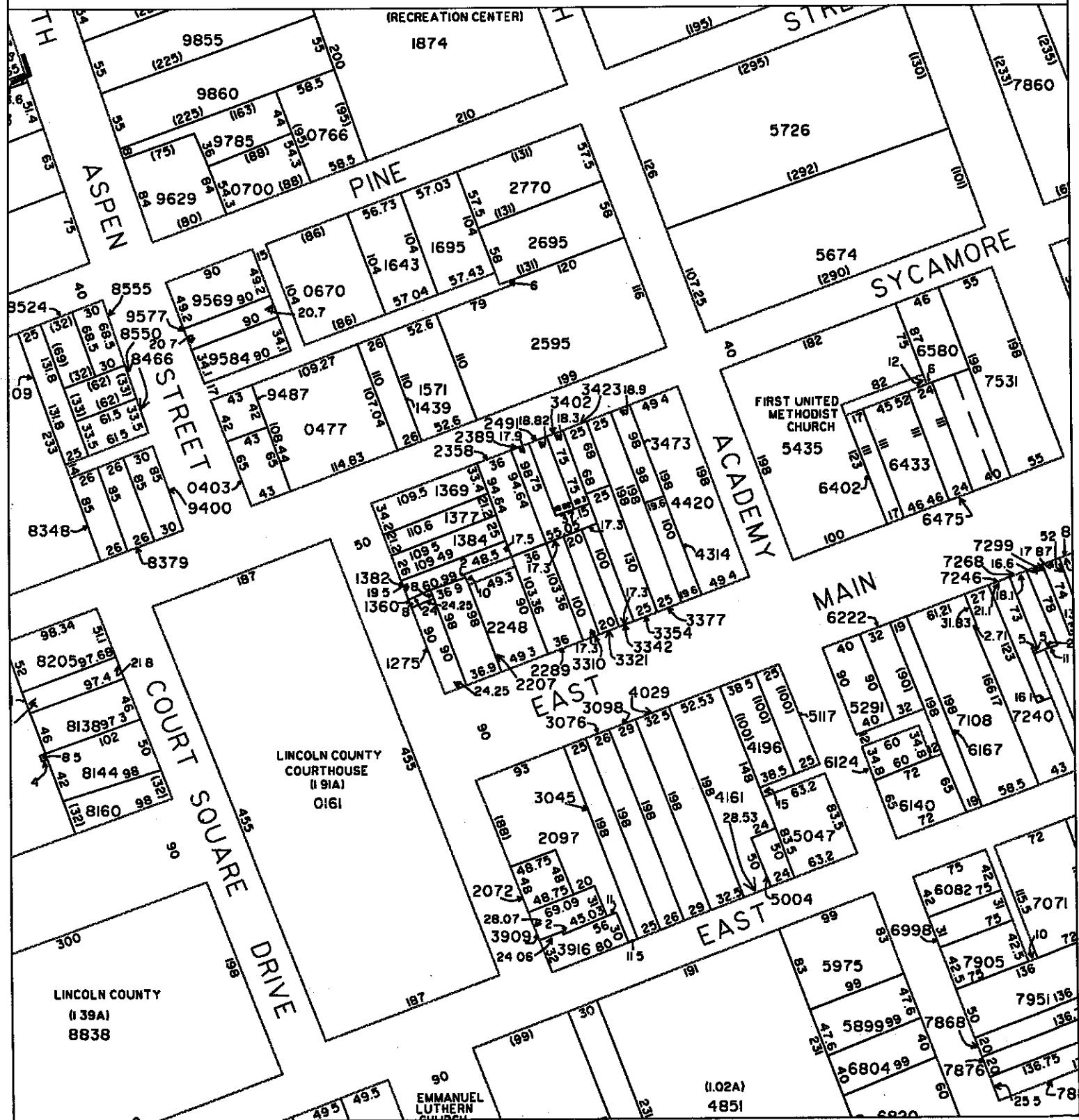
BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM 1983 DATUM.

- NORTH

DATE LAST REVISED: 1989-1990 VISUAL CENTER ON MAP 3623

SCALE: 1" = 130'

DATE: 08 Oct 92 14:32:34 Thursday Prepared for: SQUARE COURTHOUSE



154

line 34 $\frac{1}{2}$ chains to the beginning as by the said Deed to Wm Wright and
both appear together with all other waters mines minerals here
- - - - - and appurtenances to the said Land belonging or
in any wise appertaining to Wm Wright Master Sheafer
his heirs and assigns forever yielding and paying to us such
sums of money yearly or otherwise as our General Assembly from
time to time may direct Provided always that the said Wm Wright
Sheafer shall have this grant to be registered in the Registers
Office of our said County of Burke within 12 months from
the date hereof otherwise the same shall be void of more effect
in testimony whereof we have caused these our letters to be
made patent and our great seal to be affixed Wm Wright Master
Sheafer our Governor Captain General Colonel and under
in chief of Virginia the 28th day of October in the Year of our Lord Christ
Year of our Independence and in the Year of our Independence

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(155.)

with appear together with all wrote Notes Minis Minis hoadis
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as wee may have or want by reason of the same may
be necessary as our General expenses of our house
and Chare of our said County of Lancastur within 12 months
from the date hereof and the same shall be void if none
effect in Delimony wherof we have cause of these our letters
written and sealed to be hereunto affyed or
Witnessed by us Master Esquire our Governor Captain
General and Commander in chief at Hillsbrou the ninth
day of October in the eightly and one of our Incepionnes
and in the year of our Lord One thousand seven hundred
and Eighty three
By his Excellency Comte
T. G. Esq. Recd in the Secretary Office
T. G. Esq. Esq. Recd in the Secretary Office
T. G. Esq. Esq. Recd in the Secretary Office

State of North Carolina April 1st. We write to whom these
Presents shall come. Greeting know ye that we for your consideration
of the same have sent to you a bill entitled

1561

his corner thence to the beginning of building
thereon a Court house and erecting above thereon circuit court
as by the said charter and an exec'd doth appear together with
all Woods, waters, Mines, Minerals, Hereditaments and all other
ances to the said Land belonging or appertaining to Hotel
to the said Joseph Pickson in trust for the purposes herein
expressed his heirs and a progeny forever. Yielding and paying
to us such sums of Money yearly or otherwise as our General
Assembly from time to time may direct provided always
that the said Joseph Pickson shall cause the same to be
registered in the registers office of our said County of Lincoln
within twelve months from the date hereof otherwise the same
shall be void and of no effect. In testimony whereof we
have caused these our letters to be made patent your frt at
date to be present to Allred, Melnech, Redd and Associates