



CITY OF HENDERSONVILLE
HISTORIC PRESERVATION COMMISSION
City Hall - 2nd Floor Meeting Room | 160 Sixth Avenue E. | Hendersonville, NC
28792
Wednesday, May 21, 2025 – 5:00 PM

AGENDA

1. **CALL TO ORDER**
2. **PUBLIC COMMENT**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**
 - A. Minutes of April 16, 2025
5. **NEW BUSINESS**
 - A. 1615 Druid Hills Avenue - Window Replacement - Withdrawn
 - B. 1521 Kensington Road, Demolition and Reconstruction of Front Steps
(25-25-COA) – *Sam Hayes / Planner II*
6. **OLD BUSINESS**
 - A. 344 N Main Street, Storefront Rehabilitation
(H24-098-COA) – *Sam Hayes / Planner II*
 - B. 2025-2026 Budget Approval
 - C. Findings of Fact - 1723 Meadowbrook Terrace - 25-13-COA
7. **OTHER BUSINESS**
 - A. Staff Report
8. **ADJOURNMENT**

The City of Hendersonville is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or an

accommodation for this meeting please contact the City Clerk no later than 24 hours prior to the meeting at 697-3005.

CITY OF HENDERSONVILLE
Historic Preservation Commission

Minutes of the Regular Meeting of April 16, 2025

Commissioners Present: Cheryl Jones (Chair), Jim Welter (Vice-Chair), Lauren Matoian, Ralph Hammond-Green, Jane Branigan

Commissioners Absent: Jim Boyd, Edward Sine, Stan Smith, John Falvo

Staff Present: Sam Hayes, Planner II, Daniel Heyman, Staff Attorney, Lew Holloway, Community Development Director

I **Call to Order.** Chair called the regular meeting of the Hendersonville Historic Preservation Commission to order at 5:19 pm.

II **Public Comment:** No one had any public comment

III **Agenda.** On motion of Commissioner Welter and seconded by Commissioner Hammond-Green the agenda was approved.

IV(A) **Minutes.** On motion of Commissioner Hammond-Green and seconded by Commissioner Branigan the minutes of the meeting of March 19, 2025 were approved.

IV(B) **Minutes.** On Motion of Commissioner Branigan and seconded by Commissioner Welter the minutes of the Special Called meeting of April 2, 2025 were approved.

V **New Business**

VI **Old Business**

VI(A) **Certificate of Appropriateness** - Peacock Architects, 344 N. Main Street (File No. H24-098-COA).

Chair reopened the public hearing from the March 19th meeting. Chair stated anyone the wishes to speak should come forward and be sworn in. Chair swore in Sam Hayes, Commission Coordinator.

Chair stated she would now reopen the public hearing for agenda item VI(A), File No. H24-098-COA, an application from for a Certificate of Appropriateness permit from Peacock Architects which was continued from the March 19, 2025 meeting.

Sam Hayes, Planner II gave a quick update on the project. They have obtained an encroachment permit to remove the "cheese grader" from the front of the building and the work is scheduled for the end of this month or early next month. Staff will have time to go out and document the work for the Commission and be able to present it next month.

Commissioner Hammond-Green moved the HPC continue this public hearing to the May 21st Historic Preservation Commission meeting regarding H24-098-COA. Commissioner Welter seconded the motion which passed unanimously.

VII Other Business.

- VII(A) Community Affairs Sub-Committee Report.** Mr. Hayes stated the committee reviewed all the applications for the annual Preservation awards. They wanted to bring two of those to the Commission. The two awards were for a commercial property and a residential property. The Allen building was selected by the committee and he discussed why they selected it. Mr. Hayes stated they did not have any residential applications unfortunately so Commissioner Welter proposed giving the award to the Fullbright house which is in Hyman Heights. The Fullers are the current owners. Commissioner Welter explained the work they had done. He explained why they would be a good recipient of this award. He stated they have really brought the neighborhood together.

Commissioner Welter moved the Commission to award these two projects the 2025 Preservation award to the Allen Building and the Fullbright House. Commissioner Branigan seconded the motion which passed unanimously.

- VII(B) Designation Sub-Committee Report.** Mr. Hayes stated they are now starting the Hendersonville Neighborhood History Project. This is researching five of our historic neighborhoods. The first step in this process is to have some outreach meetings. There will be two meetings one at the end of this month and one at the beginning of next month. The Commission is welcome to attend. They will be targeting people that have history in these neighborhoods and have stories to tell. He stated a consultant has been hired to do some digging into the history of the neighborhoods. Discussion was made on other ways to get the information out to the public.
- VII(C) Budget Workshop.** Mr. Hayes stated the end of July was the new fiscal year and the money would need to be spent before then. Looking into the next fiscal year he wanted to discuss what the Commission's priorities are. He wanted to discuss ideas today and then bring them back to the Commission at the next meeting. He discussed the different programs they could do. Discussion was made on education opportunities. Mr. Hayes discussed the different projects that were in the works. He discussed working on the CLG Grant application now to bring in some speakers to talk about preservation and affordable housing. If it is educational there is no funding match so no money would be required from the Commission for that. He discussed a logo update and having t-shirts made for the Commission. Commissioner Welter discussed having name tags. Mr. Hayes discussed the long term goals. Having a preservation plan was discussed. The Commission decided to outline what they plan to spend and where that money would go for the different projects. Discussion was made on buying plaques and having them. Mr. Hayes will get a quote on that and bring it back to the Commission. The Commission discussed other matters. No action was taken.

VIII ***Adjournment.*** The Chair adjourned the meeting at 6:19 p.m.

Chair

DRAFT



**CITY OF HENDERSONVILLE
AMENDED AGENDA ITEM
SUMMARY
PLANNING DIVISION**



SUBMITTER: Sam Hayes, Planner II **MEETING DATE:** May 21, 2025

AGENDA SECTION: New Business **DEPARTMENT:** Community Development

TITLE OF ITEM: 1521 Kensington Road, Demolition and Reconstruction of Front Steps
(25-25-COA) – *Sam Hayes / Planner II*

SUGGESTED MOTION(S):

1. For Recommending Approval:

I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # 25-25-COA and located within the Druid Hills Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is **not incongruous** with the character of the Hendersonville Historic Preservation Commission Design Standards (Residential) for the following reasons:

1. The masonry features that contribute to the overall historic character of the building are retained. **(Sec. 3.2.1)**
2. The wing walls will be replaced in-kind, matching the original in design, detail, and dimensions. **(Sec. 3.2.7)**
3. The proposed wooden steps are a compatible substitute material. **(Sec. 3.2.7)**

Proposed Condition:

1. The applicant shall retain as much original brick as is technically feasible to be used when reconstructing the wing walls.

[DISCUSS & VOTE]

1. For Recommending Denial:

I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # 25-25-COA and located within the Druid Hills Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is **incongruous** with the character of the Hendersonville Historic Preservation Commission Design Standards (Residential) for the following reasons:

1. The original wing walls should be retained and preserved. **(Sec. 3.2.1)**
2. The steps should be replaced in-kind, matching the original material. **(Sec. 3.2.7)**

[DISCUSS & VOTE]

PROJECT/PETITIONER NUMBER:	25-25-COA
PETITIONER NAME:	Elizabeth Duffey (Applicant/Property Owner)
EXHIBITS:	<ul style="list-style-type: none">A. Staff ReportB. COA ApplicationC. Warranty Deed

1521 Kensington Road – Demolition and Reconstruction of Front Steps (25-25-COA)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT - HISTORIC PRESERVATION
COA STAFF REPORT

Staff Report Contents

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PROJECT SUMMARY

Applicant: Elizabeth Duffey

Property Owner: Elizabeth Duffey

Property Address: 1521 Kensington Road

Project Acreage: .27 acres

Parcel Identification Number(s):

9569-42-6834

Current Parcel Zoning: R-10

Historic District: Druid Hills Historic District

Project Type: Demolition and Reconstruction of Front Steps



SITE VICINITY MAP

Project Summary:

The City of Hendersonville is in receipt of an application for a Certificate of Appropriateness (COA) from Elizabeth Duffey for the demolition and reconstruction of front stairs on a residential building in the Druid Hills Historic District. The applicant has detailed multiple events where individuals have slipped on the steps due to their sloped nature. The wing walls associated with the stairs have also experienced deterioration over the years.

CITY OF HENDERSONVILLE – DRUID HILLS HISTORIC OVERLAY MAP



HISTORY OF SUBJECT PROPERTY

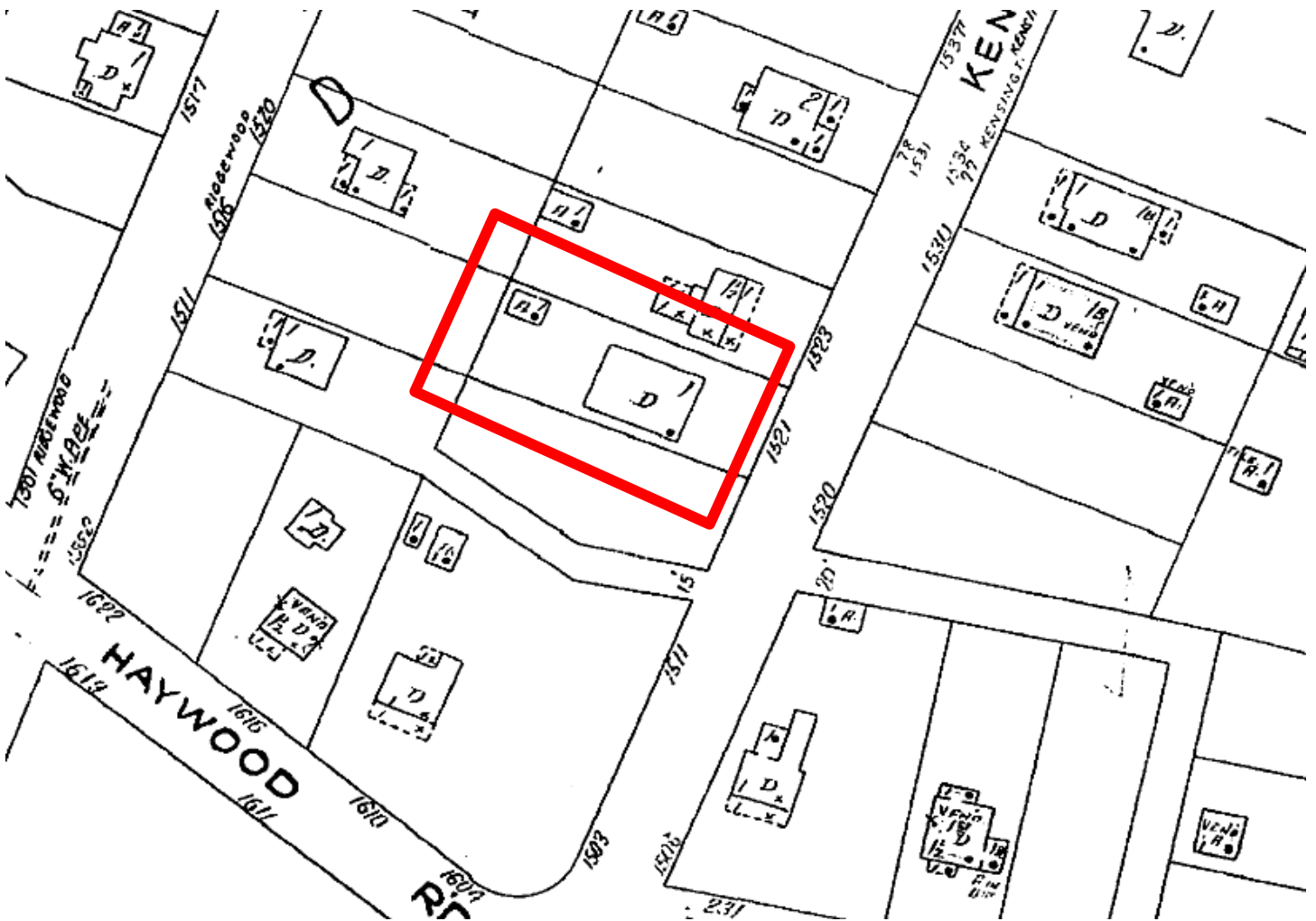
1521 KENSINGTON ROAD

House. Contributing, by 1926.

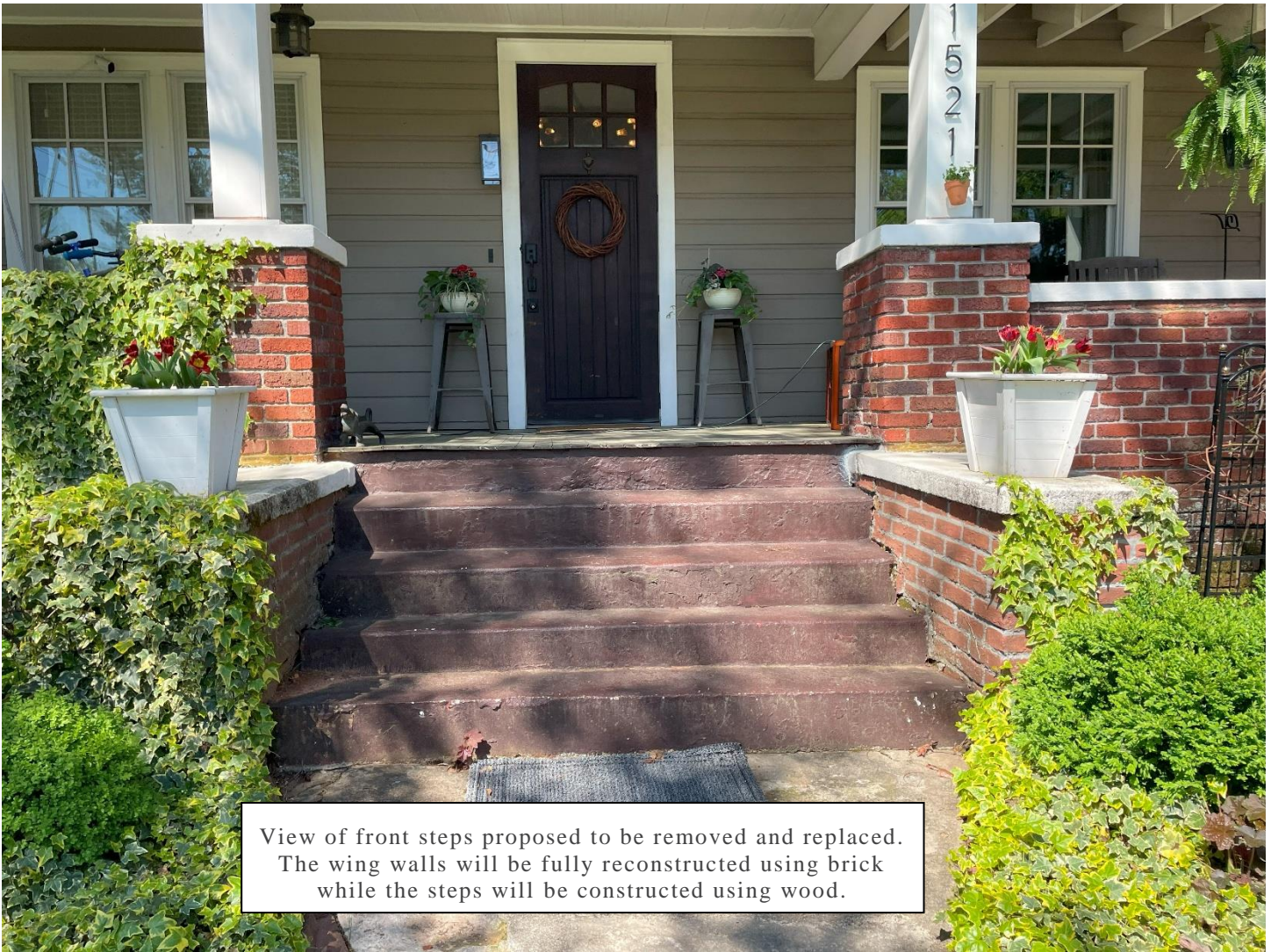
One and one-half story bungalow with German siding. Cross gable roof with side gable dormers and knee braces. Attached porch appears to be added, but soon after the original construction of the house. Porch details include square posts on brick piers, a front gable roof, and an extension to the north which covers the drive.

Windows are casement and double-hung. Deck added at rear. Dr. Robert E. Taylor, a veterinarian, and his wife Grace lived in the house from 1937 to at least the late 1940s. The house is owned by Rebecca Andersen and recently remodeled. Good condition.

(Sanborn maps, city directories)



SITE IMAGES

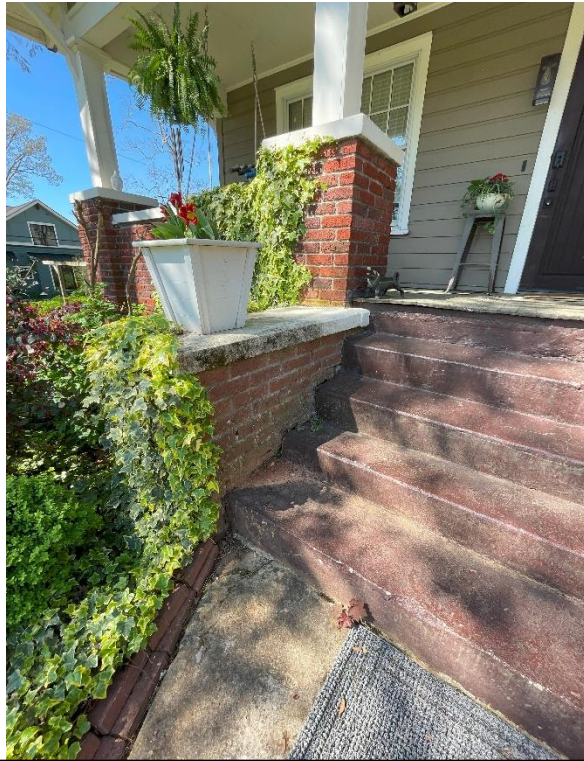


View of front steps proposed to be removed and replaced. The wing walls will be fully reconstructed using brick while the steps will be constructed using wood.



Caps on right wing wall cracked and separated from porch masonry.

SITE IMAGES



Left wing wall.



Right wing wall. Mortar has significantly eroded from in between the bricks.

DESIGN STANDARDS CRITERIA

The residential property is governed by the *Hendersonville Historic Preservation Commission Druid Hills Historic District Design Standards*, which is applied to the City's residential historic districts. The following sections are applicable to the proposed Certificate of Appropriateness application:

3.2 MASONRY

.1 Retain and preserve masonry features that contribute to the overall historic character of a building and a site, including walls, foundations, roofing materials, chimneys, cornices, quoins, steps, buttresses, piers, columns, lintels, arches, and sills.

.2 Protect and maintain historic masonry materials, such as brick, terracotta, limestone, granite, stucco, slate, concrete, cement block, and clay tile, and their distinctive construction features, including bonding patterns, corbels, water tables, and unpainted surfaces.

.3 Protect and maintain historic masonry surfaces and features through appropriate methods:

- Inspect surfaces and features regularly for signs of moisture damage, vegetation, structural cracks or settlement, deteriorated mortar, and loose or missing masonry units.
- Provide adequate drainage to prevent water from standing on flat, horizontal surfaces, collecting on decorative elements or along foundations and piers, and rising through capillary action.
- Clean masonry only when necessary to remove heavy soiling or prevent deterioration. Use the gentlest means possible.
- Repaint painted masonry surfaces when needed.

.4 Repair historic masonry surfaces and features using recognized preservation methods for piecing-in, consolidating, or patching damaged or deteriorated masonry.

.5 Repoint masonry mortar joints if the mortar is cracked, crumbling, or missing or if damp walls or damaged plaster indicate moisture penetration. Before repointing, carefully remove deteriorated mortar using hand tools. Replace the mortar with new mortar that duplicates the original in strength, color, texture, and composition. Match the original mortar joints in width and profile.

.6 If replacement of a deteriorated detail, module, or element of a masonry surface or feature is necessary, replace only the deteriorated portion in kind rather than the entire surface or feature. Consider compatible substitute materials only if using the original material is not technically feasible.

.7 If replacement of a large masonry surface or entire feature is necessary, replace it in kind, matching the original in design, detail, dimension, color, pattern, texture, and material. Consider compatible substitute materials only if using the original material is not technically feasible.

.8 If a masonry feature is completely missing, replace it with a new feature based on accurate documentation of the original feature or a new design compatible with the scale, size, material, and color of the historic building and district.

.9 Test any cleaning technique, including chemical solutions, on an inconspicuous sample area well in advance of the proposed cleaning to evaluate its effects. It is not appropriate to clean masonry features and surfaces with destructive methods.

3.8 ENTRANCES, PORCHES, AND BALCONIES

.1 Retain and preserve entrances, porches, and balconies that contribute to the overall historic character of a building, including such functional and decorative elements as columns, pilasters, piers, entablatures, balustrades, sidelights, fanlights, transoms, steps, railings, floors, and ceilings.

.2 Protect and maintain the wooden, masonry, and architectural metal elements of entrances, porches, and balconies through appropriate surface treatments:

- Inspect regularly for signs of moisture damage, rust, structural damage or settlement, fungal or insect infestation.
- Provide adequate drainage to prevent water from standing on flat, horizontal surfaces and collecting on decorative elements or along foundations.
- Clean soiled surfaces using the gentlest methods possible.
- Recaulk wooden joints properly to prevent moisture penetration and air infiltration.

- Retain protective surface coatings, such as paint or stain, to prevent damage from ultraviolet light or moisture.

- Reapply protective coatings, such as paint or stain, when they are damaged or deteriorated.

.3 Repair historic entrances, porches, and balconies and their distinctive features and materials using recognized preservation methods for patching, consolidating, splicing, and reinforcing.

.4 If replacement of a deteriorated detail or element of an entrance, porch, or balcony feature is necessary, replace only the deteriorated detail or element in kind rather than the entire feature. Match the original in design, dimension, and material. Consider compatible substitute materials only if using the original material is not technically feasible.

.5 If replacement of an entire entrance, porch, or balcony feature is necessary because of deterioration, replace it in kind, matching the original in design, dimension, detail, texture, and material. Consider compatible substitute materials only if using the original material is not technically feasible.

.6 If a feature or an entire entrance, porch, or balcony is missing, replace it with a new feature based on accurate documentation of the original or a new design compatible with the original opening and the historic character of the building.

.7 Consider the enclosure of a historic porch to accommodate a new use only if the enclosure can be designed to preserve the historic character of the porch and the building. It is not appropriate to enclose a front porch or a front balcony.

.8 It is not appropriate to remove any detail material associated with entrances and porches, such as graining, spindle work, beveled glass, or beaded board, unless an accurate restoration requires it.

.9 Original porches should be screened in a manner that supports the architectural character of the original feature.

.10 Original entrances or porches shall be retained. New entrances or porches on a primary facade shall support the architectural character of the original structure.

.11 It is not appropriate to introduce features or details to a historic entrance, porch, or balcony in an attempt to create a false historical appearance.

3.11 ACCESSIBILITY, HEALTH, AND SAFETY CONSIDERATIONS

.1 In considering changes to a historic building, review accessibility and lifesafety code implications to determine if the proposed change is compatible with the building's historic character and setting or will compromise them.

.2 Meet accessibility and life-safety building code requirements in such a way that the historic site and its character-defining features are preserved.

.3 Meet accessibility and life-safety building code requirements in such a way that the historic building's character-defining facades, features, and finishes are preserved.

.4 Determine appropriate solutions to accessibility with input from historic preservation specialists and local disability groups.

.5 If needed, introduce new or additional means of access that are reversible and that do not compromise the original design of a historic entrance or porch.

.6 Work with code officials in exploring alternative methods of equal or superior effectiveness in meeting safety code requirements while preserving significant historic features.

.7 Locate fire doors, exterior fire stairs, or elevator additions on rear or non-character-defining elevations. Design such elements to be compatible in character, materials, scale, proportion, and finish with the historic building.

.8 Required safety additions to historic structures may be screened with shrubbery, etc.

**For use by Principal Authority / Para uso de la Autoridad Principal**

Cloudpermit application number / Número de solicitud de Cloudpermit
US-NC30720-P-2025-66

PIN / Número de rollo
69768

Application submitted to / Solicitud presentada a
Hendersonville, NC, North Carolina / Hendersonville, NC, Carolina del Norte

Description of Subject Property

Address / Dirección
1521 KENSINGTON RD

Municipality / Municipio
Hendersonville, NC, North Carolina /
Hendersonville, NC, Carolina del Norte

PIN / Número de rollo
69768

Purpose of Application



Application type / Tipo de solicitud
Certificate of Appropriateness — Major Work - Commission Approved

Applicant

Last name / Apellido Duffey	First name / Nombre de pila Elizabeth	Corporation or partnership / Corporación o sociedad
Street address / Dirección de la calle 1521 Kensington Rd	Unit number / Número de unidad	Lot / Con.
Municipality / Municipio Hendersonville	State / Provincia NC	ZIP code / Código postal 28791
Other phone / Otro teléfono	Mobile phone / Teléfono móvil +1 7062965238	
Fax	Email / Correo electrónico enwnyc@gmail.com	

Property owner		
Last name / Apellido DUFFEY, ROBERT T;DUFFEY, ELIZABETH W	First name / Nombre de pila	Corporation or partnership / Corporación o sociedad
Street address / Dirección de la calle 1521 KENSINGTON RD HENDERSONVILLE NC 28791	Unit number / Número de unidad	Lot / Con.
Municipality / Municipio	State / Provincia	ZIP code / Código postal
Other phone / Otro teléfono	Mobile phone / Teléfono móvil	
Fax	Email / Correo electrónico	

Item B.

Declaration and Signatures
<p>Applicant</p> <p>I, Elizabeth Duffey (The Applicant), do hereby declare that the information contained in this application, the attached schedules and forms, the attached plans and specifications, and other attached documentation is true to the best of my knowledge. If a permit is granted, I agree to comply with Local Ordinances and the conditions of the permit. If the Applicant is a corporation or partnership, I have the authority to bind the corporation or partnership by signing off, I understand that it constitutes a legal signature confirming that I acknowledge and agree to the above declaration.</p> <p> Digitally signed on 04/24/2025, 11:31:16 PM EDT by Elizabeth Duffey. / Firmado digitalmente el 24/4/25 23:31:16 EDT por Elizabeth Duffey.</p> <p>Property owner</p> <p>I, DUFFEY, ROBERT T;DUFFEY, ELIZABETH W (The Property owner), do hereby declare that the information contained in this application, the attached schedules and forms, the attached plans and specifications, and other attached documentation is true to the best of my knowledge. If a permit is granted, I agree to comply with Local Ordinances and the conditions of the permit. If the Property owner is a corporation or partnership, I have the authority to bind the corporation or partnership by signing off, I understand that it constitutes a legal signature confirming that I acknowledge and agree to the above declaration.</p> <p> Digitally signed on 04/24/2025, 11:38:25 PM EDT by Elizabeth Duffey with an authorization letter from DUFFEY, ROBERT T;DUFFEY, ELIZABETH W. / Firmado digitalmente el 24/4/25 23:38:25 EDT por Elizabeth Duffey con una carta de autorización de DUFFEY, ROBERT T;DUFFEY, ELIZABETH W.</p>

Procedures for Reviewing Applications for Certificates Appropriateness
<p>The City's Historic Preservation Ordinance provides that no one may erect, alter, restore, move, or demolish the exterior portion of any building or other structure, nor undertake significant modifications to landscaping and other site features, without a Certificate of Appropriateness (COA) which must be approved prior to the commencement of work. The COA application is processed through the city of Hendersonville Planning Department</p> <p>All COA applications are due 30 days prior to the next regular Commission meeting date. The Historic Preservation Commission meets the third Wednesday of each month at 5pm in the 2nd Floor Meeting Room located at City Hall (160 6th Ave E.).</p>

Information
<p>COA Project Description – The burden of proof is on the Applicant to prove the proposed work is in keeping with the historical character of the district. Please list specific references in the Design Standards that support your application.</p> <p>Current Wing Walls and steps are falling off of home. Work will include demolishing wing walls and steps, rebuilding wing walls with original style materials (brick with concrete caps), and steps (wooden stained/painted to match current porch). New Wing Walls will be properly tied into house- original structure was not which has caused them to separate from the home. Due to budget concerns, steps will be constructed out of wood and stained/painted to match porch. See attachments.</p>

CITY COUNCIL:
BARBARA G. VOLK
Mayor
LYNDSY SIMPSON
Mayor Pro Tem
DR. JENNIFER HENSLEY
MELINDA LOWRANCE
JEFFERY L. MILLER



OFFICERS:
JOHN F. CONNET
City Manager
ANGELA S. BEEKER
City Attorney
JILL MURRAY
City Clerk

Item B.

25-25-COA (Major Work) package

WORKSPACE INFORMATION

Application number 25-25-COA (Major Work)	Category Certificate of Appropriateness	Workspace state In review
Workspace created 04/24/2025, 11:05:20 PM EDT	Application submitted 04/24/2025, 11:38:53 PM EDT	
Assignee	Package generation date 05/14/2025, 11:43:05 AM EDT	

LOCATION INFORMATION

Address 1521 KENSINGTON RD, Hendersonville, NC	Property information 69768,
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PARTIES

NAME AND COMPANY	CONTACT DETAILS	ROLES
Elizabeth Duffey	1521 Kensington Rd Hendersonville enwnyc@gmail.com +1 7062965238	Applicant
DUFFEY, ROBERT T;DUFFEY, ELIZABETH W	1521 KENSINGTON RD HENDERSONVILLE NC 28791	Property owner



Procedures for Reviewing Applications for Certificates Appropriateness

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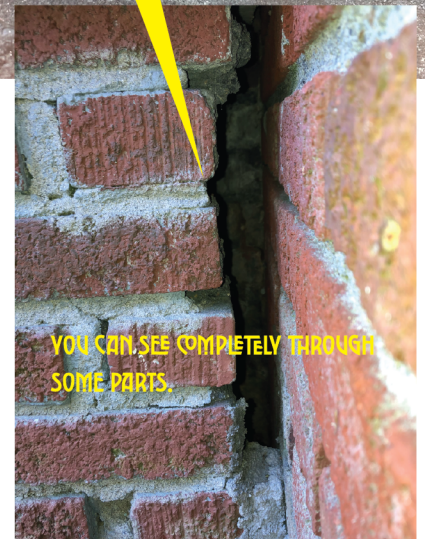
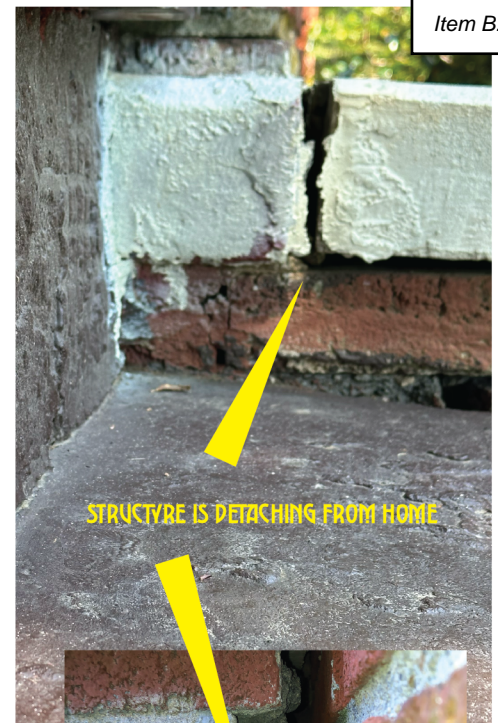
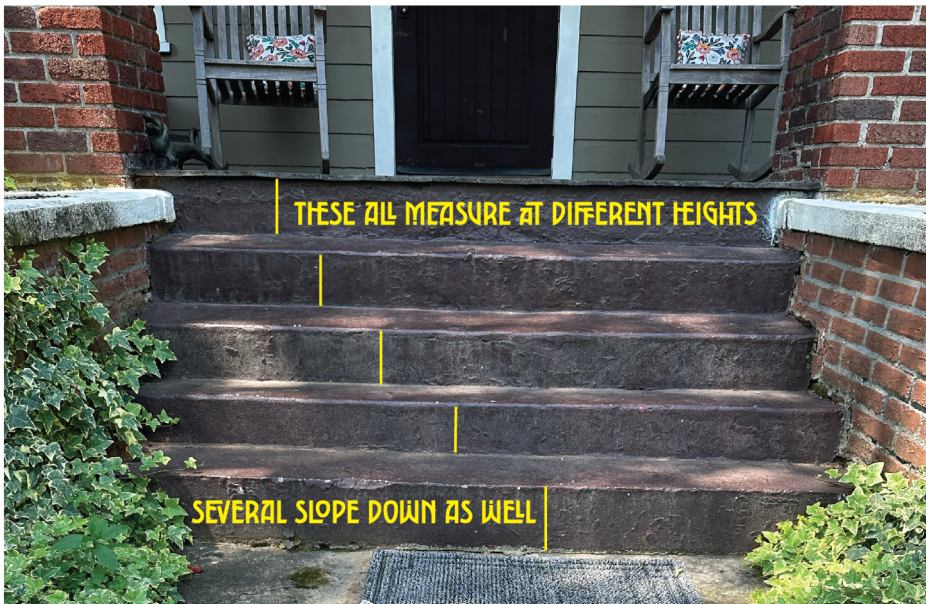
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Information

COA Project Description – The burden of proof is on the Applicant to prove the proposed work is in keeping with the historical character of the district. Please list specific references in the Design Standards that support your application.

Current Wing Walls and steps are falling off of home. Work will include demolishing wing walls and steps, rebuilding wing walls with original style materials (brick with concrete caps), and steps (wooden stained/painted to match current porch). New Wing Walls will be properly tied into house- original structure was not which has caused them to separate from the home. Due to budget concerns, steps will be constructed out of wood and stained/painted to match porch. See attachments.

1521 KENSINGTON RD. HISTORIC DRUID HILLS

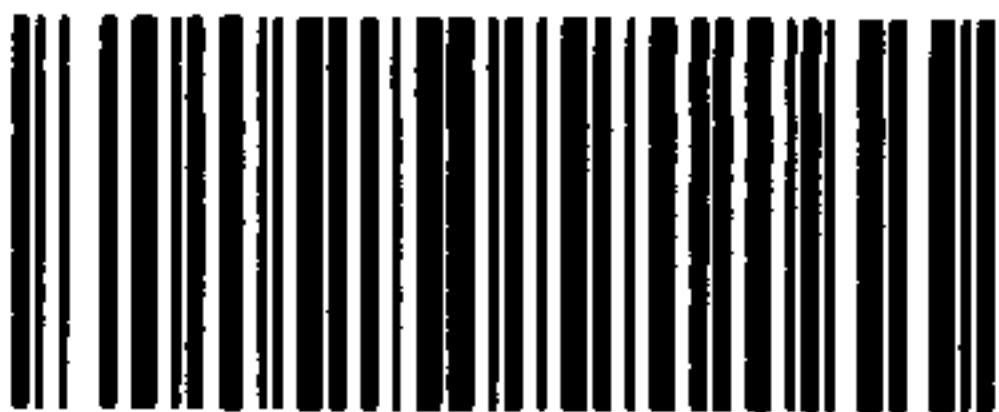


PROPOSED REPAIR:

WING WALLS DEMO'D AND REPLACED WITH ORIGINAL MATERIALS. STEPS DEMO'D AND REPLACED WITH WOOD AND BROUGHT UP TO CODE. STAINED/PAINTED TO COORDINATE WITH HOME.



HERE'S AN EXAMPLE OF BRICK WING WALLS & WOODEN STEPS ON A CRAFTSMAN STYLE HOME. DOING WOOD FOR STEPS TOOK OUR COST OF THE REPAIR FROM JUST UNDER 17K TO JUST OVER 8K. DOING ALL BRICK IS COST PROHIBITIVE BUT STEPS ARE IN MAJOR NEED OF REPAIR BOTH AESTHETICALLY & FOR SAFETY.



This document presented and filed:
04/26/2013 02:32:43 PM



NEDRA W. MOLES, Henderson COUNTY, NC
Transfer Tax: \$728.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 728.00
Parcel Identifier No. 0114103 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: The Collie Law Firm, 151 Four Seasons Mall, Hendersonville, NC 28792

This instrument was prepared by: The Collie Law Firm, 151 Four Seasons Mall, Hendersonville, NC 28792

Brief description for the Index: _____

THIS DEED made this 26th day of April, 2013 by and between

GRANTOR	GRANTEE
Rebecca A. Andersen a/k/a Rebecca J. Andersen, unmarried 925 Franklin Street Columbus, IN 47201	Robert T. Duffey and wife, Elizabeth W. Duffey 1521 Kensington Rd. Hendersonville, NC 28791

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Hendersonville, Hendersonville Township, Henderson County, North Carolina and more particularly described as follows:

See attached, Exhibit A", incorporated herein by reference.

The property hereinabove described was acquired by Grantor by instrument recorded in Book _____ page _____.

All or a portion of the property herein conveyed ____ includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book _____ B _____ page 41-A _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions: SUBJECT TO county ad valorem taxes for the current tax year, and subsequent years, which are a lien on the subject property and to restrictions, easements, rights of way and any other such matters of record.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

(Entity Name)

By: _____

Print/Type Name & Title: _____

By: _____

Print/Type Name & Title: _____

By: _____

Print/Type Name & Title: _____

(SEAL)

Print/Type Name: Rebecca A. Andersen

(SEAL)

Print/Type Name: _____

(SEAL)

Print/Type Name: _____

(SEAL)

Print/Type Name: _____

State of North Carolina - County or City of Henderson

I, the undersigned Notary Public of the County or City of Polk and State aforesaid, certify that Rebecca A. Andersen a/k/a Rebecca J. Andersen, unmarried personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 26th day of April, 2013.

My Commission Expires: August 22, 2016
(Affix Seal)

Terry H. Smith

Notary Public

Notary's Printed or Typed Name

State of _____ - County or City of _____

I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____
(Affix Seal)

Notary Public

Notary's Printed or Typed Name

State of _____ - County or City of _____

I, the undersigned Notary Public of the County or City of _____ and State aforesaid, certify that _____.

Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____
(Affix Seal)

Notary Public

Notary's Printed or Typed Name

NC Bar Association Form No. 3 © 1976, Revised © 1/1/2010

Printed by Agreement with the NC Bar Association

EXHIBIT A

Lying and being in Hendersonville Township, Henderson County, North Carolina

BEING all of Lots 70 and 106, Druid Hills Subdivision, as shown on a plat of record in the Henderson County Register of Deeds Office at Plat Cabinet B, Slide 41-A, reference to which being hereby made for a more particular description.

TOGETHER WITH and SUBJECT TO easements, rights of way and all other such matters as shown on the above-referenced plat and further of record in the Henderson County Registry.

AND BEING the same property as conveyed to Rebecca A. Andersen, by deed recorded on 16 November, 2007, in Deed Book 13471, at Page 379, Henderson County Registry.



CITY OF HENDERSONVILLE AMENDED AGENDA ITEM SUMMARY PLANNING DIVISION



SUBMITTER:	Sam Hayes, Planner II	MEETING DATE:	May 21, 2025
AGENDA SECTION:	Old Business	DEPARTMENT:	Community Development
TITLE OF ITEM:	344 N Main Street, Storefront Rehabilitation (H24-098-COA) – <i>Sam Hayes / Planner II</i>		

SUGGESTED MOTION(S):

1. For Recommending Approval:

I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H24-098-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is **not incongruous** with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:

1. The original storefront no longer exists, and the proposed design retains the commercial character of the building through contemporary design which is compatible with the scale, design, materials, color, and texture of the historic buildings. **(Sec. 3.1.7)**
2. The applicant incorporated research from the Baker-Barber collection to determine the original characteristics and architectural details of the building. **(Sec. 3.1.8)**
3. The applicant retained and preserved character-defining architectural elements of the structure. **(Sec. 3.4.1.1)**
4. The replacement design for missing architectural details is based on historic documentation and is compatible with the

1. For Recommending Denial:

I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H24-098-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is **incongruous** with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:

1. The original storefront no longer exists, but the proposed design is not compatible with the scale, design, materials, color, and texture of the historic building. **(Sec. 3.1.7)**
2. The proposal does not reflect the original characteristics and architectural details of the building elicited from the Baker-Barber collection photo. **(Sec. 3.1.7)**
3. The removal of the prismatic glass transom on the 4th Avenue side of the building would be considered a removal of a character-defining element of the structure. **(Sec. 3.4.1.1)**
4. The replacement of the transom window with small windows is not appropriate given the historic documentation. **(Sec. 3.4.1.3)**

<p>historic character of the building and district. (Sec. 3.4.1.3)</p> <p>5. The increase in size of the existing doors on the rear of the building does not diminish the original design of the building. (Sec. 3.4.2.10)</p> <p>Proposed Conditions:</p> <ol style="list-style-type: none"> 1. Retain and restore the original prismatic glass transom on the 4th Avenue side of the building per Section 3.4.1.1 of the Design Standards. 2. Design the transom window on the front façade to better align with the historic documentation by installing large transom windows that imitate the original window and providing more trim to provide architectural detailing per Section 3.1 and Section 3.4.1.3 of the Design Standards. <p>[DISCUSS & VOTE]</p>	<p>5. The increase in size of the rear doors would diminish the original design of the building. (Sec. 3.4.2.10)</p> <p>[DISCUSS & VOTE]</p>
--	--

PROJECT/PETITIONER NUMBER:	H24-098-COA
PETITIONER NAME:	Peacock Architects (Applicant)
EXHIBITS:	<p>A. Staff Report</p> <p>B. COA Application</p> <p>C. Warranty Deed</p>

344 N MAIN STREET – Storefront Rehabilitation

(H24-098-COA)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT - HISTORIC PRESERVATION
COA STAFF REPORT

Staff Report Contents

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HISTORY OF SUBJECT PROPERTY.....	3
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Design Review Advisory Committee	8
DESIGN STANDARDS CRITERIA	9



PROJECT SUMMARY

Applicant: Peacock Architects

Property Owner: HVL Property Management

Property Address: 344 N Main Street

Project Acreage: .14 acres

Parcel Identification Number(s):
9568-88-0142

Current Parcel Zoning: C-1 Central Business

Historic District: Main Street Historic District

Project Type: Storefront rehabilitation



SITE VICINITY MAP

Project Summary:

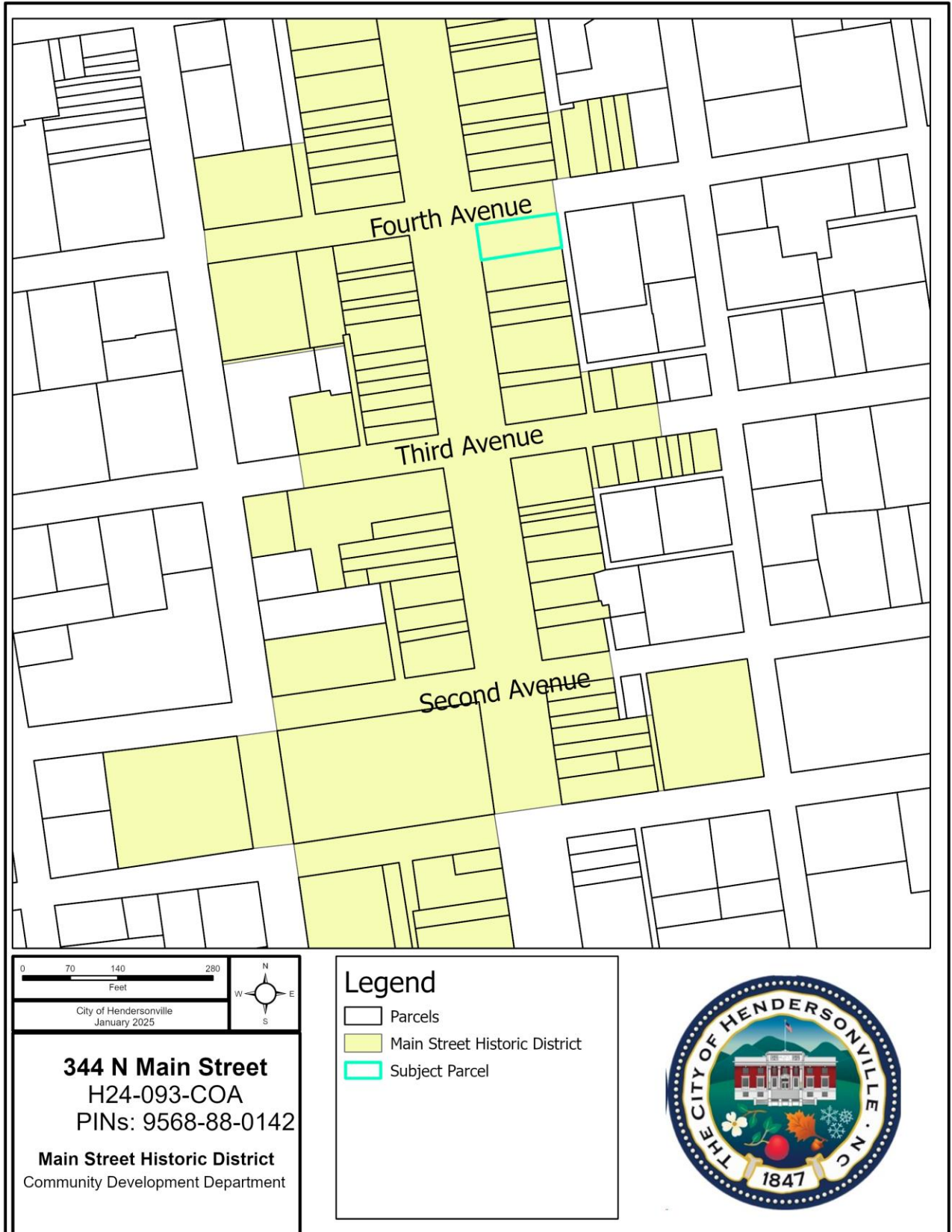
The City of Hendersonville is in receipt of an application for a Certificate of Appropriateness (COA) from Peacock Architects for the rehabilitation of the storefront located at 344 N Main Street. A metal façade was placed on the building at some point between 1950 and 1970. It is believed that at this time, the original storefront was significantly altered to create the current storefront today.

The applicant is proposing the rehabilitation of the storefront to mimic the original, which can be seen in a photo on pg. 4 of this report. The applicant has also requested approval to increase the height of the rear doors, thereby cutting into the header.

In December 2024, staff approved the removal of the front metal façade and approved the installation of new windows on the upper front façade in seven window openings that have missing windows and that have been sealed with plywood. The HPC voted to approve replacement windows on the 4th Avenue second floor side of the building at its January 2025 meeting.

In April 2025, the metal façade was removed exposing the front and side transom windows as well as the brick detailing on the upper façade.

CITY OF HENDERSONVILLE – MAIN STREET LOCAL HISTORIC OVERLAY MAP



HISTORY OF SUBJECT PROPERTY

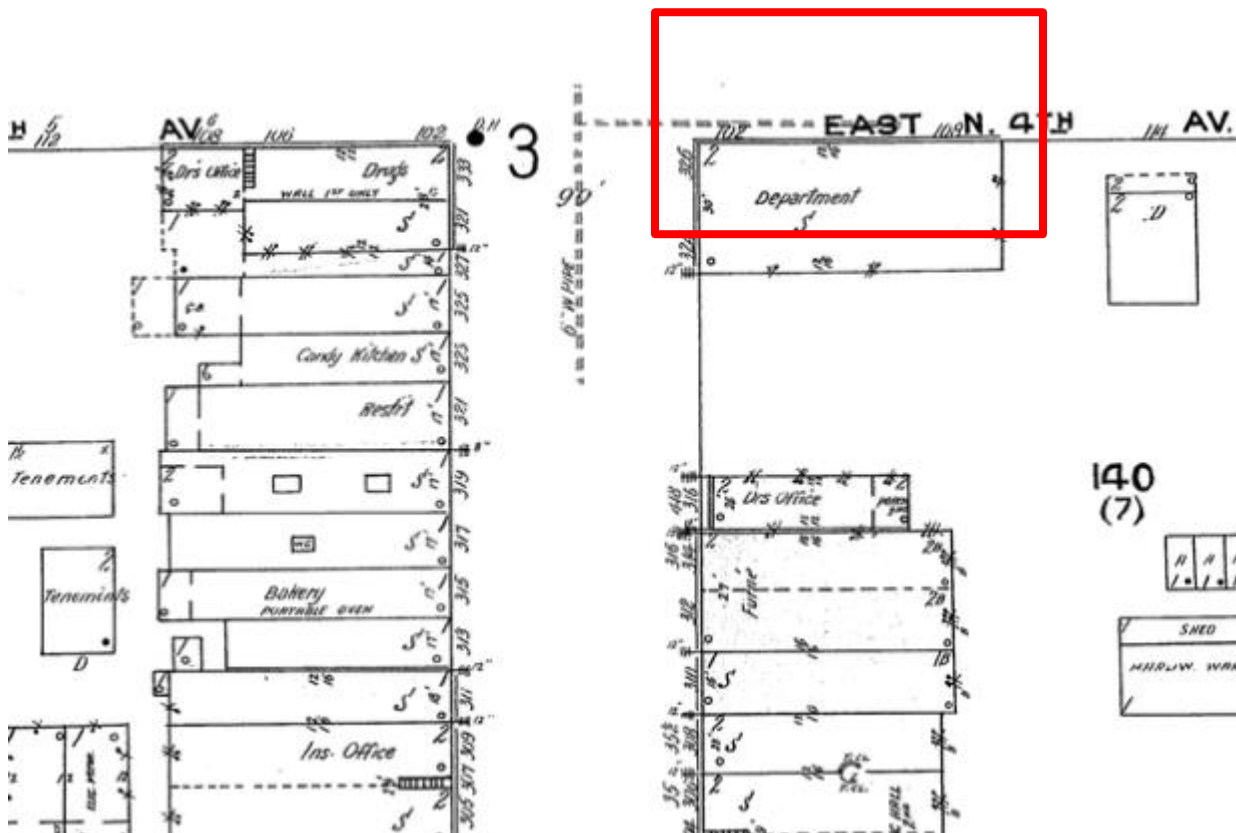
344 N MAIN STREET

Commercial Building. ca. 1920.
Noncontributing.

SE corner Main and 4th Avenue. 1920s. Two-story commercial structure with stone window lintels and Decorative brickwork and diapering on left elevation. covered with modern aluminum false facade.



brick
sills.
Front



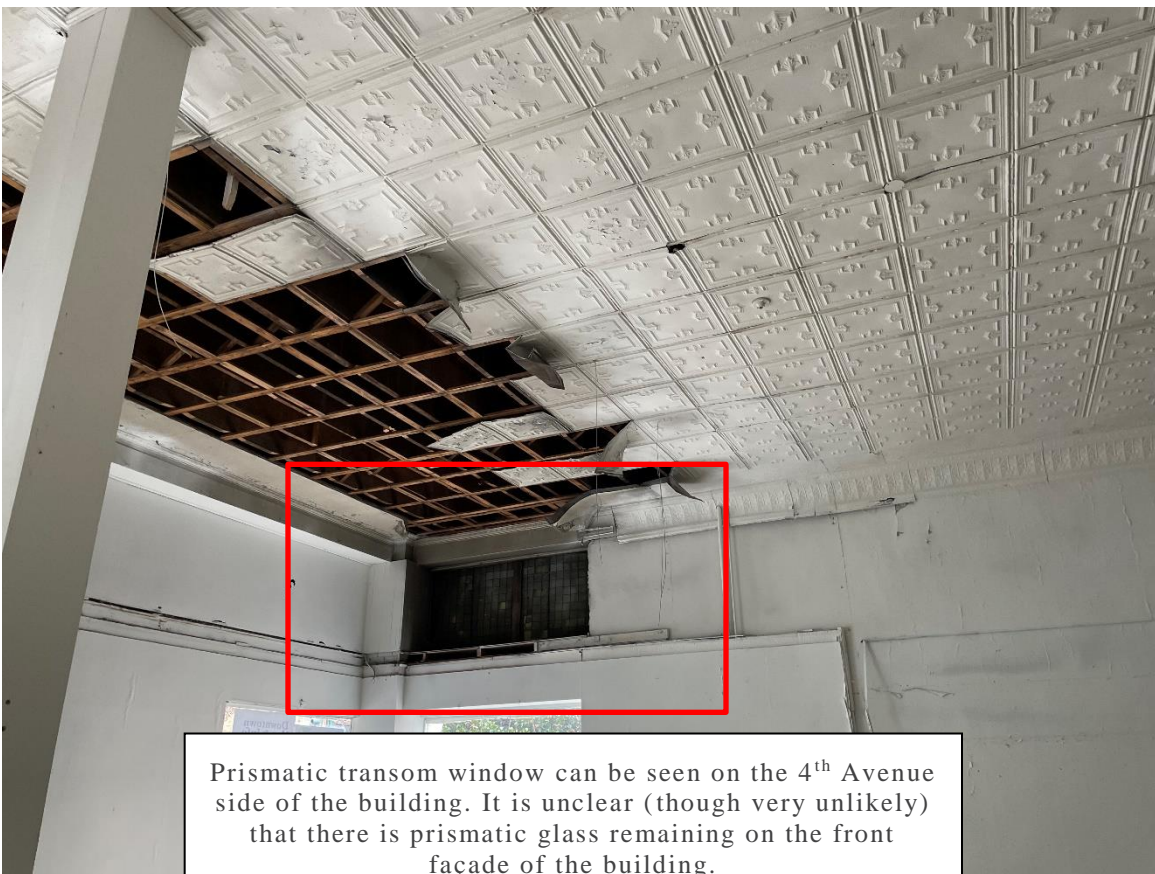
SITE IMAGES



Previous front façade of 344 N Main Street.



Close up of center columns proposed to be wrapped in wood.

SITE IMAGES

SITE IMAGES



Right side of facade door. The applicant has proposed keeping the door but painting it to match the rest of the wooden façade.



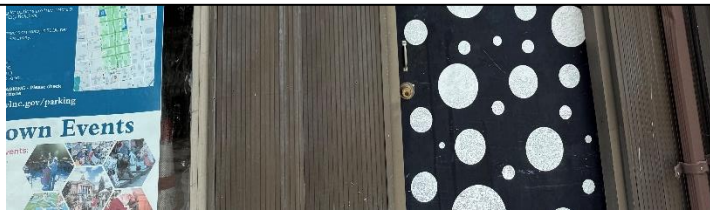
Window opening can be seen above the door on the right side of the front façade.. The applicant has proposed including a window in this opening.

SITE IMAGES





Front façade after metal screen was removed. The sign that reads “Can Do Will Do” is inset into where the transom window previously was.



4th Avenue side of the building. Behind the sign that says “Jack Schulman” is the only remaining prismatic glass on the building.



SITE IMAGES

Transom window above the side entrance on Main Street.
A brick column is located to the left of the door. The applicant has revised their plans to expose this brick.

Close up view of the transom opening. The applicant has proposed placing several windows across the front transom to mimic the original window design.

Design Review Advisory Committee

The Design Review Advisory Committee met on February 11th, 2025 to review the proposed plans. The comments were shared with the applicant after the meeting.

DESIGN STANDARDS CRITERIA

The storefront is governed by the *Andersonville Historic Preservation Commission Main Street Design Standards*, which is applied to the City's Main Street Historic District. The following sections are applicable to the proposed *Certificates of Appropriateness* application:

3.1 STOREFRONTS

Storefront guidelines



New Design

.7 Where original or early storefronts no longer exist or are too deteriorated to save, retain the commercial character of the building through contemporary design which is compatible with the scale, design, materials, color, and texture of the historic buildings.

.8 Whenever possible, incorporate research from the Baker-Barber collection to determine the original characteristics and architectural details of the building.

3.4 MATERIAL AND DETAILS

3.4.1 ARCHITECTURAL DETAILS AND ORNAMENTATION

.1 Retain and preserve any architectural features and details that are character-defining elements of downtown structures, such as cornices, columns, piers, brickwork, stringcourses, quoins, etc.

.2 If replacement of an architectural element is necessary, use new materials that match the historic materials in composition, size, shape, color, pattern, and texture. Consider substitute materials only if the original materials are not technically feasible.

.3 If the entire architectural detail is missing, design the replacement based on historic documentation. If there is no documentation, but evidence that the element was originally on the building, any new design should be compatible with the historic character of the building and district.

.4 It is not appropriate to remove or cover any original detail or ornamentation. If original features are currently covered, it is encouraged that these features be uncovered, exposed, and repaired.

3.4.2 WINDOWS AND DOORS

WINDOWS AND DOORS GUIDELINES

Preservation

.10 It is not appropriate to introduce new windows or doors if they would diminish the original design of the building or damage historic materials and features. Keep new windows and doors compatible with existing units in proportion, shape, positioning, location, size, materials, and details.



CERTIFICATE OF APPROPRIATENESS APPLICATION

REQUIRED MATERIALS CHECKLIST

Community Development Department
100 N King St.
Hendersonville, NC 28792
828-697-3010

Item A.

Procedures for Reviewing Applications for Certificates Appropriateness

The City's Historic Preservation Ordinance provides that no one may erect, alter, restore, move, or demolish the exterior portion of any building or other structure, nor undertake significant modifications to landscaping and other site features, without a Certificate of Appropriateness (COA) which must be approved prior to the commencement of work. The COA application is processed through the city of Hendersonville Planning Department by the Commission Coordinator (828-697-3010).

All COA applications are **due 30 days prior** to the next regular Commission meeting date. The Historic Preservation Commission meets the **third Wednesday of each month at 5pm in the 2nd Floor Meeting Room located at City Hall (160 6th Ave E.).**

Application Submittal Requirements and Required Materials Checklist

Design Standards, HPC Meeting Schedule and Staff Contact Information can be found on the City of Hendersonville Historic Preservation Commission Website: www.hendersonvillehpc.org

Date: 02.28.2025

☐ Minor Work



Major Work



Major Work Resubmittal

Application Contact Information			
Applicant Name: PEACOCK ARCHITECTS	Property Address: 129 3RD AVENUE W HENDERSONVILLE, NC 28792	Applicant Email: TAMARA@PEACOCKARCHITECT.COM	Phone Number: (828)6969-4000
Property Owner Name (if different from Applicant) HVL PROPERTY MANAGEMENT	Mailing Address: PO BOX 786 ARDEN NC 28704	Owner Email: JOSHDISRAEL@GMAIL.COM	Phone Number: (828)606-3453

COA Project Description – The burden of proof is on the Applicant to prove the proposed work is in keeping with the historical character of the district. Please list specific references in the Design Standards that support your application.

Request for Approval: Renovation of the Front Façade – 344 Main Street (J.C. Penney Building), Hendersonville, NC
Peacock Architects respectfully submits this proposal for approval to renovate the front façade of 344 Main Street, also known as the J.C. Penney building, in Hendersonville, NC. In conjunction with the interior redesign, which includes subdividing the space into two leasable units, we propose installing a new storefront.

The proposed design features two wooden double-door entries, integrated into a fixed glass wood framed recessed storefront. We have included three potential color swatches to paint the wooden storefront and seek counsel from the preservation board as which is most appropriate. We will be reintroducing transom windows where appropriate based on the Design Review Committees comments.

Our attached drawings and photographs document our investigation of the existing façade materials beneath the current metal screen. We have confirmed that the underlying brick on the second floor of the facade is in good condition.

Additionally, we seek approval to replace the existing double doors in the back alley, which measure 4' in width by 6'-8" in height. The replacement will use standard flat-panel metal doors while maintaining the original door opening dimensions. This change is necessary to enhance security and meet current fire code requirements.

Throughout the design process, we have adhered to the guidelines outlined in the Main Street Guidelines Manual as follows:

Preservation of Historic Features: Retain entryways, display windows, doors, transoms, and corner posts (Section 3.1.1).

Avoid removing or altering historical features: Avoid removing or altering historical features (Section 3.1.2).

Historical Accuracy: Base the new storefront design on historical research and evidence (Section 3.1.5).

Retention of Façade Details: Preserve historic façade details and materials, especially on side and rear elevations (Section 3.3.1).



CERTIFICATE OF APPROPRIATENESS APPLICATION

Community Development Department
100 N King St.
Hendersonville, NC 28792

Property Owner Signature

I, the undersigned, certify that all information in this application and in any attachments thereto is accurate to the best of my knowledge. Furthermore, I understand that should a certificate of appropriateness be issued, such certificate will be valid for a period of six months from the date of issuance. Failure to procure a building permit within that period will be considered as failure to comply with the certificate, and the certificate will become invalid. If a building permit is not required, the authorized work must be completed within six (6) months. Certificates can be extended for six (6) months by requesting an extension in writing prior to their expiration from the Commission Coordinator.

Joshua D Israel

Printed Property Owner(s) Name

[Signature]

Property Owner(s) Signature

HVL Property Holdings, LLC

Printed Company Name (if applicable)

*LLC, Inc., Trust

Member

Property Owner Title (if applicable)

*Member, Manager, Register Agent, etc.

Community Development Use Only

Date Received: _____

Received By: _____

Application Complete: Y / N

Proposed HPC Meeting Date (if applicable): _____

Notes:

OWNER

TOM LYNCH
HVL PROPERTIES

ARCHITECT

PEACOCK ARCHITECTS
129 3RD AVE WEST HENDERONVILLE, NC
TAMARA PEACOCK , PRESIDENT
(828)713-1050
NICOLLE REBOLLEDO, PROJECT MANAGER
(828)- 696-4000

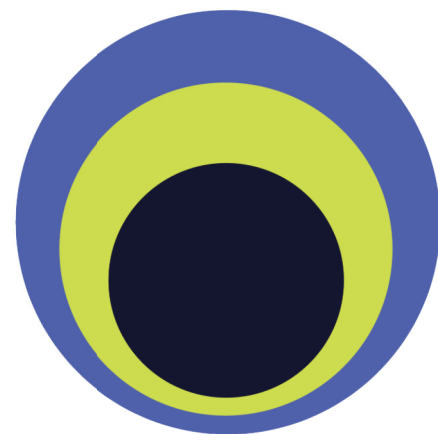
CONTRACTOR

J.C. PENNEY BLDG. RESTORATION & RENOVATION EXTERIOR FACADE AND GROUND FLOOR

344 N MAIN ST HENDERSONVILLE, NORTH CAROLINA 28792



1 STREET VIEW
C001



PEACOCK ARCHITECTS

BUILDING DATA

LEVEL OF ALTERATION: LEVEL 2
BUILDING CONSTRUCTION TYPE: TYPE III-B
BUILDING OCCUPANCY TYPE: MIXED USE
BUILDING SQUARE FOOTAGE: 10,600 SQ FT.
ADDRESS: 344 MAIN STREET
LEGAL DESCRIPTION:
PIN # :

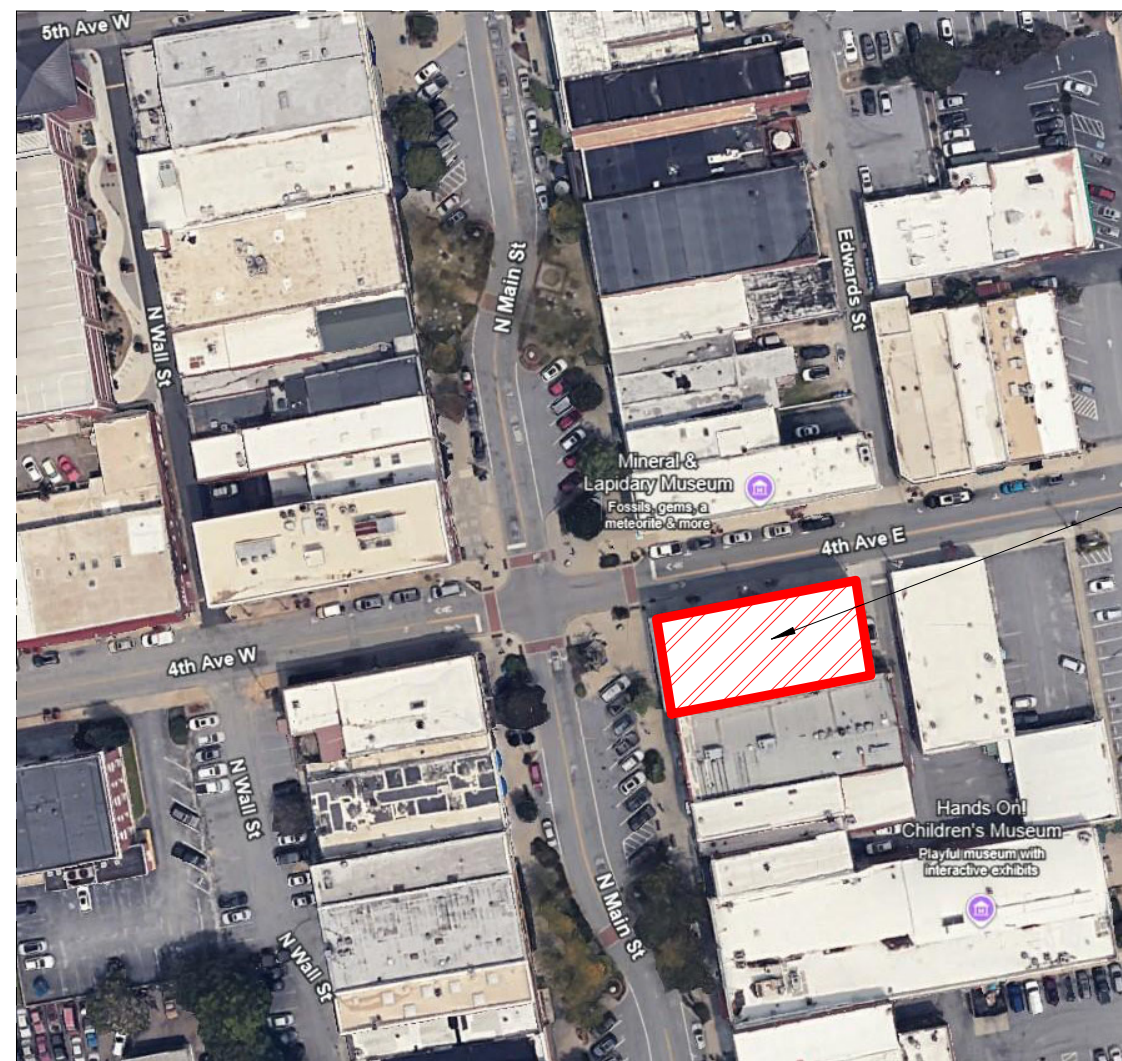
SCOPE OF WORK

LEVEL OF ALTERATION: LEVEL 2
THIS PROJECT INCLUDES FACADE RESTORATION: REMOVAL OF DECORATIVE METAL SCREEN REPAIR AND REPOINTING OF BRICK, INSALLATION ON NEW STOREFRONT AND ENTRY DOORS. THE INTERIOR REDESIGN INCLUDES a 2 HOUR DEMISING WALL TO CREATE TWO LEASABLE UNITS. THE INTERIOR UNITS EACH HAVE ADA ACCESSIBLE BATHROOMS AND NEW SECONDARY EXITS WHICH EXIT OUT THE REAR GROUND LEVEL.

APPLICABLE CODES

2023 NFPA 70 NATIONAL ELECTRIC CODE
2018 NC STATE ENERGY CODE
2018 NCSBC: EXISTING BUILDING CODE
2018 NCSBC: PLUMBING CODE
2018 NCSBC: MECHANICAL CODE
2018 NCSBC: ELECTRICAL CODE
2018 NCSBC: FIRE PREVENTION CODE
2018 NCSBC: BUILDING CODE

VICINITY MAP



Item A.

PEACOCK ARCHITECTS



129 3rd Ave W, Hendersonville, NC 28792
Phone: 828.696.4000

project design team:

PEACOCK ARCHITECTS

owner:

HVL PROPERTY MGMT

project name:

Tamara Peacock, R.A.
License No.:12128

issued for:

date:

sheet name:

COVER SHEET

Revisio n	Revision Date	Issued For
A	4-24	Permit Comme nts

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NLR	NLR
revised by:	Capt.:
TP	TP

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C001

PEACOCK ARCHITECTS

HVL PROPERTY MGMT

project name:

Tamara Peacock, R.A.
License No.:12128

LIFE SAFETY PLAN

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TP

C005



 WALL MOUNTED EXIT SIGN (ARROWS WHEN INDICATED)

$$\frac{3}{16}'' = 1'-0''$$

PEACOCK ARCHITECTS

HVL PROPERTY MGMT

project name:

Tamara Peacock, R.A.
License No.:12128

EXISTING/DEMO
GROUND
FLOOR PLAN

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project design team:
PEACOCK ARCHITECTS

owner:
HVL PROPERTY MGMT

project name:

Tamara Peacock, R.A.
License No. 12128

issued for:

date:

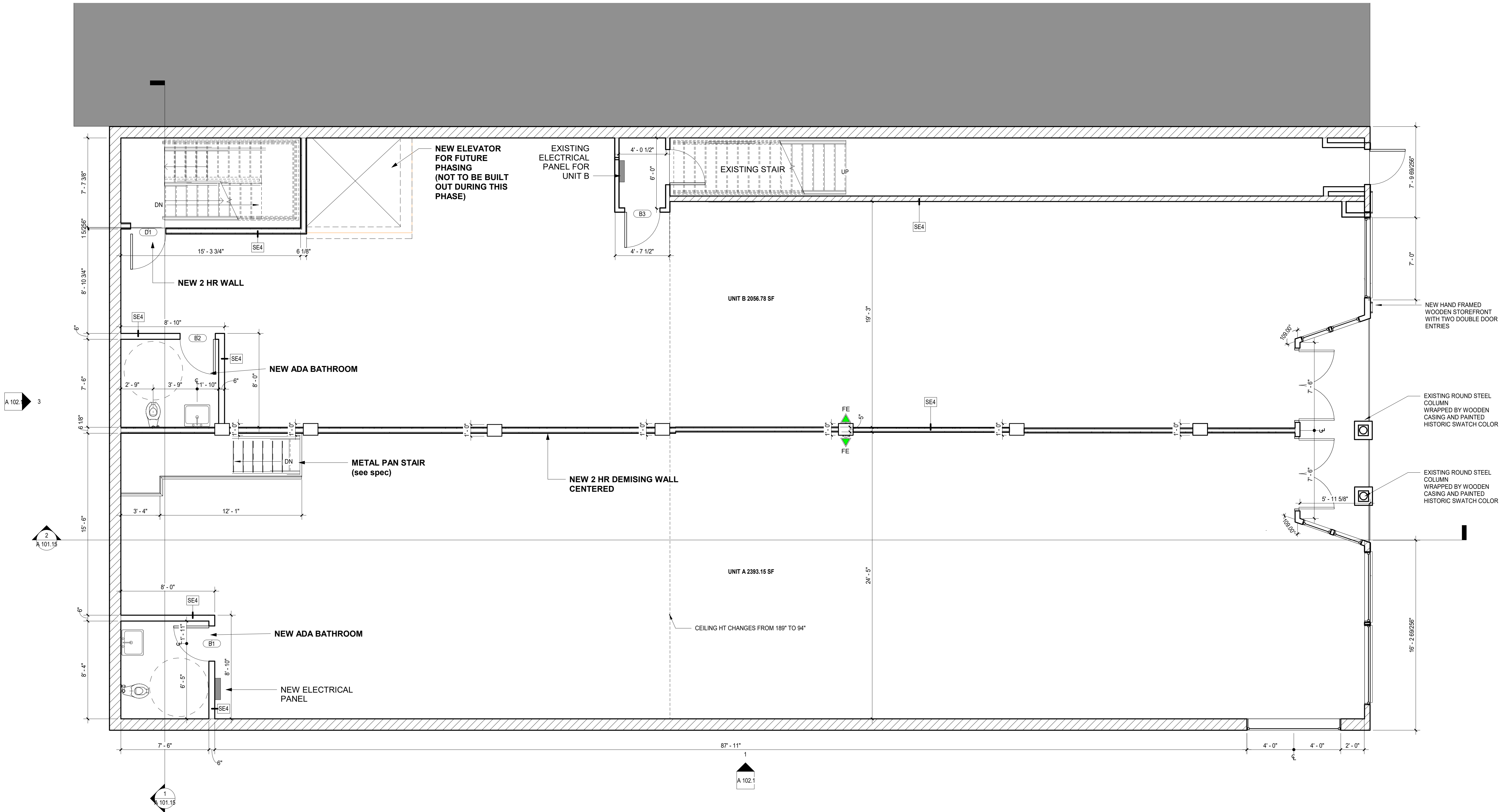
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NEW GROUND FLOOR PLAN

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1 **FIRST FLOOR PLAN - NEW**
A 101.3 1/4" = 1'-0"

UNIT NAME	LEASABLE SQUARE FOOTAGE
UNIT A	2,458 SQ FT
UNIT B	2,119 SQ FT

project design team:
PEACOCK ARCHITECTS

owner:
HVL PROPERTY MGMT

project name:

Tamara Peacock, R.A.
License No.: 12128

issued for:

date:

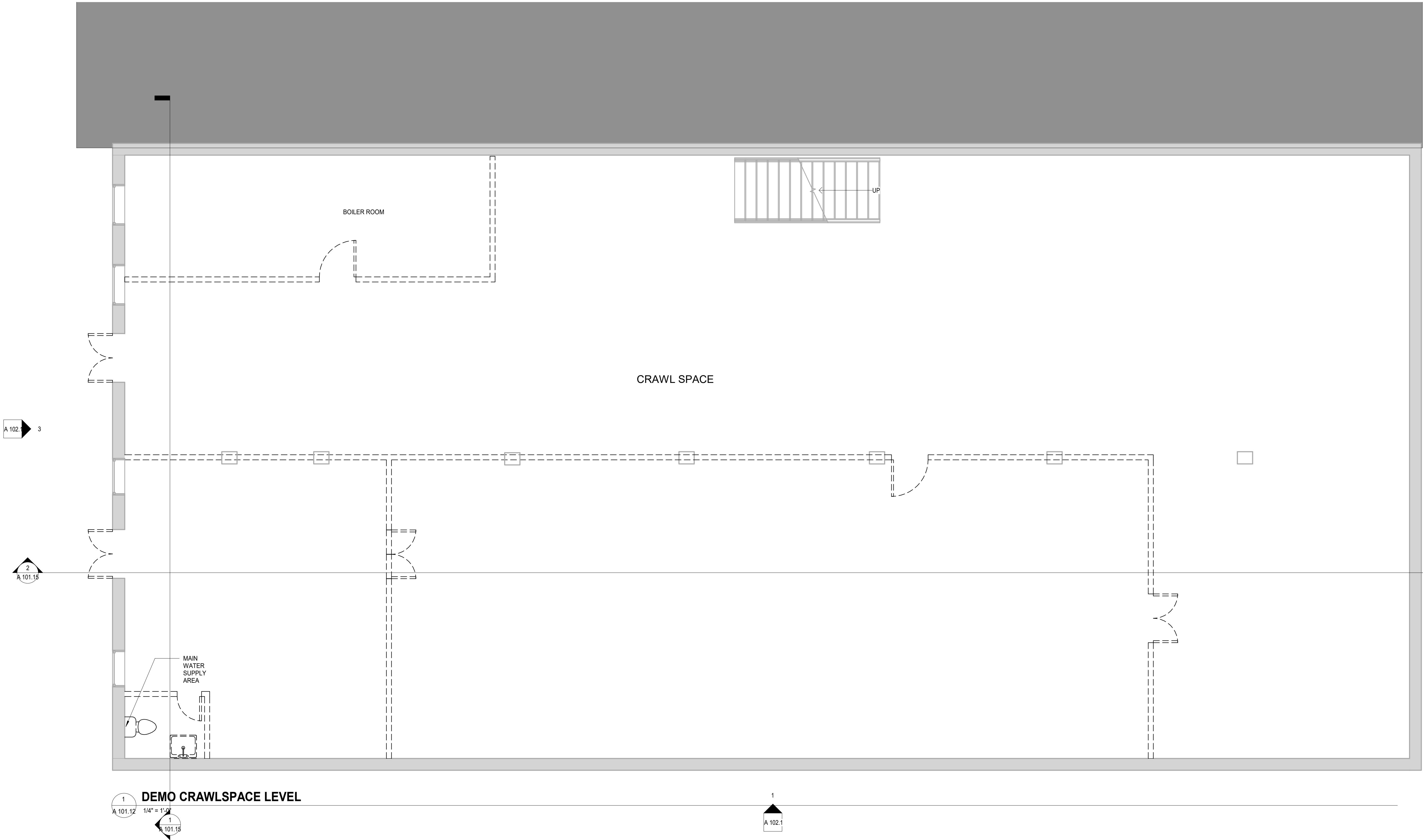
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**EXISTING/DEMO
CRAWLSPACE
FLOOR PLAN**

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project design team:
PEACOCK ARCHITECTS

owner:
HVL PROPERTY MGMT

project name:

Tamara Peacock, R.A.
License No. 12128

issued for:

date:

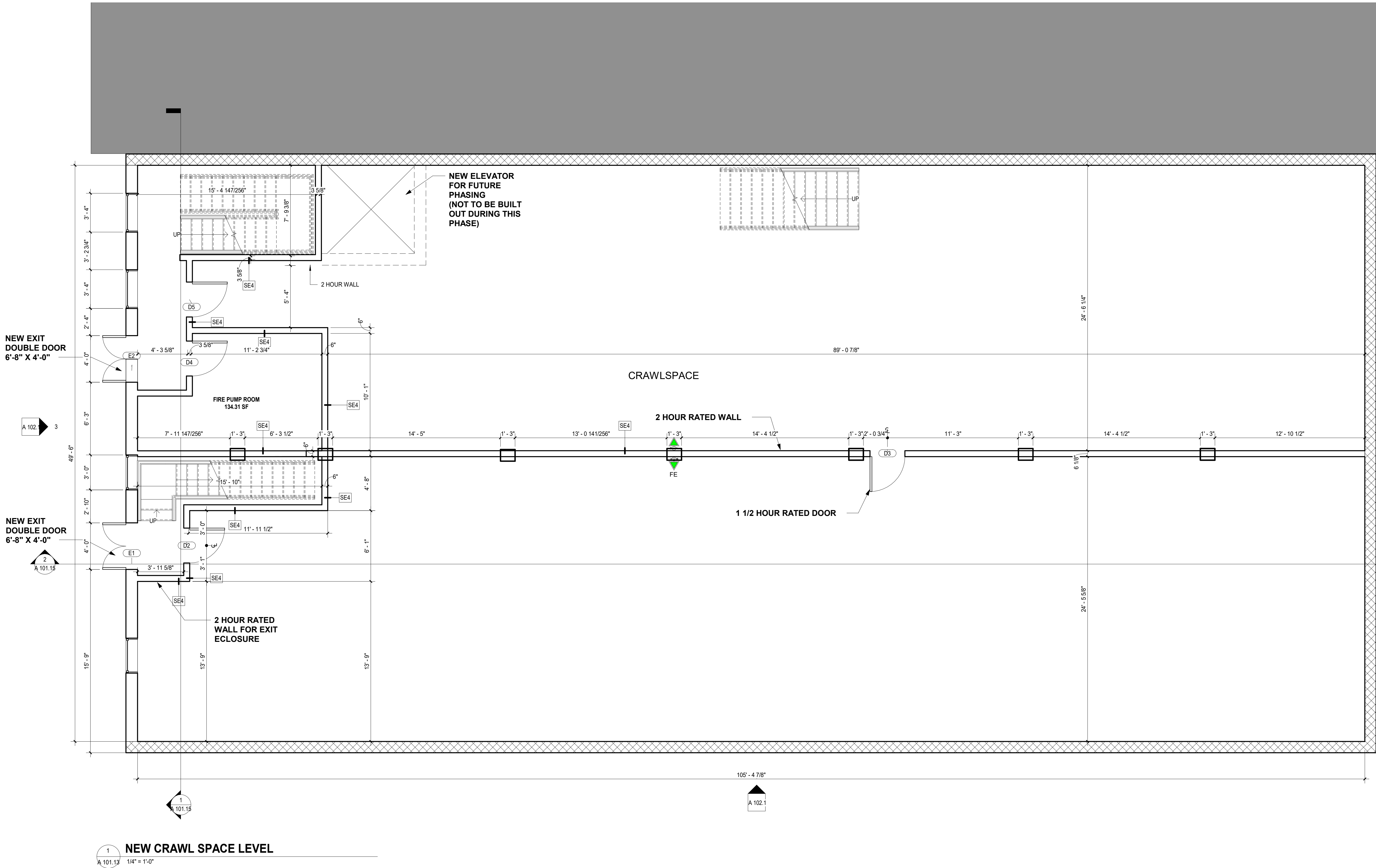
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NEW CRAWL
SPACE LEVEL
FLOOR PLAN

Revisio n	Revision Date	Issued For

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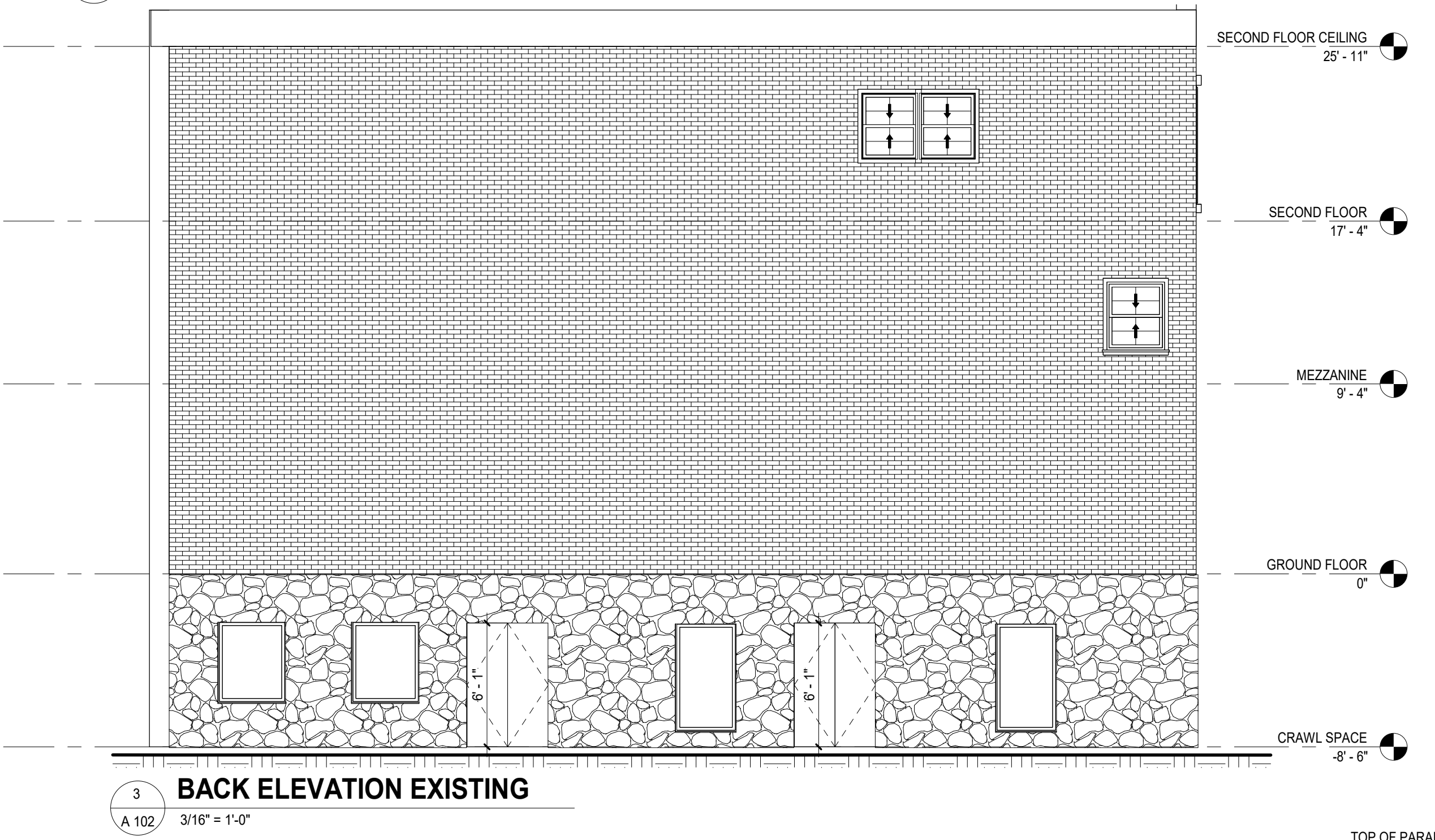
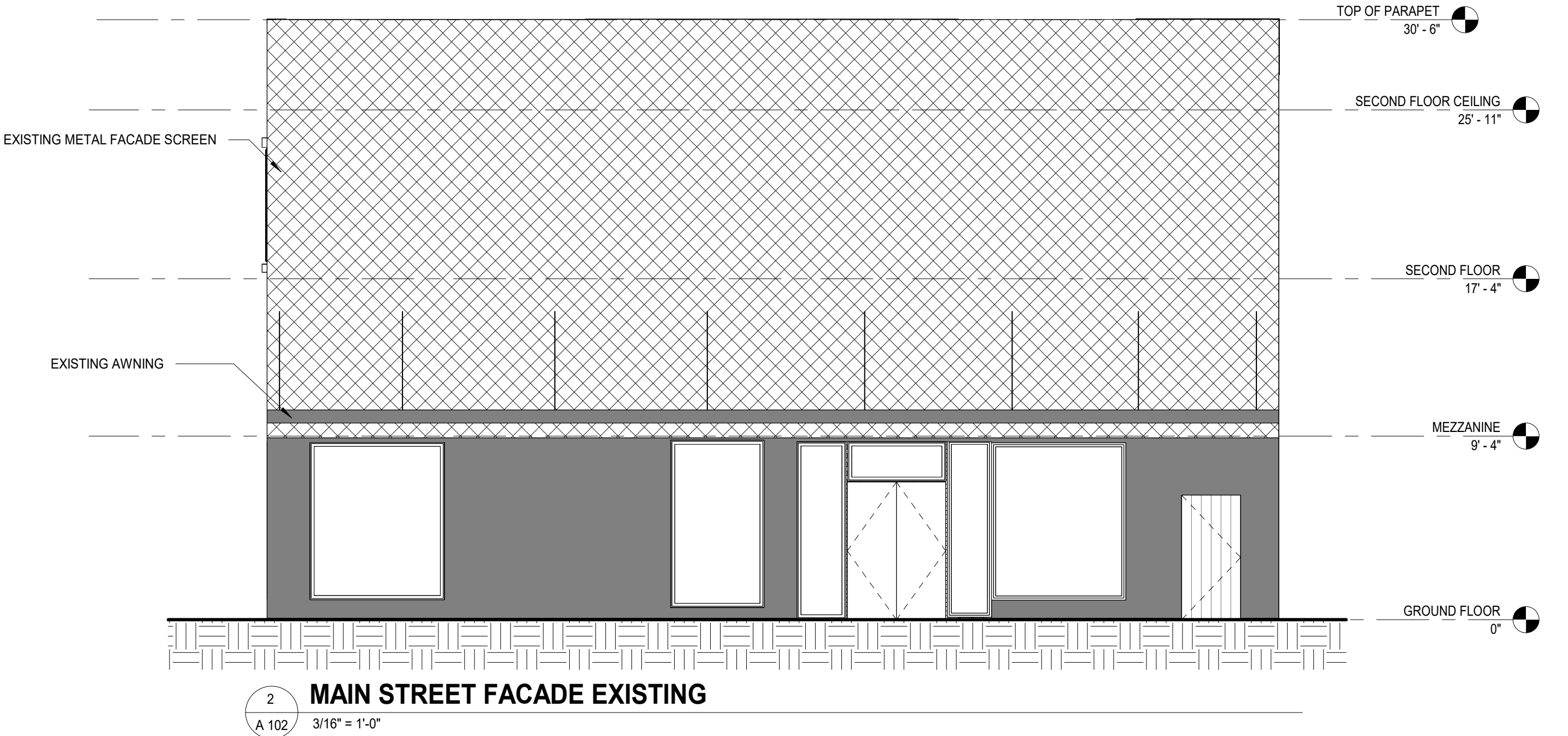
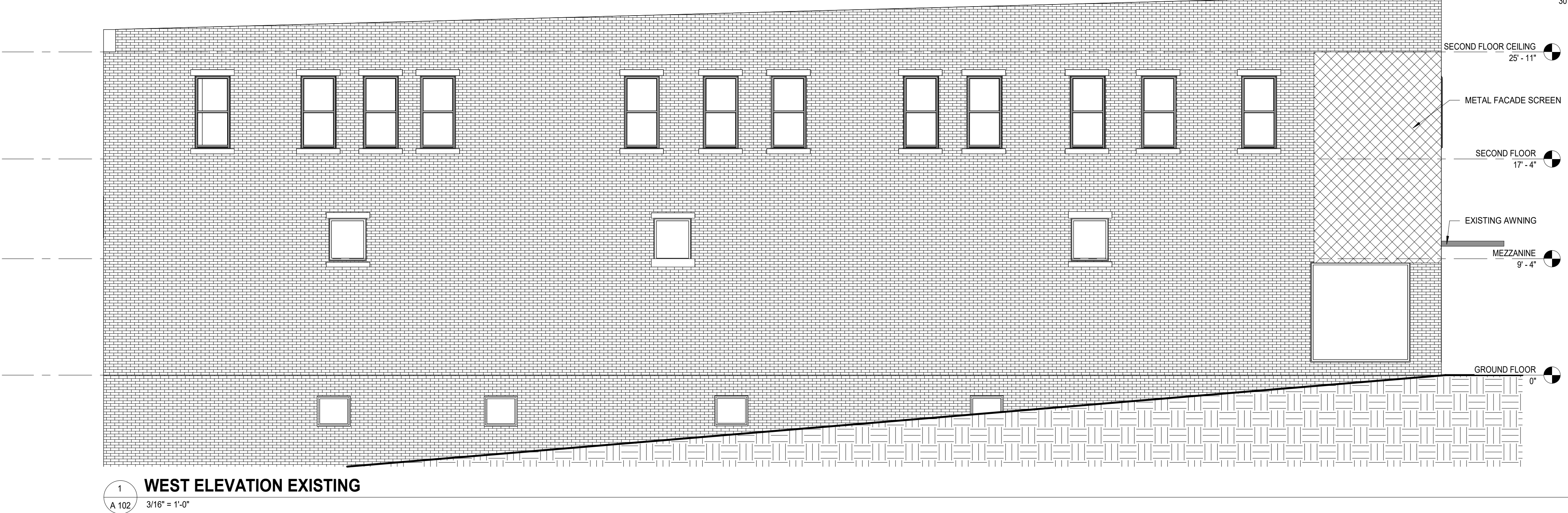
1
A 101.13
NEW CRAWL SPACE LEVEL
1/4" = 1'-0"



EXISTING PHOTO OF 344 MAIN ST MAIN SREET VIEW



EXISTING PHOTO OF 344 MAIN ST BACK ALLEY VIEW



Item A.

PEACOCK ARCHITECTS

129 3rd Ave W., Hendersonville, NC 28792
Phone: 828.696.4000

project design team:
PEACOCK ARCHITECTS

owner:
HVL PROPERTY MGMT

project name:

Tamara Peacock, R.A.
License No. 12128

issued for:

date:

sheet name:
EXISTING MAIN STREET ELEVATION

Revision	Revision Date	Issued For

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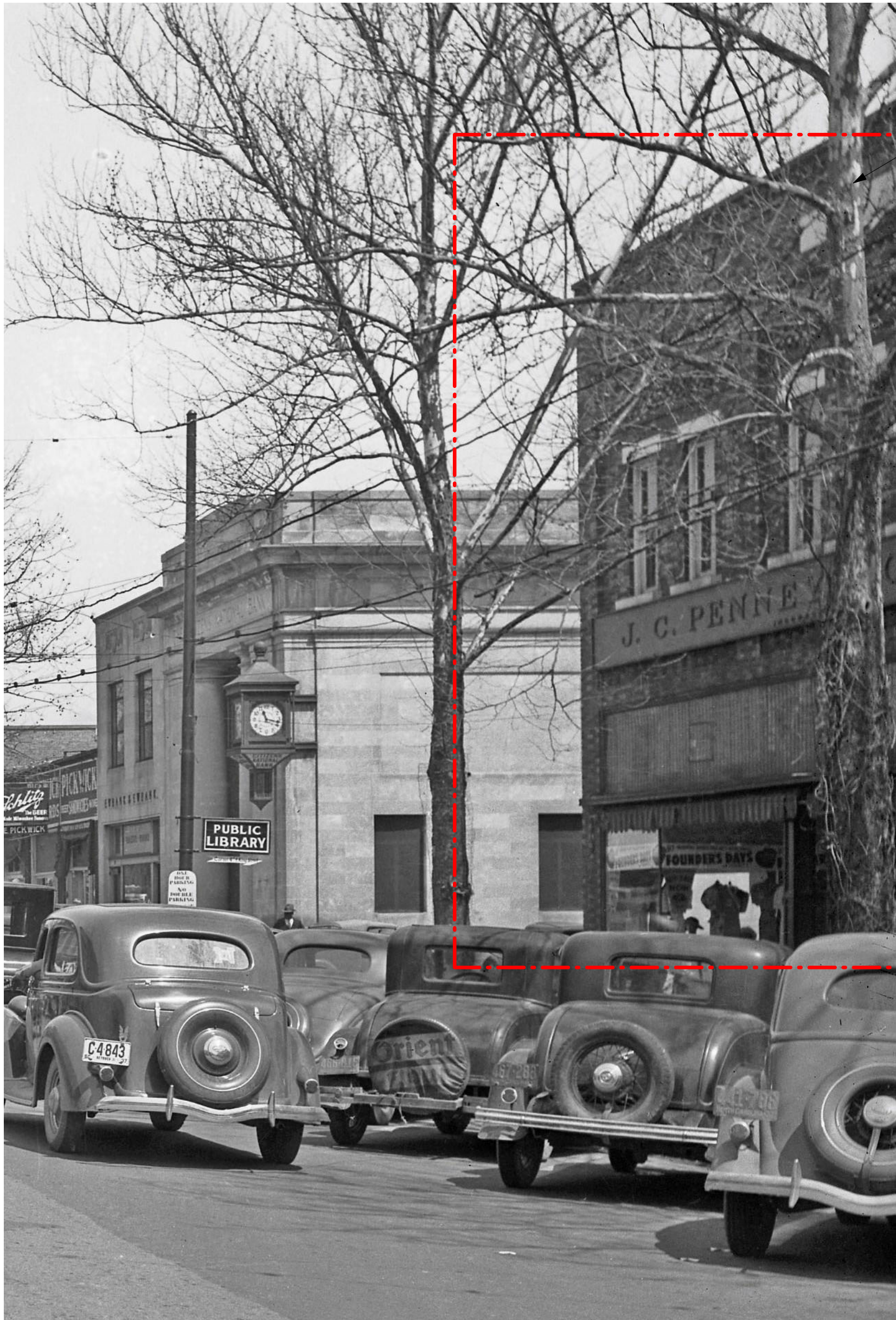
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revised by: TP

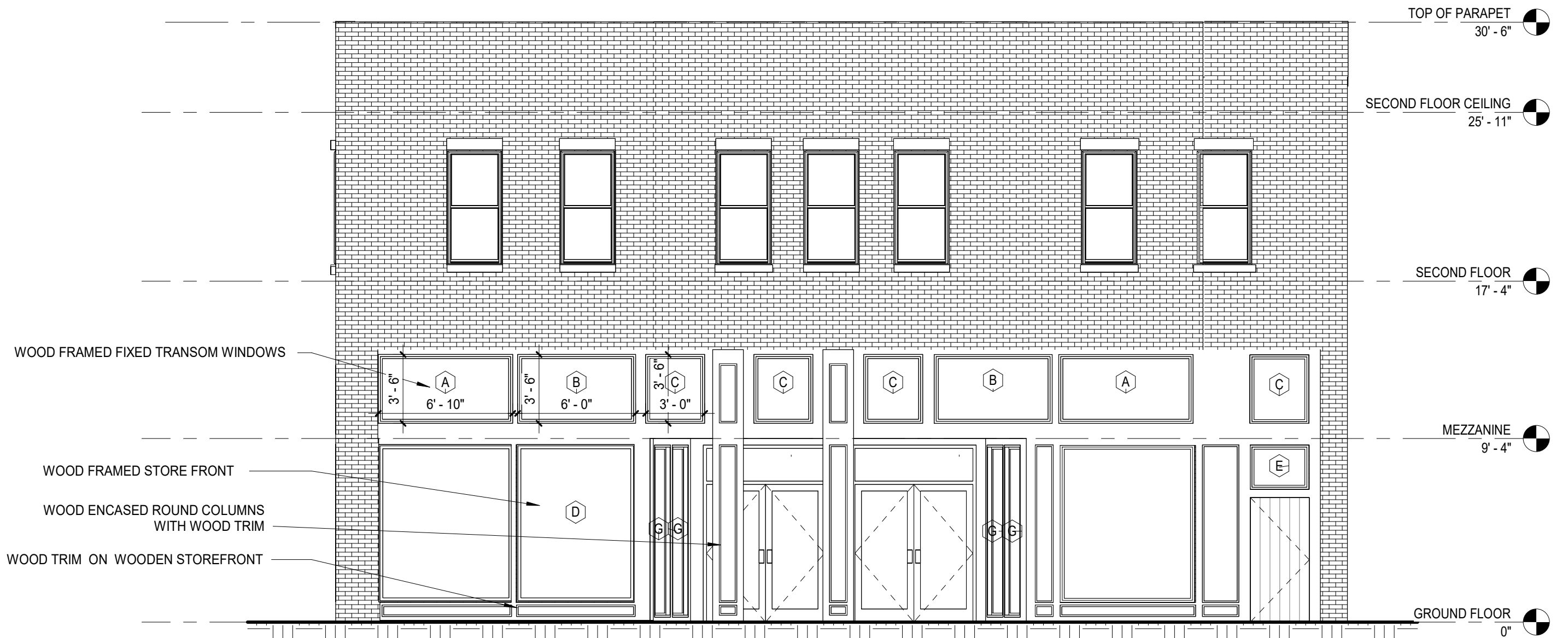
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NPL
Capt.: TP

sheet no.:
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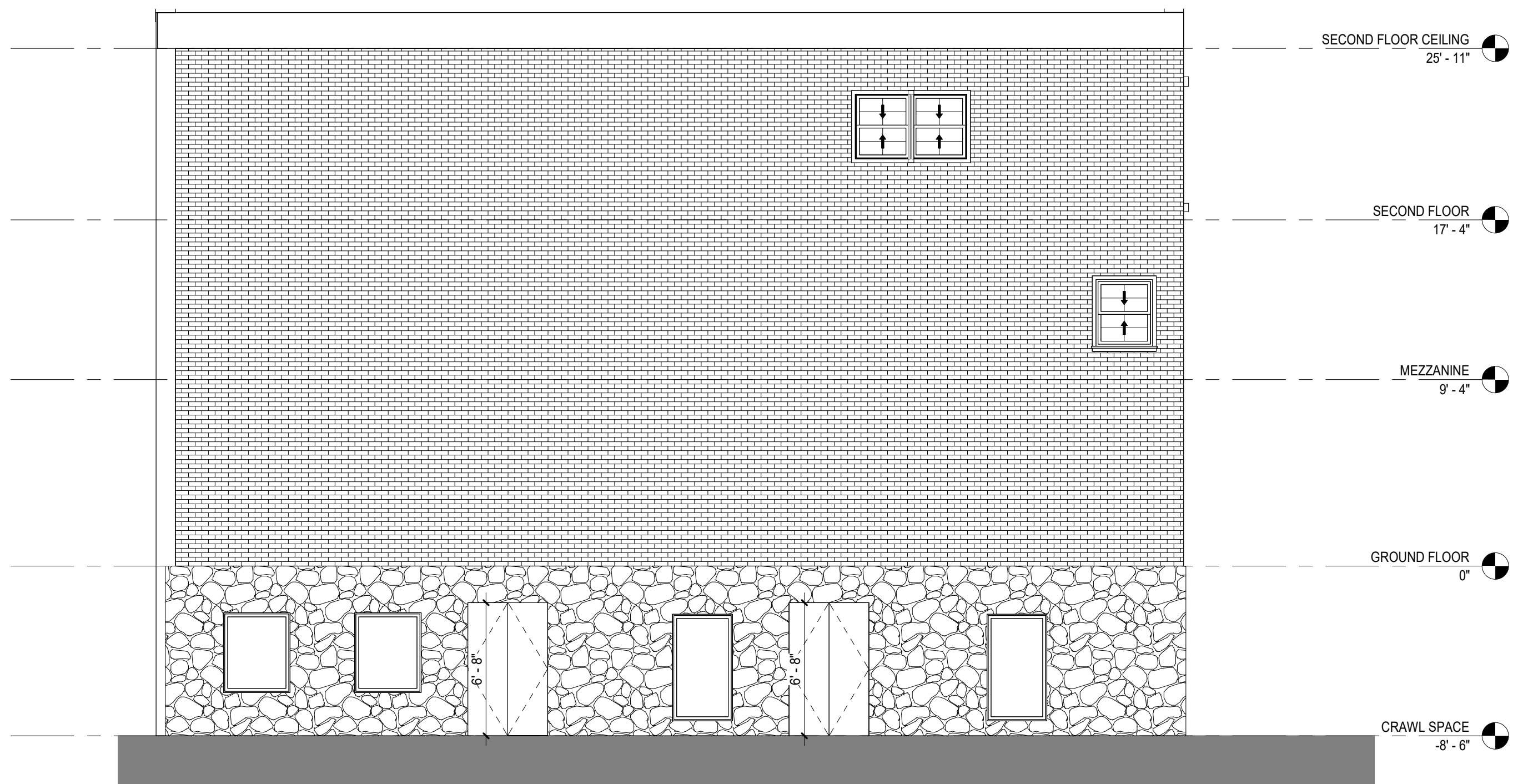


344 MAIN FACADE RESTORATION
PHOTOS COLLECTED FROM BAKER
BARBER COLLECTION- HENDERSON
COUNTY PUBLIC LIBRARY

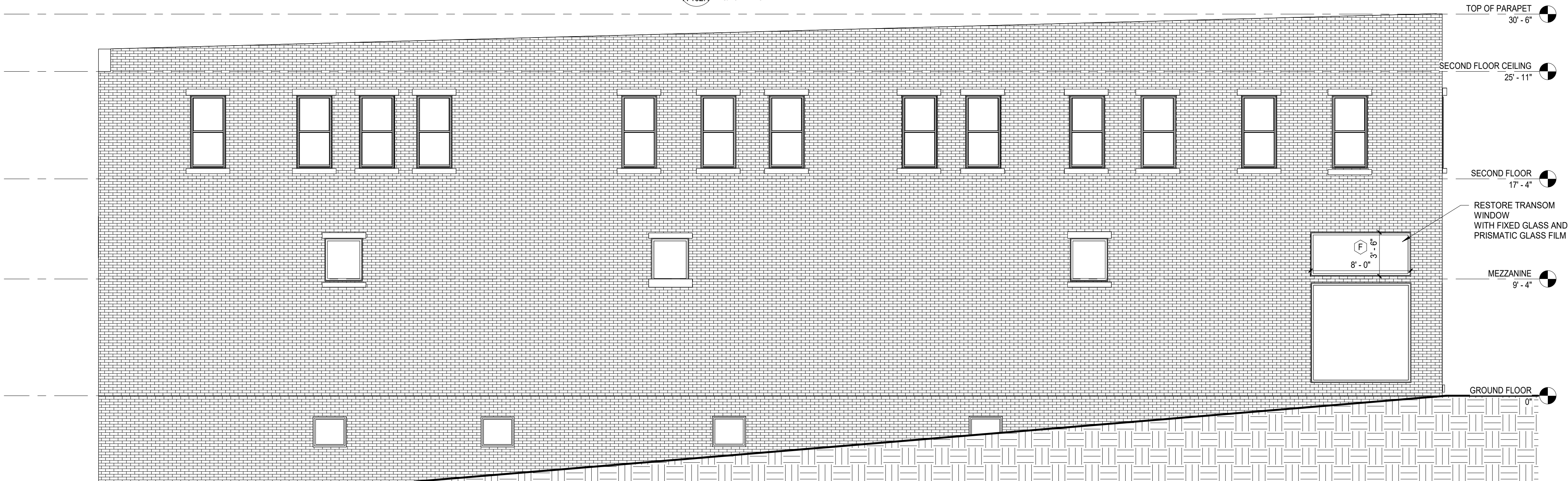
344 MAIN ORIGINAL FACADE



MAIN STREET FACADE NEW



BACK ELEVATION NEW



NORTH ELEVATION NEW

Item A.

PEACOCK ARCHITECTS

129 3rd Ave W., Hendersonville, NC 28792
Phone: 828.696.4000

project design team:
PEACOCK ARCHITECTS

owner:
HVL PROPERTY MGMT

project name:

Tamara Peacock, R.A.
License No. 12128

issued for:

date:

sheet name:
NEW MAIN STREET ELEVATION

Revision	Revision Date	Issued For

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revised by: TP
Proj Mng.:
Capl.: TP

sheet no.:
A 102.1



project design team:

PEACOCK ARCHITECTS

owner:

HVL PROPERTY MGMT

project name:

Tamara Peacock, R.A.
License No. 12128

issued for:

date:

sheet name:

WINDOW AND
DOOR
SCHEDULE

Revision	Revision Date	Issued For

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Checker

drawn by:

NJR

revised by:

TP

Proj Mngr.:

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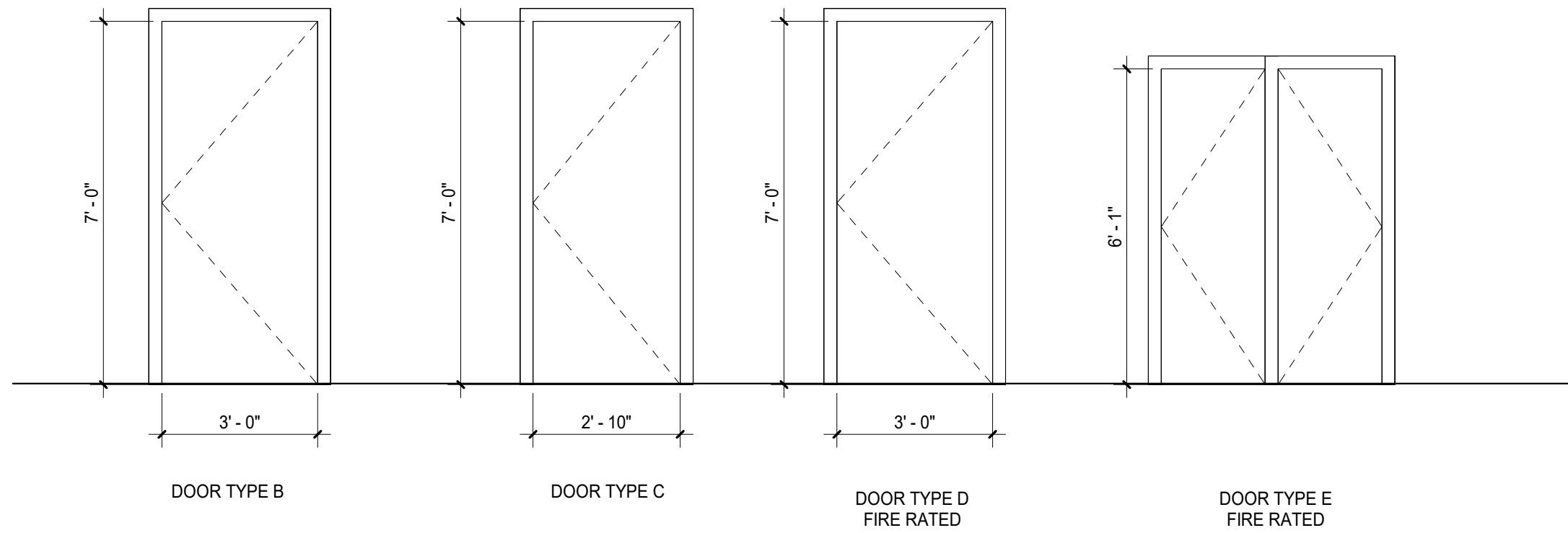
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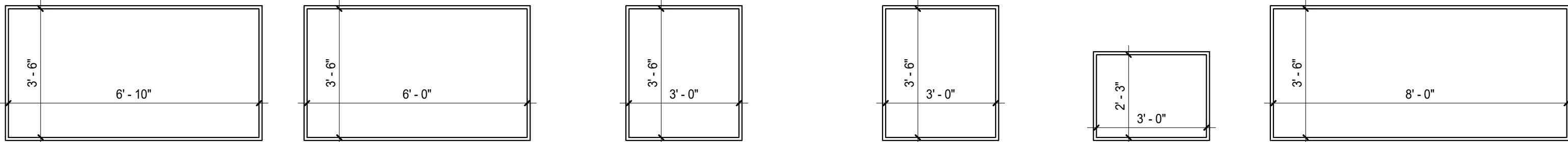
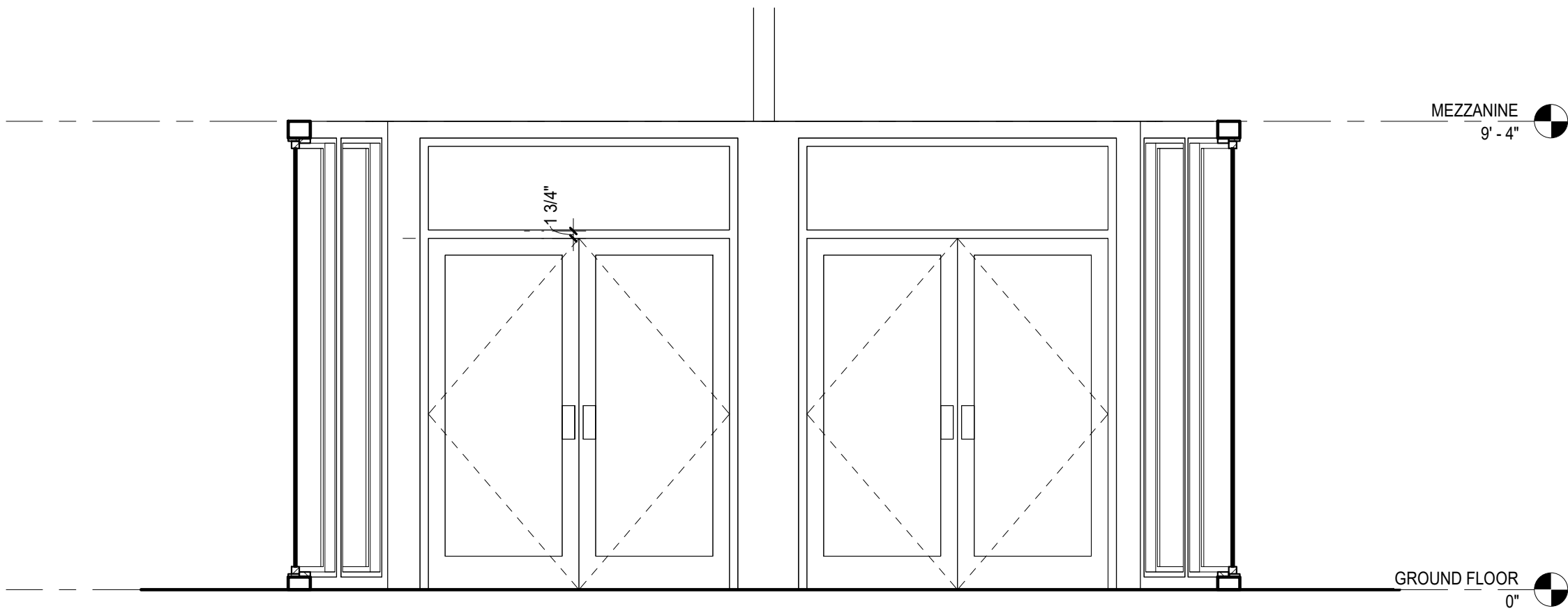
DOOR SCHEDULE

DOOR NO.	DOOR SIZE		DOOR SIZE THK.	FIRE RATING	DOOR TYPE	REMARKS
	WIDTH	HEIGHT				
B1	3' - 0"	7' - 0"	2"			
B2	3' - 0"	7' - 0"	2"			
B3	3' - 0"	7' - 0"	2"			
B6	3' - 0"	7' - 0"	2"			
B7	3' - 0"	6' - 4"	2"			
B8	3' - 0"	6' - 4"	2"			
D1	3' - 0"	7' - 0"	2"			
D2	3' - 0"	7' - 0"	2"			
D3	3' - 0"	6' - 4"	2"			
D4	3' - 0"	6' - 4"	2"			
D5	3' - 0"	6' - 4"	2"			
D6	2' - 0"	6' - 8"	2"		TTT	
D7	3' - 0"	6' - 4"	2"			
D10	2' - 0"	6' - 8"	2"		TTT	
D13	3' - 0"	7' - 0"	1 3/4"		PPP	
D14	3' - 0"	7' - 0"	1 3/4"		PPP	
E1	2' - 0"	6' - 8"	2"		TTT	
E2	2' - 0"	6' - 8"	2"		TTT	



DOOR LEGEND

3/8" = 1'-0"

STOREFRONT ELEVATION VIEW WOODEN
FRAME

Window Schedule				
Type Mark	Width	Height	Manufacturer	Count
G	2' - 6"	8' - 9"		1
G	2' - 6"	8' - 9"		1
G	2' - 6"	8' - 9"		1
G	2' - 6"	8' - 9"		1
F	8' - 0"	3' - 6"		1
C	3' - 0"	3' - 6"		1
D	6' - 0"	8' - 0"		1
E	3' - 0"	2' - 3"		1
A	6' - 10"	3' - 6"		1
C	3' - 0"	3' - 6"		1
B	6' - 0"	3' - 6"		1
C	3' - 0"	3' - 6"		1
C	3' - 0"	3' - 6"		1
B	6' - 0"	3' - 6"		1
A	6' - 10"	3' - 6"		1

A

B

C

D

E

F

G

WINDOW LEGEND

3/8" = 1'-0"

COLOR SWATCHES FOR WOOD-FRAMED STOREFRONT

H Historic Color

Expert PICK

SW 2838

Polished Mahogany

H Historic Color

SW 2809

Rookwood Shutter Green

H Historic Color

SW 0064

Blue Peacock



1
A 102.5

MAIN STREET VIEW

Item A.

PEACOCK ARCHITECTS

129 3rd Ave W, Hendersonville, NC 28792
Phone: 828.696.4000

project design team:
PEACOCK ARCHITECTS

owner:
HVL PROPERTY MGMT

project name:

Tamara Peacock, R.A.
License No.:12128

issued for:

date:

sheet name:
MATERIAL WORKSHEET

Revision	Revision Date	Issued For

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sheet no.:
A 102.5



This document presented and filed:
09/01/2020 04:44:14 PM

WLK

WILLIAM LEE KING, Henderson COUNTY, NC
Transfer Tax: \$26,517.00

Return to: Harrison

Prepared By: Sharon B. Alexander
Deed Preparation Only

Doc Stamps \$26,517.00

This instrument is prepared by Sharon B. Alexander, a licensed North Carolina Attorney. Delinquent taxes, if any are to be paid by the closing attorney to the County Tax Collector upon disbursement of closing proceeds.

STATE OF NORTH CAROLINA

GENERAL WARRANTY DEED

COUNTY OF HENDERSON

THIS DEED, made and entered into this 31st day of August, 2020, by and between Stuart I. Rubin, Trustee of the Stuart I. Rubin Revocable Trust dated February 11, 2003 (herein referred to as the "party of the first part" and having a mailing address of P. O. Box 2258; Hendersonville, NC 28793) and HVL Property Holdings, LLC (the "party of the second part" and having a mailing address of 820 NE 6th Avenue; Delray Beach, FL 33483);

WITNESSETH:

The said party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) and Other Valuable Consideration to him in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does bargain, sell, and convey in fee simple unto said party of the second part, its heirs and assigns, a certain tract or parcel of land lying and being in Henderson County, North Carolina, more particularly described as follows:

TRACT ONE (1): BEING a portion of Tract Thirty-Six (36) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property described in Deed Book 691, at Page 31, Henderson County Registry, reference to which deed is hereby made for greater certainty of description. Bearing a current Henderson County REID #108523 and a current street address of 307 N. Main St.

TRACT TWO (2): BEING a portion of Tract Thirty-Six (36) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property described in Deed Book 691, at Page 39, Henderson County Registry, reference to which deed is hereby made for greater certainty of description. Bearing a current Henderson County REID #106597 and a current street address of 311 N. Main St.

TRACT THREE (3): BEING a portion of Tract Thirty-Six (36) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property described in Deed Book 805, at Page 675, Henderson County Registry, reference to which deed is hereby made for greater certainty of description. Bearing a current Henderson County REID #109531 and a current street address of 305 N. Main St.

SUBJECT TO the right of common use of the wall, stairway and hall located on the boundary line between the subject property and the property adjoining on the north as set out in an agreement between Floried Justus et al and H.H. Ewbank, et al; also subject to the party wall located on the boundary between said properties, described in deeds recorded in Deed Book 219, at Page 122 and in Deed Book 805, at Page 675 of the Henderson County Registry.

TRACT FOUR (4): BEING a portion of Tract Thirty-Six (36) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property described in Deed Book 835, at Page 497, Henderson County Registry, reference to which deed is hereby made for greater certainty of description. Bearing a current Henderson County REID #106608 and a current street address of 238 N. Main St.

TRACT FIVE (5): BEING all of Tract Thirteen (13) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property described in Deed Book 917, at Page 280, Henderson County Registry, reference to which deed is hereby made for greater certainty of description. Bearing a current Henderson County REID #113949 and a current street address of 222 N. Main St.

SUBJECT TO that Party Wall Agreement regarding the northern wall, said Party Wall Agreement described in Deed Book 103, at Page 112, Henderson County Registry, reference to which is hereby made and incorporated herein. EXCEPTING a one-half interest in the northern wall as reserved in Deed Book 104, at Page 76, Henderson County Registry, and as further described in deeds recorded Deed Book 747, at Page 273, in Deed Book 895, at Page 295 and in Deed Book 917, at Page 280, Henderson County Registry.

ALSO CONVEYED is a ten foot wide alley right of way extending East from the rear of the above-described lot to King Street, said alley right of way described in Deed Book 104, at Page 76, Henderson County Registry, and as further described in deeds recorded in Deed Book 747, at Page 273, in Deed Book 895, at Page 295 and in Deed Book 917, at Page 280, Henderson County Registry.

ALSO CONVEYED is a right of way from the East side of the above-described tract to the alley and across said alley which leads in a northern direction to Third Avenue East and in a southern direction to Second Avenue East. THERE IS QUITCLAIMED to the Grantee, his heirs and assigns, any land located between the eastern edge of the above-described tract and the alley which leads to Third Avenue East and Second Avenue East, as described in deeds recorded in Deed Book 747, at Page 273, in Deed Book 895, at Page 295 and in Deed Book 917, at Page 280, Henderson County Registry.

TRACT SIX (6): BEING all of that property described in Deed Book 1334, at Page 785, Henderson County Registry, reference to which deed is hereby made for greater certainty of description. Bearing a current Henderson County REID #116213 and a current street address of 114 N. Main St.

TRACT SEVEN (7): BEING all of Tract Twenty-Five (25) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property conveyed in Deed Book 799, at Page 621, Henderson County Registry, reference to which deed is hereby made for greater certainty of description. Bearing a current Henderson County REID #115543 and a current street address of 119 S. Main St.

TOGETHER WITH and SUBJECT TO the party wall rights described in that Party Wall Agreement recorded in Deed Book 102, at Page 367, Henderson County Registry, and a right of way over that ten (10') foot strip at the west end of the lot immediately north of Lot No. 8, Barnwell Division, for ingress, egress and regress to and from the building. Said Agreement is further described in deeds recorded in Deed Book 298, at Page 402 and in Deed Book 799, at Page 621, Henderson County Registry.

TRACT EIGHT (8): BEING a portion of Tract Thirty-Six (36) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property described in Deed Book 813, at Page 161, Henderson County Registry, reference to which deed is hereby made for greater certainty of description. Bearing a current Henderson County REID #114846 and a current street address of 315 N. Main St.

TOGETHER WITH and SUBJECT TO party wall rights in the north wall described in Deed Book 49, at Page 528 and to party rights in the south wall described in that Party Wall Agreement recorded in Deed Book 170, at Page 507, Henderson County Registry; and to party wall rights and/or easements described in Deed Book 652, at Page 165; in Deed Book 666, at Page 605; and in Deed Book 813, at Page 161, Henderson County Registry.

TRACT NINE (9): BEING all of Tract Thirty-One (31) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property described in Deed Book 645, at Page 467, Henderson County Registry, reference to which deed is hereby made for greater certainty of description. Bearing a current Henderson County REID #114105 and a current street address of 344 N. Main St.

TRACT TEN (10): BEING all of Tract Twenty-Nine (29) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property described in Deed Book 635, at Page 263 and in Deed Book 645, at Page 469, Henderson County Registry, reference to which is hereby made for greater certainty of description. Bearing a current Henderson County REID #117132 and a current street address of 430 N. Main St.

TOGETHER WITH and SUBJECT TO wall rights described in Deed Book 318, at Page 295, Henderson County Registry.

TRACT ELEVEN (11): BEING all of Tract Eighteen (18) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property described in Deed Book 785, At Page 229, and tract two of that deed recorded at Deed Book 1090 at Page 556, both references to the Henderson County Registry (Together Being all of that property described by deed recorded at Deed Book 784 at Page 700, Henderson County Registry), reference to said deeds is hereby made for greater certainty of description. Bearing a current Henderson County REID #9945680 and a current street address of 502 N. Main St.

TRACT TWELVE (12): BEING a portion of Tract Thirty-Six (36) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property described in Deed Book 822, at Page 1, Henderson County Registry, reference to which deed is hereby made for greater certainty of description. Bearing a current Henderson County REID #106020 and a current street address of 423 N. Church St.

TOGETHER WITH and SUBJECT TO wall rights described in Deed Book 536, at Page 693, Henderson County Registry. Property shown as Lot 425 on that plat recorded at Plat Book 10 Page 78 and now reindexed at Plat Cabinet C Slide 294A Henderson County Registry.

TOGETHER WITH and SUBJECT TO that fourteen (14') foot wide right of way described in Deed Book 798, at Page 540, and as shown on Plat Slide 1307, Henderson County Registry.

TRACT THIRTEEN (13): BEING a portion of Tract Thirty-Six (36) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property described in Deed Book 822, at Page 11, (and See Deed Book 800 at Page 181) Henderson County Registry,

TRACT NINETEEN (19): BEING all of Tract Twenty-Eight (28) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property conveyed in Deed Book 593 at Page 435 and at Deed Book 601, at Page 223, Henderson County Registry, reference to said deeds is hereby made for greater certainty of description. Bearing a current Henderson County REID #114042 and a current street address of 402 S. Church St.

TRACT TWENTY (20): BEING all of Tract Thirty-Four (34) described in Deed Book 1155, at Page 380, Henderson County Registry, and FURTHER BEING all of that property described in Deed Book 556, at Page 483 and Tract One of Deed Book 1090 at Page 556, both references to the Henderson County Registry, reference to said deeds is hereby made for greater certainty of description. Bearing a current Henderson County REID #114091 and a current street address of 614 Spartanburg Hwy.


TRACT TWENTY-ONE (21): BEING all of that property described in that deed recorded in Deed Book 1267, at Page 58 and in Deed Book 1247, at Page 469, Henderson County Registry, reference to which is hereby made for greater certainty of description. Bearing a current Henderson County REID #9906277 and a current street address of 820 7th Ave. E.

EXCEPTED and excluded from the above is any parcel or tract that has been previously conveyed to another party.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land, together with all privileges and appurtenances thereunto belonging to it, the said party of the second part, and its heirs and assigns in fee simple forever.

And said party of the first part does covenant that he, as Trustee, is seized of said lands in fee simple and has the right to convey the same in fee simple, that title to same is marketable and free and clear of all encumbrances, and that he, as Trustee, will warrant and defend the title herein conveyed against the lawful claims of all persons whomsoever. This conveyance and these warranties are made subject to all rights-of-way, easements and restrictive covenants of record, and to 2020 ad valorem property taxes for Henderson County and each municipality in which a parcel described above is located.

IN TESTIMONY WHEREOF, said party of the first part has hereunto set his hand and seal the day and year first above written.

 (SEAL)
STUART I. RUBIN, Trustee of the
Stuart I. Rubin Revocable Trust Agreement
UAD February 11, 2003

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, a Notary Public of the County and State aforesaid, certify that Stuart I. Rubin, Trustee of the Stuart I. Rubin Revocable Trust Agreement UAD February 11, 2003, personally appeared before me this day and acknowledged the voluntary execution of the foregoing instrument for the purpose stated therein. Witness my hand and official stamp or seal, this 31 day of August, 2020.


Notary Public

My commission expires: 11-24-22

