

After recording return to: City of Hendersonville Box

Ordinance # \_\_\_\_ - \_\_\_\_\_

**AN ORDINANCE DESIGNATING PROPERTY KNOWN AS THE EWBANK  
WHITMIRE HOUSE (PIN 9569-24-7137) AS A LOCAL HISTORIC LANDMARK**

Re: Local Historic Landmark Designation  
Property Owners: Matthew and Molly Manley  
File No: 25-03-LL

WHEREAS, pursuant to N.C. General Statutes Sections. 160D-942 and Chapter 28 of the Code of Ordinances of the City of Hendersonville, the City has the authority for designation of a local historic landmark; and

WHEREAS, Henderson County Tax Records for Parcels # 9569-24-7137, located at 201 Ewbank Drive and known as the Ewbank-Whitmire House, lists Matthew and Molly Manley as the property owners; and

WHEREAS, The property owners have caused to be made an investigation and report on the historic, architectural, and cultural significance of the buildings and property proposed for designation located at 201 Ewbank Drive; and

WHEREAS, the North Carolina Department of Cultural Resources has reviewed and commented on the proposed designation; and

WHEREAS, a public hearing on the designation of the Ewbank-Whitmire House was held by the Hendersonville Historic Preservation Commission on November 19<sup>th</sup>, 2025 and the following findings were made:

- a. The home was constructed between 1924-1925.
- b. The home is architecturally significant due to its craftsman style elements.
- c. The home is locally significant because it was the home of Mayor Boyce C. Whitmire during his tenure as Mayor.

WHEREAS, a public hearing on the designation of the Ewbank-Whitmire House as a local historic landmark was held by the City of Hendersonville City Council on December 4<sup>th</sup>, 2025 and approved an ordinance designating the 0.66 acre site of the Ewbank-Whitmire House, being a portion of PIN 9569-24-7137, as a Local Landmark.

WHEREAS, the Hendersonville City Council has taken into full consideration all statements and information presented at its public hearing on December 4<sup>th</sup>, 2025, and considered the recommendation of the Hendersonville Historic Preservation Commission after its public hearing held on November 19<sup>th</sup>, 2025, on the question of designating the property known as the Ewbank-Whitmire House, being a portion of PIN 9569-24-7137, as a local historic landmark.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HENDERSONVILLE:

Section 1. The findings set out above are hereby amending the adoption, and the property known as the Ewbank-Whitmire House, located at 201 Ewbank Drive, and more particularly described in Exhibit A, attached hereto and incorporated herein by this reference, is hereby designated as a local historic landmark pursuant to Part 942 Chapter 160D of the North Carolina General Statutes and Section 28 of the Code of Ordinances of the City of Hendersonville, and is subject to the conditions and restrictions set forth therein and below:

- a. The main structure and associated outbuilding, and all of the below described acreage described in Exhibit A, shall not be demolished, materially altered, restored, or removed, nor any new structure built upon the lot without a Certificate of Appropriateness issued by the Hendersonville Historic Preservation Commission.
- b. The Certificate of Appropriateness shall reference the Historic Preservation Commission Residential Design Guidelines.
- c. Any application for demolition of the home or the outbuilding shall require the waiting period set forth in Part 942 of Chapter 160D of the North Carolina General Statutes.

Section 2. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

Section 3. All ordinances and clauses of ordinances in conflict herewith be and are hereby repealed, to the extent of such conflict.

Section 4. This ordinance shall be in full force and effect on the date of adoption.

Section 5. Violation of this ordinance shall be subject to the remedies set forth in Section 1-6 of the City Code, in addition to other remedies provided by law.

Adopted by the City Council at a meeting held on the 4<sup>th</sup> day of December, 2025.

Attest:

\_\_\_\_\_  
Barbara G. Volk, Mayor, City of Hendersonville

\_\_\_\_\_  
Jill Murray, City Clerk

Approved as to form:

\_\_\_\_\_  
Angela S. Beeker, City Attorney

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I, \_\_\_\_\_, a Notary Public in Henderson County, State of North Carolina, do hereby certify that Barbara G. Volk in her capacity of Mayor of the City of Hendersonville; Jill Murray, in her capacity of City Clerk personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

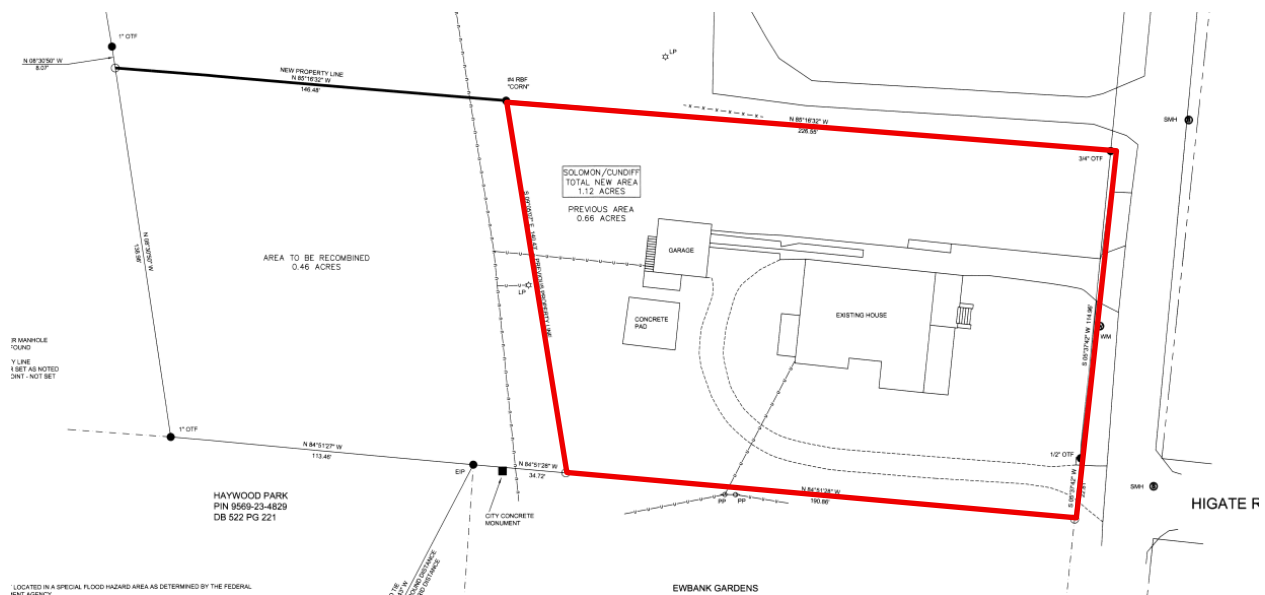
My commission expires:

\_\_\_\_\_

## Exhibit A

### SUBJECT PROPERTY – LOCAL LANDMARK DESIGNATION

Being a portion of that property described in Deed Book 3659 page 429, Henderson County Registry, BEGINNING at a point in the western margin of Ewbank Drive, said point being the southeastern most corner of the Solomon/Cundiff property as shown on that plat recorded in Plat Book 2015 at page 9722, Henderson County registry (hereinafter the “Solomon Plat”), thence N 84°51’28”W a distance of 190.86 feet, thence with the line identified as “Previous Property Line” on the Solomon Plat N 09°05’07”W a distance of 140.43 feet to a #4 rebar identified as “Corn” on the Solomon Plat, thence S 85°16’32”E a distance of 226.55’ to a ¾” open top pipe in the western margin of Ewbank Drive, thence with the western margin of Ewbank Drive S 05°37’42”W a distance of 137.77 feet back to the point and place of BEGINNING and being 0.66 acres, more or less.



THIS MAP MAY NOT BE A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AND HAS NOT BEEN REVIEWED FOR COMPLIANCE WITH RECORDING REQUIREMENTS FOR PLATS