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Zoning Administrator
DONNA ELLIOTT

THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

PLANNING DEPARTMENT

October 14, 2024

Memorandum

To: Debora P. Diaz, Town Manager

From: Cameron Ray, Assistant Planning Director 

Subject: Local Historic Landmark Designation – 606 N. Memorial Blvd: Diane Baum Cottage: Schedule Public Hearing

Attached with this memorandum you will find an ordinance for designation of 606 N. Memorial Blvd, Diane Baum Cottage, as a Local Historic Landmark. You will also find the designation report, which provides justification for the designation and State comments.

The attached designation report for 606 N. Memorial Blvd was reviewed by the NC Department of Cultural Resources, State Historic Preservation Office and has obtained non-binding State comments regarding the designation. On October 09, 2024, the Historic Landmarks Commission held a public hearing for designation of 2025 New Bern Street with all comments positive for its designation.

The Commission is forwarding the ordinance designating, the Diane Baum Cottage, located at 606 N. Memorial Blvd, as a Local Historic Landmark to the Board of Commissioners recommending adoption after the required public hearing. Once adopted, the ordinance will be filed with the register of deeds and the structure will be subject to the regulations outlined in Chapter 31 of the Town Code.

Staff recommends setting the required public hearing for this designation for November 18, 2024.

ORDINANCE NO. _____

**AN ORDINANCE DESIGNATING PROPERTY LOCATED AT
606 NORTH MEMORIAL BOULEVARD AND KNOWN AS
DIANE BAUM COTTAGE AS A LOCAL HISTORIC LANDMARK**

WHEREAS, prerequisites to the adoption of this ordinance as prescribed in Part 3C, Chapters 160D-945 & 946 of the North Carolina General Statutes have been met; and

WHEREAS, the Kill Devil Hills Board of Commissioners has taken full consideration of all statements and information presented at a public hearing on _____ and considered the recommendations of the North Carolina Department of Cultural Resources on the question of designating the property located at 606 North Memorial Boulevard, Kill Devil Hills, known as Diane Baum Cottage, as a local historic landmark; and

WHEREAS, the structure known as Diane Baum Cottage is located in the Kitty Hawk Shores Subdivision and is one of the first residential structures to be built in the vicinity of the Wright Brothers Monument; and

WHEREAS, the structure known as Diane Baum Cottage is of historic, architectural, and cultural significance in that it embodies the distinctive architectural characteristics of an Outer Banks flat top; and

WHEREAS, the structure known as Diane Baum Cottage was constructed in 1953 by Diane Baum who was a pioneer visionary in Kill Devil Hills; and

WHEREAS, the structure known as Diane Baum Cottage is one of Kitty Hawk Shores Subdivision's first and original remaining flat tops from that era; and

Proposed Ordinance designating property located at
606 North Memorial Boulevard and known as Diane Baum Cottage
as a Kill Devil Hills Local Historic Landmark

WHEREAS, the structure known as Diane Baum Cottage maintains its original integrity of design, setting, workmanship, feeling, and association on both the exterior architecture and interior finishes; and

WHEREAS, the structure known as Diane Baum Cottage maintains its original architectural appearance with concrete block exterior, a covered porch, and flat top roof; and

WHEREAS, the structure known as Diane Baum Cottage survived the Ash Wednesday Storm of 1962 with little damage, as well as other multiple hurricanes and nor'easters that caused major damage to surrounding structures, and a major tornado that destroyed property within the area; and

WHEREAS, the structure known as Diane Baum Cottage was built in the first era in Town that attracted working class to the Outer Banks; and

WHEREAS, although Diane Baum Cottage has undergone no additions since its construction, there have been upgrades; however, the house maintains the original floor plan layout; and

WHEREAS, the structure known as Diane Baum Cottage is one of the best examples of this type of architecture built in the time period, as well as the enclosed porch and flat roof synonymous with Outer Banks flat tops; and

WHEREAS, the location of Diane Baum Cottage in the Kitty Hawk Shores Subdivision with a clear view of Wright Brothers National Monument is connected to the history of the structure; now, therefore be it

ORDAINED BY THE KILL DEVIL HILLS BOARD OF COMMISSIONERS:

1. All of the property located at 606 North Memorial Boulevard in the Town of Kill Devil Hills is hereby designated as a local historic landmark pursuant to N.C.G.S. Chapters 160D-945 & 946. The property is presently owned by John Diane Baum, Donald Whiting, and Debra Whiting and is identified on Dare County Tax Maps as Pin No. 988419711959 and is further described on Exhibit A attached hereto and made a part hereof.
2. The significant features of the building located on this property may not be demolished, materially altered, restored, or removed, nor any new structure built upon the lot without a Certificate of Appropriateness being issued by the Kill Devil Hills Historic Landmarks Commission. Any application for the demolition of this building shall require the waiting period set forth in 160D-945 & 946.

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For purposes of this designation, “significant features” shall be understood to include:

- A. The exterior of the building
 - B. The grounds
3. Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any architectural feature in or on the said building and property that does not involve a change in design, material or outer appearance, nor to prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a Kill Devil Hills Building Inspector or similar official certifies to the Kill Devil Hills Historic Landmarks Commission that such action is required for the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances, or regulations.
4. A suitable Town-approved sign or plaque shall be posted indicating the property has been designated as a local historic landmark and containing any other appropriate information. If the owner consents, the sign or plaque shall be placed upon the building or property. If the owner objects, the sign or plaque shall be placed in the nearby public right-of-way.
5. The owner and occupants of the building known as “Diane Baum Cottage” shall be given notice of this ordinance as required by applicable law and copies of this ordinance shall be filed and indexed in the offices of the Town Clerk, Dare County Register of Deeds, the Town’s Building Inspector, and Dare County Tax Department as required by applicable law.

Adopted and approved by the Board of Commissioners of the Town of Kill Devil Hills at a regular meeting held on the ____ day of _____, 2024, by a vote of ____ in favor and ____ opposed.

SEAL

John Windley
Mayor

ATTEST:

James Michael O’Dell

Proposed Ordinance designating property located at
606 North Memorial Boulevard and known as Diane Baum Cottage
as a Kill Devil Hills Local Historic Landmark

Town Clerk

APPROVED AS TO FORM:

Casey C. Varnell
Town Attorney

NORTH CAROLINA
DARE COUNTY

I, the undersigned Notary Public do hereby certify that James Michael O'Dell personally appeared before me and acknowledged that he is the Town Clerk for the Town of Kill Devil Hills and that by authority duly given and as the act of the Town of Kill Devil Hills, the foregoing instrument was signed in its name by its Mayor, and attested by him as its Town Clerk. Witness my hand and official stamp or seal, this _____ day of _____, 2023.

SEAL

Notary Public

My commission expires _____

Local Historic Landmark Report
606 North Memorial Boulevard

This application initiates consideration of a property for designation as a Kill Devil Hills Local Historic Landmark by the Historic Landmarks Commission and the Board of Commissioners. It enables evaluation of the resources to determine if it qualifies for designation.

1. Historical Name
Masters Cottage

2. Location of the Property
606 North Memorial Blvd
Pin #988419711959
Attached is a copy of a Dare County Tax Map depicting the property.

3. Owner(s) of the Property
John Masters
46 Beverly Hills Dr
Newport News, VA 23606

Donald Whiting
Debra Whiting
42 Huguenot Rd
Newport News, VA, 23606

4. Representative Photographs of the Property
Photos are attached.

5. Deed Book and Legal Description of the Property
Attached is a complete chain of title for the property. The most current deed reference is in Dare County Deed Book 2733 page 0110 The property is shown on Dare County Tax Map 9884(19). The Tax Parcel number is 003945000. Dare County tax Record is attached for reference.

6. Architectural Description of the Property

The house located at 606 North Memorial Drive is clean a one-story single-family structure located near the Wright Brothers Monument in Kill Devil Hills of North Carolina. The house is comprised of a volume with varying projections on each side such that each side is unique. The stark white color and deep projecting eaves with exposed rafter framing mark it as close in style to the flat top cottages that are indigenous to the Outer Banks. In terms of materials, the house is primarily a smooth stucco veneer over what looks to be concrete masonry units. It is painted a continuous bright white color throughout. The roofs are slightly canted to better shed water. This is only visible on a few facades such as the Southern elevation. The windows do not look to be original in all cases and vary from the traditional double hung to picture and finally to a stacked awning combination. The window trim is a chunky wood that projects

visually from the wall plane. In general, there aren't many windows on this home. A white chimney rises from the clean lines of the roof but since it's centrally located (and painted white to match) within the volume of the house, it has less visual impact than it would if located on the exterior walls. The North side of the house is likely considered the practical entry the house with the parking areas and recessed front door flanked by nearly symmetrical windows. It is difficult to ascertain but this may have originally been a side entrance when constructed. The East side of the house faces the ocean and is the most unique. It has a large opening with rounded corners and wood horizontal lattice infill. There is also an arched opening that leads into the outdoor space and house beyond. One can speculate that this may have been the "front" of the house originally and it faces the street also but no drive aisle or sidewalk to this side are extant. In other flat top cottages, this would likely be a screen porch and a dramatic front door. Given the simplicity of the house overall, this punch of color from the natural and originality to the design is welcome to the eye. The West side of the house is secondary with a small outdoor shower and stepped back façade to allow for a small courtyard. The South side is very cut-up with two projecting volumes and here is the clearest indication that the roofs on this house aren't quite flat. This elevation has the least amount of windows and they are fairly small.

7. Historic Discussion of the Property

This house was built in 1953, according to Dare County tax records. The structure is located in the Kitty Hawk Shores Subdivision which was developed by the Kitty Hawk Shores Corporation. Ms. Diane Baum Frank bought the vacant property from Kitty Hawk Shores Corporation in 1952, and constructed the house in 1953. She owned the house until 1955 and then owned it again from 1959 until 1973. Ms. Baum, who was from Norfolk, VA, but had Baum family relatives living in Dare County and in Kill Devil Hills, bought the lot and large tract of adjacent land known as the "Baum Tract" in the early 1950s. The flat top house was one of the first houses built in the subdivision, with clear view of the Wrights Brothers memorial to the west. After Ms. Baum sold the house in 1973 it was used as a vacation and rental property and that continues to this day.

Assessment of the Significance of the Site

- a. *Special Significance in terms of its history, architecture, and/or cultural importance:*
Built in 1953, by Ms. Baum, who is a major figure in the history of the Outer Banks, Dare County and the Town of Kill Devil Hills. The structure's unique architecture was prominent at the time for its affordability, low cost of maintenance and sturdy construction. The concrete block on slab was designed because it was cool in the summer heat and the enclosed porches were utilized as a gathering place. Additionally, the concrete was used because after World War II lumber was very expensive and in short supply. The property is well preserved and maintains its original historic character. Ms. Baum's father owned and constructed the Orville Wright Hotel located at 207 N Va Dare Trail. Ms. Baum's father had actually obtained Orville Wright's permission to name the motel the Wilbur Wright Inn. Orville was staying there right after his brother had died and "Capt. Tom", as they called him, asked Orville if he could name the motel after Orville. Orville said if he would prefer it be named after his brother who had just died,

but that if he ever built another, "Capt. Tom" could name it after Orville. Ms. St. Clair later built the Orville Wright Inn immediately adjacent to the Wilbur Wright Inn. Ms. Baum served the Town of Kill Devil Hills in various voluntary positions. She served on the Board of Commissioners from May 1963 until October 1968 when she was elected Mayor and served until April 1969.

- b. *Integrity of the property's design, setting, workmanship, materials, feeling and/or association:* The house is approximately 931 square feet constructed of concrete block on slab with a flat roof. The house design was because the concrete block on slab was cool in the summer heat and the enclosed porches were utilized as a gathering place.

8. Assessment of the Property's Suitability for Preservation or Restoration, Educational Value, and Possibilities for Adaptive or Alternative Use

The property is in very good condition. The property has had minor renovations to the interior and the removal of the screen porch on the east side of the house. There are approximately a dozen of these structures in their original condition in Kill Devil Hills. It is one of the best examples of this type of architecture built in the time period. The property and structure would provide a great addition to the Town's Historic Landmark inventory. It embodies both the recognizable style from the flat top designs from the 1950s. It also provides an example of how both the design and build of the flat tops were able to endure the elements. The builder, Diane Baum was a pioneer visionary in the Town of Kill Devil Hills.

9. Total Tax Value of the Property

Total value of the property is \$280,100 according to the Dare County Tax Office.

10. Documentation of Historical Significance to the Town of Kill Devil Hills.

The structure was built in 1953 at the beginning of the development of the Kitty Hawk Shores Subdivision. Ms. Baum was a major contributor to the development and growth of the Town of Kill Devil Hills. She sold 322 acres known as the "Baum Tract" at a very discounted price to the Town of Kill Devil Hills for the purpose of community and government use. Currently, this is where the Senior Center known as the Baum Center, Town of Kill Devil Hills offices, Dare County Library, and Dare County Parks and Recreation, Casey R. Logan Disc Golf Course and Dare County Schools are now located. The structure survived numerous hurricanes that directly affected Dare County and the Town of Kill Devil Hills with major property loss, as well as the Ashe Wednesday and Halloween Storms. Additionally, the structure survived a major tornado that destroyed part of the hotel across the street.

11. Documentation of Architectural Significance to the Town of Kill Devil Hills.

The house is an original concrete block structure with stucco siding. This flattop style was similar to the flat tops designed and built by Frank Stick in Southern Shores. It is similar to a number of houses built in Kill Devil Hills in the late 50s and early 60s whose design is unique to that period for its architectural significance. These structures introduced an era in Town that attracted the working class to the Outer Banks making it no longer just for the wealthy elites. The structure is in excellent condition, having minor upgrades, it remains basically unchanged since it was constructed with few minor renovations. These original flat top structures are becoming rare on the Outer Banks. Adding this house to the historic designation would

provide the Town the ability to preserve a unique architectural design and classic style that was once prevalent both in this subdivision and throughout the adjoining towns.

12. National Register Criteria met by Property

Non-Applicable

13. Documentation for Inclusion of Accompanying Land

The lots on which the structure is located provide an appropriate setting for the building.

Bibliography

1. Christopher Nason, AIA Beacon Architecture and Design, PLLC Conducted the architectural review, and author of the architectural descriptions, Item No. 6
2. Coastland Times Obituary *Louise Diane Baum St. Clair*, published March 20, 2003.

CHAIN OF TITLE

1. This Deed made this the 22nd day of May 1952, by Kitty Hawk Shores Corporation, a corporation duly organized, created and existing under and by virtue of the laws of the State of New Jersey, party of the first part, to Diane Baum Frank, party of the second part; Lots Nos. 1 and 2 in Block 42, Section 1, as designated on revised map of Kitty Hawk Shores made by J.L. Foy, Registered Surveyor, April and May 1948, and duly recorded in Map Book 1, Page 126, in the office of the Register of Deeds of Dare County, NC
2. THIS DEED, made this the 30th day of August 1955 by Diane Baum Frank (Unmarried), party of the first part, to Marshall H. Parker and Aldon G. Hardy, Jr. of 315 York Street, Suffolk, Virginia, Parties of the second part: All those certain lots of land, together with the houses and improvements thereon, lying and being in the Kill Devil Hills, Atlantic Township, Dare County, North Carolina, and known as, designated and being Lots Nos. 1 and 2 in Block 42, Section 1 of the subdivision known as "Kitty Hawk Shores". Map or plat of said subdivision entitled "Revised Map of Kitty Hawk Shores, dated April and May 1948, made by J.L. Foy, Registered Surveyor, and duly recorded in Map Book 1, Page 126, office of the Register of Deeds of Dare County, North Carolina, reference to which is hereby made for a more particular description thereof. Together with easements in and to all roads and community beaches shown on aforesaid plat and annexes thereto, which shall be in common with other property owners in said subdivision. Same being a portion of the lands conveyed to Dian Baum Frank by Kitty Hawk Shores Corporation by deed dated May 22, 1952 and duly recorded in Book 42, page 328, office of the Register of Deeds of Dare County, North Carolina.
3. THIS DEED OF TRUST, made and entered into this the 1st day of July, 1957 by and between Marshall H. Parker (Unmarried) and Aldon G. Hardy, Jr. (Unmarried). All those certain lots of land, together with the houses and improvements thereon, lying and being in the Kill Devil Hills, Atlantic Township, Dare County, North Carolina, and known as, designated and being Lots Nos. 1 and 2 in Block 42, Section 1 of the subdivision known as "Kitty Hawk Shores". Map or plat of said subdivision entitled "Revised Map of Kitty Hawk Shores, dated April and May 1948, made by J.L. Foy, Registered Surveyor, and duly recorded in Map Book 1, Page 126, office of the Register of Deeds of Dare County, North Carolina, reference to which is hereby made for a more particular description thereof. Together with easements in and to all roads and community beaches shown on aforesaid plat and annexes thereto, which shall be in common with other property owners in said subdivision. Same being the lands conveyed to

Marshall H. Parker and Aldon H. Hardy, Jr. by Diane Baum Frank by deed dated August 30, 1955 and duly recorded in Book 63, page 398, office of the Register of Deeds of Dare County, North Carolina.

4. THIS CORRECTIVE DEED, made this the 18th day of January, 1973, by and between Diane Baum St. Clair and husband, Edward B. St. Clair, as Grantors, to James F. Bracey, as Grantee; Lots No. 1 and 2, Block 42, Section 1, of the subdivision known as Kitty Hawk Shores, as shown on revised map dated April and May, 1948, by J.L. Foy, Registered Surveyor, duly recorded in Map Book 1, page 126, Public Registry of Dare County, North Carolina, together with all buildings and improvements thereon situate and the furniture and fixtures therein situate. Together with easements in and to all roads and community beaches shown on the aforesaid plat and annexes thereto which shall be in common with other property owners in said subdivision. Same being a portion of that land conveyed to Diane Baum Voliva by deed of M. H. Parker et als dated July 17, 1959, and duly recorded in Book 86, page 441, Public Registry of Dare County, North Carolina
5. THIS DEED made this 7 day of June 1978, by and between GRANTOR James F. Bracey, Jr. and wife Joyce S. Bracey GRANTEE James C. Baker and wife, Sue J Baker, of Route 1, Box 319 Kill Devil Hills, NC 27948, as tenants by the entirety, Lots No. 1 and 2, Block 42, Section 1, of the subdivision known as Kitty Hawk Shores, as shown on revised map dated April and May, 1948, by J.L. Foy, Registered Surveyor, duly recorded in Map Book 1, page 126, Public Registry of Dare County, North Carolina, together with all buildings and improvements thereon situate and the furniture and fixtures therein situate. Together with easements in and to all roads and community beaches shown on the aforesaid plat and annexes thereto which shall be in common with other property owners in said subdivision. The property hereinabove described was acquired by Grantor by instrument recorded in Book 194, Page 37, and Book 196, page 352 Dare County Public Registry
6. THIS DEED made this 13th day of October, 1980, by and between GRANTOR JAMES C. BAKER Baker and wife, SUE J. BAKER GRANTEE DONALD D. JISKOOT, Single 1649 Wilton Road Petersburg, VA 23803 Lots No. 1 and 2, Block 42, Section 1, of the subdivision known as Kitty Hawk Shores, as shown on revised map dated April and May, 1948, by J.L. Foy, Registered Surveyor, duly recorded in Map Book 1, page 126, Public Registry of Dare County, North Carolina, together with all buildings and improvements thereon situate and the furniture and fixtures therein situate. Together with easements in and to all roads and community beaches shown on the aforesaid plat and annexes thereto which shall be in common with other property owners in said subdivision. The property hereinabove described was acquired by Grantor by instrument recorded in Book 264, page 18 Dare County Registry A Map showing the above property is recorded in Plat Book 1 page 126.
7. THIS DEED made this 19th day of June, 1985, by and between GRANTOR DONALD D. JISKOOT, Unmarried GRANTEE GEORGE PRICE, a one-half undivided interest and DOUG TUTWIELER, a one-half undivided interest. Lots No. 1 and 2, Block 42, Section 1, of the subdivision known as Kitty Hawk Shores, as shown on revised map dated April and May,

1948, by J.L. Foy, Registered Surveyor, duly recorded in Map Book 1, page 126, Public Registry of Dare County, North Carolina, together with all buildings and improvements thereon situate and the furniture and fixtures therein situate. Together with easements in and to all roads and community beaches shown on the aforesaid plat and annexes thereto which shall be in common with other property owners in said subdivision. Being the exact same land conveyed to the Grantor herein by deed of James C. Baker et ux, dated October 13, 1980 and duly recorded in Book 302, Page 547 of the Public Registry of Dare County, North Carolina. The property hereinabove described was acquired by Grantor by instrument recorded in Book 302, page 547 Public Registry of Dare County, North Carolina A Map showing the above property is recorded in Plat Book 1 page 126.

8. THIS DEED madet his 23rd day of December, 1987, by and between GRANTOR GEORGE PRICE one half undivided interest DOUG TUTWIELER a one-half undivided interest GRANTEE WALTER A. ARTRIP Lots No. 1 and 2, Block 42, Section 1, of the subdivision known as Kitty Hawk Shores, as shown on revised map dated April and May, 1948, by J.L. Foy, Registered Surveyor, duly recorded in Map Book 1, page 126, Public Registry of Dare County, North Carolina, together with all buildings and improvements thereon situate and the furniture and fixtures therein situate. Together with easements in and to all roads and community beaches shown on the aforesaid plat and annexes thereto which shall be in common with other property owners in said subdivision. The property hereinabove described was acquired by Grantor by instrument recorded in The Dare County Registry in Deed Book 406 Page 240. A map showing the above described property is recorded in Plat Book 1 page 126.
9. THIS DEED made February 28, 2014, by and between GRANTOR Walter A. Altrip, GRANTEE Tucker Gerard Freeman Lot No 1. in Block 42, section 1, of the subdivision known as Kitty Hawk Shores, as shown on a revised map dates April and May, 1948, by J.L. Foy, Registered Surveyor, and recorded in Map Book 1, Page 126, Public Registry of Dare County, North Carolina, together with all buildings and improvements thereon situate and the furniture and fixtures therein situate. Together with easements in and to all roads and community beaches shown on the aforesaid plat and annexes thereto which shall be in common with other property owners in said subdivision. All or a portion of the property herein conveyed does include the primary residence of the Grantor. The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 550, Page 478, Dare County Registry. A map showing the above described property is recorded in Map Book 1, Page 126.
10. THIS DEED made this 21st day of March, 2024, by and between GRANTOR THOMAS P. MOORLEIGHEN, Executor of the ROSS E. FREEMAN, JR. Estate and THOMAS P. MOORELEIGHEN, Successor Trustee of the ROSS E. FREEMAN, JR. 2023 Revocable Trust Agreement, dated July 12, 2023 GRANTEE JOHN BRANCH MASTERS Lot No 1. in Block 42, section 1, of the subdivision known as Kitty Hawk Shores, as shown on a revised map dates April and May, 1948, by J.L. Foy, Registered Surveyor, and recorded in Map Book

1, Page 126, Public Registry of Dare County, North Carolina, together with all buildings and improvements thereon situate and the furniture and fixtures therein situate. Together with easements in and to all roads and community beaches shown on the aforesaid plat and annexes thereto which shall be in common with other property owners in said subdivision. The property hereinabove described was acquired by Grantor by instrument recorded in Deed Book 2725, page 191. A map showing the above described property is recorded in Plat Book 1 page 126. Tucker Gerard Freeman died August 2, 2018 in Dare County (see estate file 18-E-461) and Ross E. Freeman, Jr died September 15, 2023 in Newport, Rhode Island (see estate file 24-E-1097 in Dare County)

11. THIS DEED made this 8th day of May, 2024, by and between GRANTOR John Branch Masters and Jodi Masters, husband and wife GRANTEE Donald J. Whiting and wife, Debra W. Whiting a one half undivided interest. Lot No 1. in Block 42, section 1, of the subdivision known as Kitty Hawk Shores, as shown on a revised map dates April and May, 1948, by J.L. Foy, Registered Surveyor, and recorded in Map Book 1, Page 126, Public Registry of Dare County, North Carolina, together with all buildings and improvements thereon situate and the furniture and fixtures therein situate The property hereinabove was acquired by Grantor by instrument recorded in Book 2733, Page 110.







