

**PETITION FOR APPROVAL TO PERMANENTLY RELOCATE OBJECT OF
REMEMBRANCE**

Introduction

This is a petition (the "Petition") submitted to the North Carolina Historical Commission pursuant to N.C. Gen. Stat. § 100-2.1 requesting approval for the permanent relocation of an object of remembrance known as the Henry Clay Oak Monument to a safer and more visible location approximately 148 feet east of its current location. This proposed relocation is necessitated by the construction of a new driveway access together with a reconfiguration of the State-owned property on which the Monument is located. The proposed relocation will keep the Monument on the same tract of land on which it is currently located but move it to a place of enhanced prominence, honor and visibility.

Parties

1. Petitioner, Mabelle Sanders, is the Secretary of the North Carolina Department of Administration.
2. The North Carolina Department of Administration is charged with the duty to locate, maintain, and care for monuments, memorials, and markers located on public grounds. N.C. Gen. Stat. § 143-341(8)(a).
3. The North Carolina Department of Natural and Cultural Resources operates certain properties within the State that have historical and cultural significance. *See* N.C. Gen. Stat. § 143B-51(a).
4. The North Carolina Historical Commission (the "Commission") is charged with promulgating "rules and regulations to be followed in the acquisition, disposition, preservation, and use of records, artifacts, real and personal property." N.C. Gen. Stat. § 143B-62.

Property

5. As detailed in Exhibit 1 (the relevant entry from "Commemorative Landscapes of North Carolina"), the Henry Clay Oak Monument is a historic marker comprised of two bronze plaques attached to an unfinished granite block with an arched top. The Monument was erected in 1939 by the Colonel William Polk Chapter of the Daughters of the American Revolution at the base of an oak tree under which Henry Clay, then a presidential candidate, is claimed to have penned his famous "Raleigh Letter" opposing the annexation of Texas while visiting Raleigh in 1844. The oak tree for which it is named was determined to be diseased and was therefore destroyed in 1991.
6. The Monument is located on the north side of East North Street just to the west of its intersection with North Blount Street. It is on a lot containing the Howell House located at 111 East Street and is near the Andrews-Duncan House historic property located at 407 North Blount Street.

Jurisdiction

7. The Commission has jurisdiction to approve the Petition pursuant to N.C. Gen. Stat. § 100-2.1(b). (establishing that no “monument, memorial, or work of art owned by the State may . . . be removed, relocated, or altered in any way without the approval of the North Carolina Historical Commission”).

Grounds for Relocation and Necessity for Prompt Review

8. The Monument is located on property of the State of North Carolina. Appropriate measures are required by the State to ensure the Monument’s preservation.

9. As detailed on Exhibit 2 (an excerpt of a survey for the State of North Carolina by Sullivan Surveying dated 14 January 2018), the current location is immediately adjacent to a newly-constructed shared driveway that provides access to five properties as well as to a parking lot. The proposal is to move the Monument approximately 148 feet east, within the existing lot but away from the driveway. The proposed relocation would put the Monument in a more prominent and visible location, facing North Blount Street near the northwest corner of the intersection of North Blount Street with East North Street.

10. As set forth in Exhibit 3 (a letter dated June 15, 2018 from the Regent of the Colonel William Polk Chapter of the Daughters of the American Revolution), the D.A.R. “strongly supports” the proposal to move the Monument to a location facing Blount Street.

11. Time is of the essence in approving the Petition and proceeding with the proposed relocation of the Monument.

Requested Relief

WHEREFORE, Petitioner prays that the Commission:

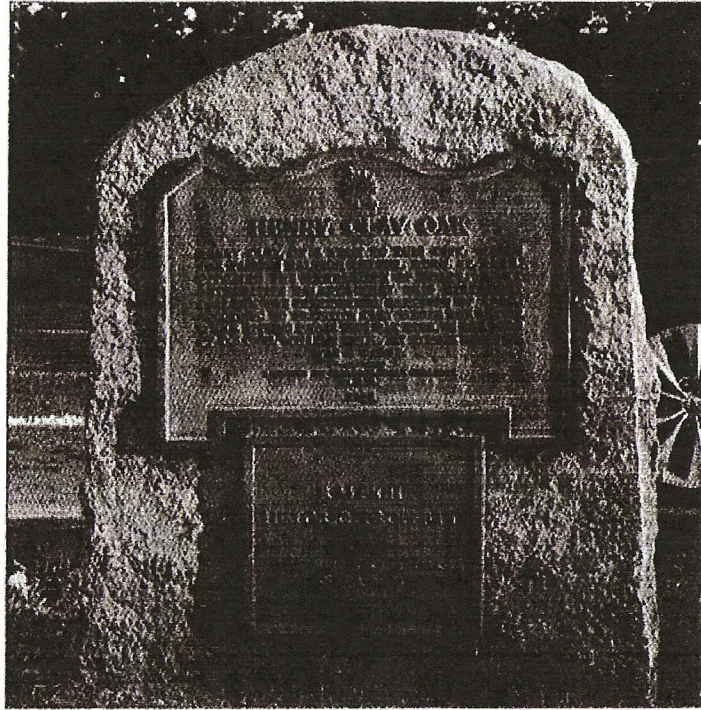
1. Deems this Petition properly filed and promptly considers it at the Commission’s next meeting;
2. Promptly approves the Petition and authorizes the proposed permanent relocation; and
3. Awards Petitioner such other relief as the Commission deems proper and equitable.

This the 30th day of November, 2018.

NORTH CAROLINA DEPARTMENT OF ADMINISTRATION


Machelle Sanders, Secretary

Commemorative Landscapes of North Carolina



Source: Henry Clay Oak, Raleigh. Photo courtesy of Rusty Long

Monument Name	Henry Clay Oak, Raleigh
Type	<u>Marker</u>
Subjects	<u>Historic Political Figures</u>
City	<u>Raleigh</u>
County	<u>Wake</u>
Description	<p>The marker consists of an unfinished granite block with an arched top and two bronze plaques. The upper plaque with the inscription denoting the spot Henry Clay wrote his famous "Raleigh Letter" has a serpentine shaped top and includes the symbol for the Daughters of the American Revolution. The lower plaque denotes the site as historic property.</p> <p>Images: <u>Bronze plaques</u></p>
Inscription	<p>Upper plaque: HENRY CLAY OAK / HENRY CLAY, ON A VISIT TO THIS CITY, WROTE / THE FAMOUS RALEIGH LETTER, APRIL 14, 1844, / OPPOSING THE ANNEXATION OF TEXAS. MANY / AUTHORITIES BELIEVE THAT THIS STATEMENT / COST HIM THE PRESIDENTIAL ELECTION OF 1844. / ACCORDING TO TRADITION CLAY WROTE THE LETTER / WHILE SITTING UNDER THIS OAK TREE, IN THE YARD / OF COLONEL WILLIAM POLK, AT</p>


<http://docsouth.unc.edu/commland/monument/406/>

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WHOSE HOME HE / WAS A GUEST. / ERECTED BY COLONEL POLK CHAPTER
/ D.A.R. / 1939

Lower plaque: RALEIGH / HISTORIC PROPERTY / THE HENRY CLAY OAK /
CIRCA 1650

Custodian	City of Raleigh
Dedication Date	1939
Decade	1930s
Geographic Coordinates	35.784670 , -78.636770 View in Geobrowse 
Supporting Sources	<p>Associated Press. "Raleigh to lose old oak tree," <i>The Dispatch</i> [Lexington, N.C.], September 25, 1991, (accessed November 10, 2015) Link</p> <p>Clay, Henry. <i>Papers Volume 10</i>. University of Kentucky Press, 1959, p. 41-46. [Clay's letter to the Editors of the <i>Washington Daily National Intelligencer</i> from Raleigh, April 17, 1844.]</p> <p>Morris, John. "Memorializing A Magnificent Oak And The Great Pacificator," Goodnight Raleigh, http://goodnightraleigh.com/, (accessed November 11, 2015) Link</p> <p>Murray, Elizabeth Reid. 2006. "Henry Clay Oak," NCpedia.org, (accessed July 27, 2013) Link</p> <p>North Carolina State Department of Archives and History. <i>The North Carolina Historical Review</i> Volume XXXVI, No. 1 (January 1960). Raleigh, NC: North Carolina Historical Commission, 5, (accessed July 27, 2013) Link</p> <p>"Henry Clay Oak," The Historical Maker Database, HMdb.org, (accessed November 11, 2015) Link</p> <p>Show More Sources</p>
Public Site	Yes
Materials & Techniques	Bronze, granite
Sponsors	Colonel Polk Chapter, Daughters of the American Revolution
Subject Notes	A Whig presidential candidate Henry Clay is claimed to have penned his famous "Raleigh letter," while sitting under an oak tree that once stood at this site. The letter supposedly cost him the presidential election of 1844. The widely read letter opposed annexation of Texas and predicted a war with Mexico. The tree, thought to

be between 200 and 300 years old, was so diseased that it was destroyed on October 9, 1991.

Location

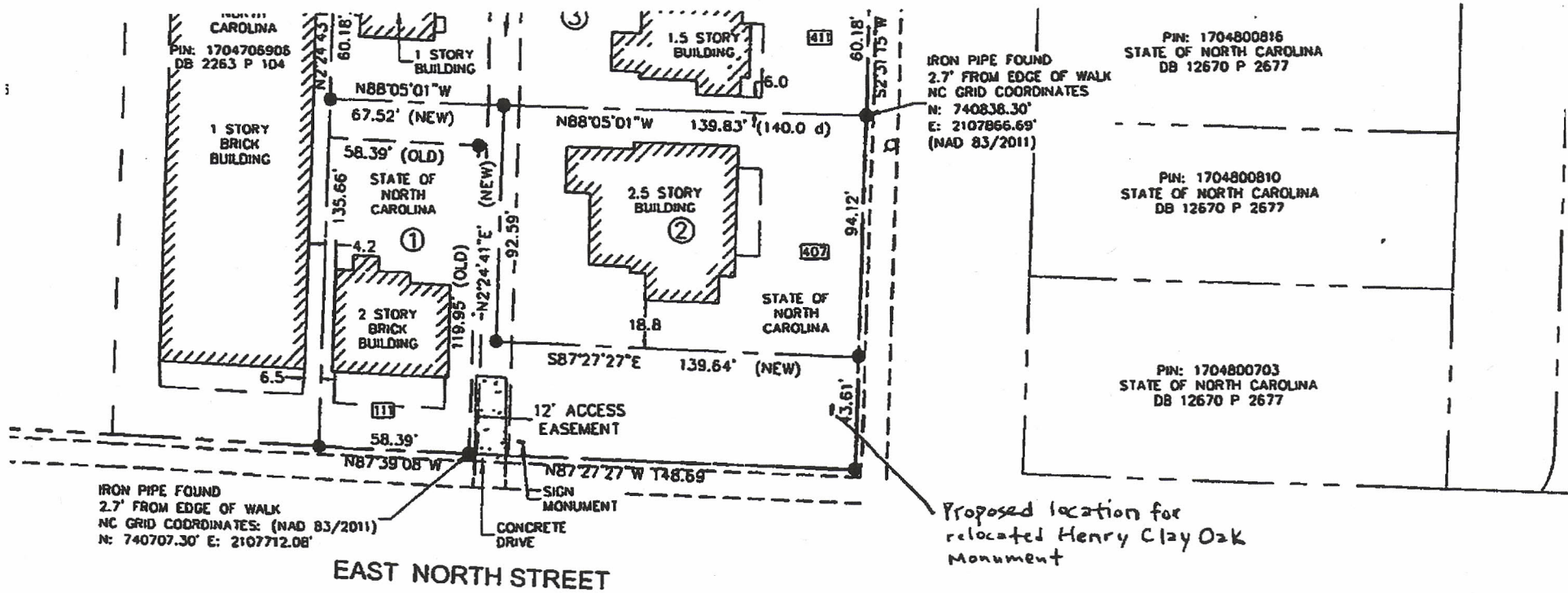
The marker is located on the north side of East North Street just to the west of the intersection with North Blount Street. The marker is just off the sidewalk on the southwest corner of an empty lot where the William Polk House once stood. It is on the same side of the street and near the Andrews-Duncan House historic property located at 407 N. Blount Street but a photo from 1965 shows a house since removed between the marker and the Andrews-Duncan house.

Landscape

The marker is located on the grass just off the sidewalk.



Know anything else about this monument that isn't mentioned here? If you have additional information on this or any other monument in our collection fill out the form at the Contact Us link in the footer. Thank you.



1597
CAROLINA
422

SULLIVAN SURVEYING
1143-D EXECUTIVE CIRCLE CARY, NC 27511
(919) 469-4738 FAX: (919) 469-8447

EXEMPT SURVEY FOR:
STATE OF NORTH CAROLINA
OPEN SPACE DEDICATION MAP

OWNER(S): STATE OF NORTH CAROLINA
STATE PROPERTY OFFICE
116 W JONES ST
RALEIGH, NC 27603-1300

DATES OF REVISION

0 25 50 100
SCALE IN FEET

RALEIGH TOWNSHIP, CITY OF RALEIGH

WAKE COUNTY	NORTH CAROLINA
SCALE: 1" = 50'	PIN: 1704706906
DRAWN BY: SPH	SURVEYED BY: TREY
DATE: 14 JANUARY 2018	JOB # 18114
FILE: 18114-05	

CARY
RES ONLY



**Debra P. Pappas
4308 Cedar Oak Wynd
Raleigh, NC 27612**

June 15, 2018

**R. Donavon Munford, Jr.
Henry Clay Oak House, LLC
3312 Landor Road
Raleigh, NC 27609**

Re: Henry Clay Oak Monument

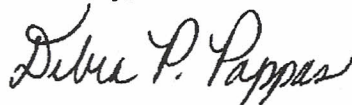
Dear Mr. Munford:

I write this letter in my role as Regent of the Colonel William Polk Chapter of the Daughters of the American Revolution, located in Raleigh. We understand that you and your company are interested in moving the Henry Clay Oak Monument on North Street that was erected in 1939 by this Chapter. By a motion to act made and seconded at our Chapter meeting on March 13, 2018, our Chapter voted and strongly supports your proposal to move the monument to a location facing Blount Street and make other improvements to it.

If our Chapter or I can be of further assistance in this project, please contact me.

With best regards, I am

Sincerely,



Debra P. Pappas

