

United States Department of the Interior
National Park Service

National Register of Historic Places Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name Utley-Council House

other names/site number _____

2. Location

street & number South side SR 1390 .4 miles with of junction with SR 1387 (4009 Optimist Farm Road) N/A not for publication

city or town Apex vicinity

state North Carolina code NC County Wake code -061 zip code 27502
183

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set for in 36 CFR Part 60. In my opinion, the property meets does not meet the National Register criteria. I recommend that this property be considered significant nationally statewide locally. (See continuation sheet for additional comments.)

Jeffrey Crow SHPO 3/5/02
Signature of certifying official/Title Date

North Carolina Department of Cultural Resources
State or Federal agency and bureau

In my opinion, the property meets does not meet the National Register criteria. (See Continuation sheet for additional comments.)

Signature of certifying official/Title Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that the property is:

entered in the National Register.
 See continuation sheet

determined eligible for the National Register.
 See continuation sheet

determined not eligible for the National Register.

removed from the National Register.

other, (explain:) _____

Signature of the Keeper

Date of Action

Utley-Council House
Name of Property

Wake, NC
County and State

5. Classification

Ownership of Property
(Check as many boxes as apply)

Category of Property
(Check only one box)

Number of Resources within Property
(Do not include previously listed resources in count.)

- private
- public-local
- public-State
- public-Federal

- building(s)
- district
- site
- structure
- object

Contributing	Noncontributing	
2	0	buildings
0	0	sites
0	0	structures
0	0	objects
0	0	Total

Name of related multiple property listing
(Enter "N/A" if property is not part of a multiple property listing.)

Historic and Architectural Resources of Wake County
ca. 1770-1941

**Number of Contributing resources previously listed
in the National Register**

N/a

6. Function or Use

Historic Functions
(Enter categories from instructions)

Domestic: single dwelling
Domestic: secondary structure

Current Functions
(Enter categories from instructions)

Domestic: single dwelling
Domestic: secondary structure

7. Description

Architectural Classification
(Enter categories from instructions)

Early Republic: Federal

Materials
(Enter categories from instructions)

foundation Stone
walls Wood: weatherbaord
Metal: aluminum
roof Asphalt
other Brick

Narrative Description

(Describe the historic and current condition of the property on one or more continuation sheets.)

See continuation sheets

Utlely-Council House
Name of Property

Wake, NC
County and State

8. Statement of Significance

Applicable National Register Criteria

(Mark "X" in one or more boxes for the criteria qualifying the property for National Register listing.)

- A** Property is associated with events that have made a significant contribution to the broad patterns of our history.
- B** Property is associated with the lives of persons significant in our past.
- C** Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
- D** Property has yielded, or is likely to yield, information important in prehistory or history.

Criteria Considerations

(Mark "X" in all the boxes that apply.)

Property is:

- A** owned by a religious institution or used for religious purposes.
- B** removed from its original location.
- C** moved from its original location.
- D** a cemetery.
- E** a reconstructed building, object, or structure.
- F** a commemorative property
- G** less than 50 years of age or achieved significance within the past 50 years.

Areas of Significance

(Enter categories from instructions)

Architecture

Period of Significance

c. 1820

Significant Dates

c. 1820

Significant Person

(Complete if Criterion B is marked)

N/A

Cultural Affiliation

N/A

Architect/Builder

unknown

Narrative Statement of Significance

(Explain the significance of the property on one or more continuation sheets.)

9. Major Bibliographical References

Bibliography

(Cite the books, articles, and other sources used in preparing this form on one or more continuation sheets.)

Previous documentation on file (NPS):

- preliminary determination of individual listing (36 CFR 67) has been requested
- previously listed in the National Register
- Previously determined eligible by the National Register
- designated a National Historic Landmark
- recorded by Historic American Buildings Survey # _____
- recorded by Historic American Engineering Record # _____

Primary location of additional data:

- State Historic Preservation Office
- Other State Agency
- Federal Agency
- Local Government
- University
- Other

Name of repository:

State Archives, Wake County Register of Deeds

Utley-Council House
Name of Property

Wake, NC
County and State

10. Geographical Data

Acreage of Property 2.0

UTM References

(Place additional UTM references on a continuation sheet.)

1 17 3948720 702100
Zone Easting Northing
2 _____

3 _____
Zone Easting Northing
4 _____

See continuation sheet

Verbal Boundary Description

(Describe the boundaries of the property on a continuation sheet.)

Boundary Justification

(Explain why the boundaries were selected on a continuation sheet.)

11. Form Prepared By

name/title Ellen Turco & April Montgomery
organization Circa, Inc date December 04, 2001
street & number P.O. Box 407 telephone 919-416-1016
city or town Durham state NC zip code 27702

Additional Documentation

Submit the following items with the completed form:

Continuation Sheets

Maps

A **USGS map** (7.5 or 15 minute series) indicating the property's location

A **Sketch map** for historic districts and properties having large acreage or numerous resources.

Photographs

Representative **black and white photographs** of the property.

Additional items

(Check with the SHPO or FPO for any additional items.)

Property Owner

(Complete this item at the request of SHPO or FPO.)

name David Danehower
street & number 4009 Optimist Farm Road telephone _____
city or town Apex state NC zip code 27502

Paperwork Reduction Act Statement: This information is being collected for applications to the National Register of Historic Places to nominate properties for listing or determine eligibility for listing, to list properties, and to amend existing listing. Response to this request is required to obtain a benefit in accordance with the National Historic Preservation Act, as amended (16 U.S.C. 470 *et seq.*)

Estimated Burden Statement: Public reporting burden for this form is estimated to average 18.1 hours per response including time for reviewing instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate or any aspect of this form to the Chief, Administrative Services Division, National Park Service, P. O. Box 37127, Washington, DC 20013-7127; and the Office of Management and Budget, Paperwork Reductions Projects (1024-0018), Washington, DC 20303

**United States Department of the Interior
National Park Service**

**National Register of Historic Places
Continuation Sheet**

Section number: 7 page: 1

Narrative Description

Setting

A prominent landmark along what was once the primary route to the Johnston County town of Smithfield, the Utley-Council House is located at 4009 Optimist Farm Road (south side of Secondary Road 1390, .4 miles west of the junction with Secondary Road 1387), Apex vicinity, Wake County. Optimist Farm Road originally ran from Smithfield to Pittsboro, hence the name "Smithfield-Pittsboro Road" marked on nineteenth century maps of the area. It remained a gravel unimproved road until it was paved by the state in early 1990s. A north-south running creek called Camp Branch passes under the road .1 miles west of the Utley-Council House.

The north-facing house sits on a two-acre parcel in the Middle Creek Township of southern Wake County. The parcel lies in the coastal plain geographical region. Today, Middle Creek Township is experiencing rapid suburban expansion from the neighboring municipalities of Cary and Apex. Cary's population has increased more than three hundred percent since 1980, growing to ninety-four thousand in 2000 (Census 2000). The Cary city limits now reach the north side of Secondary Road 1390. Development in the vicinity of the historic property consists of two new public schools on large tracts of land and houses on large lots. Despite the changes in land use from agricultural to suburban residential, the land immediately surrounding the Utley-Council House remains open due to the character of recent development.

One historic outbuilding remains on the Utley-Council parcel. A circa 1820s mortise-and-tenon smokehouse is located approximately twenty-five feet from the dwelling's southwest corner. The foundation of the current well, located behind the house, dates from the 1950s. The stone that lines the well may have been reused from the base of the chimney of the original kitchen, which burned in the 1950s. The two-acre yard surrounding the house is replete with both decorative and functional plantings. A mature stand of crepe myrtles lines the east side of the driveway. A large, early boxwood grows at the northwest corner of the house. Native junipers of varying size are found around the house, including a three hundred-year-old specimen immediately south of it. Despite the juniper's massive size, trunk evidence indicates that it is only a remaining branch of the original tree, which appears to have been partially burned by a lightning strike. In addition to decorative landscape plants and shrubs there remain vestiges of plants and trees used for food, household uses, and perhaps income. The remains of an arbor of muscadine grapes is located at the northwest corner of the yard. Two fig bushes are located on the tract, one to the southeast and one to the southwest of the house. Numerous loblolly pines in diameters of up to two feet are found on the property. Several of these pines were used in the past to obtain turpentine as evidenced by the large slashes approximately three feet from the bases of the trees.

House Exterior

Stylistic clues date the Utley-Council House to the first quarter of the nineteenth century, although a definitive date of construction has not been established. The house is a rare example of Federal period architecture in the southwestern portion of Wake County. The majority of the county's pre-Civil War houses survive in the more affluent northern and eastern portions of the county. The Utley-Council House can be described as a simple, yet well-constructed, backcountry interpretation of the nationally popular Federal, or Adam style, which dominated American architecture from 1780 to 1820. Symmetry and delicate detail characterize the pure form of the style. While the Utley-Council House adheres strictly to neither tenet, its overall form and details refer to the national style of the day.

**United States Department of the Interior
National Park Service****National Register of Historic Places
Continuation Sheet**Section number: 7 page: 2

The house is an asymmetrical, two-story, three bay, frame dwelling topped with a side-gable roof that slopes steeply to an extended rear shed. The roofline is the result of a 1950s renovation that added to the rear a full-length first floor kitchen with a second story above. It was common for an I-house to have a one-story shed across the rear elevation. The configuration of the interior rooms and evidence in the framing suggests this may have been the case at the Utley-Council House. However, it is not certain if the house had retained its rear shed at the time of the 1950s addition. A wooden deck with a lattice balustrade wraps from the west elevation around the rear of the house. The deck was constructed by the current property owner in 1997. Numerous slates found in the yard suggest slate once covered the roof. Today, it is covered with gray asphalt shingles dating from 2000. The structure is flanked by two impressive exterior-end concave shouldered chimneys with freestanding stacks laid in Flemish bond. The quality of the brickwork is exemplary. Remnants of the white paint applied to the scored mortar joints is still evident. The house sits on original stone foundation piers, as well as additional brick supports added at a later, unknown date.

The front (north) elevation displays the vertical emphasis that characterizes Federal architecture, as well as a notable lack of ornamentation. Under the roofline of the front elevation is an unadorned box cornice. It is a simple finish detail that attests to the fine quality of the dwelling. The front façade retains a mixture of original beaded weatherboards with a six-inch exposure, and matching replacement weatherboards generally found on the lower two-thirds of the façade. The other facades are sheathed in aluminum siding installed at the time of the 1950 renovations undertaken by Ms. Sally Beard. Plain, attenuated corner boards define the front corners of the house. The most prominent feature of the front façade is the single-story projecting entrance portico that shelters the six-panel entry door set in a simple beaded, molded surround. Simple yet classically inspired one-story entry treatments are a hallmark of houses constructed during the Federal era. Three wood treads lead from the ground to the temple form porch. Its flared gable is covered with flush sheathing. The roof is supported by two square, tapered posts that rest on the flooring. The portico is a historically based reconstruction built by local restoration carpenter Patrick Schell in 1989. The property owner could find no documentary photographs illustrating the porch's original appearance, so its size and form are based on physical evidence found on the structure's frame. Detailing is conjectural but based on that of the Patty Person Taylor House, a Federal house in Franklin County. The 1989 porch replaced a concrete slab stoop and salvaged Colonial Revival entry featuring side panels and topped by a shelf supported by modillion brackets. This entry treatment is attributed to Sally Beard in the mid-twentieth century.

The small, uncentered windows, and the lack of an opening in the second story central bay, contribute to the house's slightly asymmetrical appearance. However, this window configuration is necessitated by the house's somewhat unusual hall-and-parlor plan. Four original double-hung, six-over-nine windows are found on the front façade, two on either side of the entry and two above them on the second floor. Glass panes are set in three-quarter inch convex muntins terminating in central fillets. Windows of the front façade are set in three part surrounds. Each window has a beaded sill.

The house's original I-house form is still evident from the side elevations. The predominant feature of both the east and west elevations are the Flemish bond chimneys. The Utley-Council House's flush gable ends are another hallmark of the Federal style. On the first story of the west elevation, a narrow four-over-six light double hung window pierces the exterior wall in front of the Flemish bond chimney. These narrow windows are found on both the east and west elevations and are original to the house. Three modern double hung windows pierce the west façade to illuminate the first and second story bathrooms created during the 1950s expansion; one on the second story, and two on the first. A twentieth-century

**United States Department of the Interior
National Park Service****National Register of Historic Places
Continuation Sheet**

Section number: 7 page: 3

brick flue is located towards the rear of the west elevation. This later chimney, no longer in use, likely vented a kitchen stove used prior to the addition of the 1950s kitchen. Original beaded weatherboards are evident where the aluminum siding has been removed just above the foundation.

The Flemish bond chimney dominates the east elevation as well. In 1990 restoration contractor Todd Dickinson replaced the footing of the east chimney in an effort to halt a large crack that extends upward from the base. The only original windows are the two, first story, four-over-six sash windows that flank the chimney. A square vent is evident high up in the gable just north of the chimney. The opening looks suspiciously like a window masked by aluminum siding. However, there is no interior evidence in the attic that this was ever the case. Paired six-over-six windows are stacked on the first and second stories of the rear shed. The window pairs light the study and rear bedroom, respectively. An exterior door that leads to the kitchen is located at the southeast corner of the house.

Sheathed in aluminum siding, the rear elevation is completely modern in appearance. The asphalt roof dominates the façade. It slopes steeply from the ridgeline with a slight break in the middle, and continues to an overhanging eave. This deep overhang is out of character with the boxed cornice of the front elevation and flush gables of the side elevations. The six-over-six paired windows at the southeast corner are identical to those on the east elevation. Smaller paired windows that match those on the west elevation are centered on the rear façade. At the southwest corner of the house is a door that leads from the deck to the kitchen pantry. The 1997 deck sits approximately three feet off the ground. Square posts topped by pyramidal caps and connected with lattice enclose the deck. A corner stair with six risers leads to the rear yard.

House Interior

The original floor plan of the Utlely-Council House consisted of a two-story hall-and-parlor plan, a characteristic form and plan among substantial farmers in Wake County until the mid-nineteenth century when the center hall plan became widespread (Lally 30). The rear shed was incorporated into a 1950s addition that created the current kitchen and a bedroom, hall and bath upstairs. However, the first and second stories of the main block retain the original hall-and-parlor plan. The simple, Federal interior finishes are found in the main block.

The house is entered through the six-panel entry door that opens into the hall. The hall served as the multipurpose public room of the dwelling, therefore, it contains the dwelling's most finely finished details. A simple wainscot consisting of wide pine planks topped with a molded chair rail decorates each wall of the hall. The five-foot high Federal mantelpiece is the focal point of the room. The mantel features simple slender pilasters supporting a flat paneled architrave and molded shelf. It is flanked on each side by original, narrow, four-over-six sash windows. The windows are encased in simple beaded Federal surrounds. The narrow crown molding was likely added during the 1950s renovation when the original pine plank walls were covered with sheet rock. Sheet rock obscures the plank walls throughout the house with the exception of the partition wall that divides the hall-and-parlor. Diagonal pine sheathing with hand plane marks is visible from inside the enclosed stair. It is unknown if the original ceiling treatment was plank, like the walls, or exposed beams. Most certainly the ceiling would not have been plastered, as plaster is not found anywhere in the house. Narrow pine replacement boards obscure the original flooring in both the hall-and-parlor of the first story. The original boards were likely the same as the eight-inch tongue-and-groove flooring that remains in the second story of the main block.

**United States Department of the Interior
National Park Service**

**National Register of Historic Places
Continuation Sheet**

Section number: 7 page: 4

Another six-panel door set in a Federal surround separates the hall from the parlor. While the hall provided a public space for the family, the smaller parlor provided a private space to which family members could retreat. The enclosure of the box stair projects into the room, further reducing the space. The finishes are similar to those of the hall, with the notable absence of the paneled wainscot, which may have been removed or covered in the 1950s when the sheet rock was installed, if it ever existed at all. The five-foot high mantel is very similar in detail to the one found in the hall. The firebox has been reworked with twentieth century brick. The room is illuminated by one six-over-nine sash window on the front façade and a narrow four-over-six window on the west façade, north of the fireplace. Window surrounds of the parlor are identical to those of the hall.

On the first story, the rear portion of the house is accessed from a doorway across from the main entry. The long, narrow room, currently used as a dining room, may be the location of an original one-story rear shed. However, no elements of the room hint at its age. Oak floors cover, or have replaced, what was likely pine. The south wall is sheathed in 1950s knotty pine paneling. Built in shelves cover the walls at the west end of the room. Also, at the west end is a door that leads to a bathroom. The dining room may have been the location of the indoor kitchen prior to the addition of the present day kitchen in the rear of the house. The kitchen/breakfast area is accessed via two entry doors on the south hall of the study. The room is bright due to its southern exposure. Cabinetry dates from the 1950s, as well as some more recent ones installed in the 1990s. A small pantry is located at the west end of the kitchen. The floors are narrow oak and vinyl.

The second story is accessed by an enclosed winder stair located immediately inside the front door. The stair rises from front to back along the partition wall dividing the hall from the parlor. In the stairwell, the original diagonal pine wall sheathing remains visible on both the partition wall and the wall separating the stair from the hall, suggesting the enclosed stair treatment is original and did not replace an earlier balustrade. The second story floor plan reflects the hall-and-parlor rooms downstairs, with a large bedroom over the hall and a smaller one over the parlor. The door to the larger bedroom is a replacement door. It appears that moldings were added to the Federal door surrounds to accommodate the thickness of the sheet rock that now obscures the original pine sheathing. The larger room features a very simple Federal post and lintel mantel. A six-over-nine double hung window is centered in the north wall. The smaller room, located over the parlor, also retains its post and lintel mantel. The second floor bedrooms contain the only visible original flooring in the house. This flooring consists of eight-inch wide tongue-and-groove pine planks. The use of tongue-and-groove flooring suggests that the ceiling of the hall may have been exposed beams. Two steps down lead from the main block to the landing hall of the rear shed addition. A bathroom is located off of the east side of the hall, and a bathroom is located to the west. Details are minimal and consistent with 1950s construction. The rear rooms have the same narrow oak flooring found in the downstairs addition.

Smokehouse

An eight-by-fourteen foot smokehouse is the only remaining outbuilding on the parcel. Construction techniques and detailing date the smokehouse to the same era as the dwelling. Its vertical appearance, flush gable ends and boxed eaves reflect details of the house. The smokehouse sits on stone foundation piers approximately twenty-five feet from the southwest corner of the dwelling. The structure is of mortise-and-tenon construction with the joints secured by wooden pegs. Corner bracing further reinforces the frame. The ten-by-ten-inch sills are hand hewn. Five-by-five-inch sash-sawn studs form the walls which are covered with six-and-one-half inch exposure weatherboards secured by cut nails. The presence of cut nails indicates that the siding is not original, but may date from the late nineteenth or early twentieth

**United States Department of the Interior
National Park Service****National Register of Historic Places
Continuation Sheet**Section number: 7 page: 5

century. The interior is stained from the smoke and the salts used to cure the meat. The only significant alteration to the smokehouse is the addition of a metal frame window sash in the south elevation. It is not known when this change was made, but the sash appears to date from the mid-twentieth century. The board-and-batten entry door in the north elevation is a recent replacement door. The smokehouse was used for its original purpose through the 1950s (Woodard interview).

Integrity Statement

Though the Utley-Council House has undergone alterations in its one hundred and eighty-year history, the house retains many architectural features characteristic of a Wake County Federal period house. The floor plan of the main block is entirely intact and much of the original fabric remains on both the interior and the exterior. Notable exterior features include the fine Flemish bond chimneys, boxed cornice and the six-over-nine double hung window sash. The interior displays Federal influenced mantels, wainscot, doors and trim. Some original materials have been obscured by twentieth century modernizations. However, the materials have not been destroyed and could be uncovered at any time. Many beaded weatherboards are intact under exterior aluminum siding. On the interior, pine sheathing survives throughout the house under the sheet rock. If these changes were reversed, the main block of the house would appear virtually unaltered from the date of construction.

The most significant alterations are attributed to Sally Beard, who owned the house from 1956 to 1965. Local tradition holds that Ms. Beard altered the overall form of the house and "modernized" the interior sometime after 1956. These changes altered the house's I-house form and gave it the extended gable roof line that it has today. Ms. Beard extended the rear shed to create the kitchen and the bedroom and bathroom above it. The first story bath was also added at this time. By the 1930s and 1940s indoor plumbing, kitchens, bath and electricity were becoming common in Wake County (Lally, *Historic Architecture* 150). It is plausible that the Utley-Council House did not receive indoor plumbing until Ms. Beard's renovation. Other changes to the interior include the installation of sheet rock over the original pine wall sheathing and the covering of the original floors of the first story. The aluminum siding that covers all but the front façade may date from this time, or is perhaps later.

Upon purchasing the property in 1987, current owner David Danehower undertook structural repairs to the early nineteenth century house. Repairs were made to the east chimney and the severely damaged front sill was replaced. In order to undertake the sill replacement the cement front stoop and later colonial revival entry treatment, dating from the 1950s renovation, was removed. Danehower used this opportunity to construct a suitable front porch for the house. Although the details are conjectural, the portico's one story height and the pitch of the gable was determined from evidence in the frame. Danehower is responsible the kitchen upgrade in 1990 and for the rear deck constructed by his own hand in 1997.

The changes to the Utley-Council House were made to accommodate life in the twentieth century. These alterations do not significantly detract from the overall integrity of the historic property, and in fact may have contributed to its survival. The property is in excellent condition and its general character has changed very little since its construction.

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Section number: 8 page: 6

Statement of Significance

The Utlely-Council House is a two-story, frame dwelling with concave shouldered chimneys laid in Flemish bond. The main block is one room deep, although evidence in the framing suggests that there was originally a one story-shed across the rear elevation. After one hundred and eighty-plus years, the house retains much of its original beaded siding and six-over-nine window sash. The hall-and-parlor interior is neatly finished with simple Federal details such as plank wainscot, six-panel doors, and a box stair. Both first floor fireboxes are surrounded by matching five-foot high mantelpieces consisting of pilasters supporting a flat horizontal panel, topped with a shelf. The two upstairs mantelpieces are of a more modest simple post-and-lintel design. A rare circa 1820s mortise-and-tenon smokehouse with both sash-sawn and hand-hewn framing members remains on the property. The interior is stained from the smoke and the salts used to cure the meat. Although a definitive date of construction has not been established, stylistic clues, construction techniques and comparisons with similar structures in Wake County date the house and smokehouse to circa 1820. Utlely-Council House is one of only two, two-story, one-room deep Federal style house still remaining in the southern and western portions of Wake County. In Wake County, nearly all of the early dwellings are found in the northern and eastern sections of the county where, due to the quality of the soil, the largest and most prosperous pre-Civil War plantations and farms were located. Despite a 1950s rear addition, the original form of the house remains clearly evident. Additionally, it retains much of its original fabric. The property is eligible for the National Register under criterion C for architecture as a rare and intact surviving Federal era house in southwestern Wake County, North Carolina.

Architectural Context

The historic context and architectural significance of the Utlely-Council House is established in the Multiple Property Documentation Form, "Historical and Architectural Resources of Wake County, North Carolina 1770-1941" by Kelly A. Lally. The historic context for the house is presented in "British and Africans Shape and Agrarian Society, Colonial Period to 1860," (E8-30). The architectural context is developed in "Houses Built from the Colonial Period to the Civil War Era, 1770-1865," (F124-130). Registration requirements for Wake County houses are stipulated in Section F pages 141-142. The Utlely-Council House meets the registration requirements because it is a rare, surviving dwelling dating from the first half of the nineteenth century in southwestern Wake County. Its form, plan, design elements and a majority of original materials are substantially intact. Adding to the rarity of the property is its surviving mortise-and-tenon smokehouse dating from approximately the same period as the house.

Intact Federal houses that survive in Wake County include Beaver Dam (circa 1810), the seat of the Hinton family plantation; the Bennett Bunn House (1833) in the Zebulon vicinity; the Fleming-Rogers House (1838) in Rolesville; the Green-Hartsfield House (circa 1820) in eastern Wake County; the Calvin Jones House (circa 1820) in Wake Forest; the Powell House (early nineteenth century) outside of Wake Forest; the Nancy Jones House outside of Cary (circa 1803); the James Mangum House (early nineteenth century) in northwest Wake; the Perry House (circa 1835) in Riley Hill; the Rogers-Whitaker-Haywood House (circa 1812) south of Rolesville; and the Stephenson House (circa 1830) near Fuquay-Varina. All of these properties are listed in the National Register or have been placed on the State Study List. The majority of these pre-Civil War houses survive in the northern and eastern portions of the county. Proximity to the Neuse river and the rich soils of the Piedmont Plateau made the settlement in the north and west more feasible. The soils of this region

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Section number: 8 page: 7

were more suitable than any other in the county for the production of both food and cash crops, such as cotton, tobacco, sweet potatoes and corn. The poorer sandy soils of the southwestern portion of the county meant settlement was sparse and scattered. With the exception of the Nancy Jones House and the Stephenson House, which are located in western or southern Wake County, all of the early dwellings are found in the northern and eastern sections of the county where the largest and most prosperous pre-Civil War plantations and farms were located.

As indicated in "Historical and Architectural Resources of Wake County, North Carolina 1770-1941," the Utley-Council House is one of three surviving intact Federal period houses in the southern and western portions of Wake County. The Stephenson and Nancy Jones houses also remain. The Stephenson House is located approximately four miles east of the Utley-Council House on U.S 401 in the McCullers Crossroads vicinity. It is a five bay, double pile, transitional Federal/Greek Revival house dating from the 1830s or 1840s (Historic Structures Data Sheet). The Stephenson House differs from the Utley-Council House in its massive, double-pile form and its transitional Federal-Greek Revival detailing which suggests a slightly later date of construction than that of the Utley-Council House.

The Utley-Council House is more similar in form and plan to the 1803 Nancy Jones House; a National Register listed property on NC 54 in Cary. The house is approximately eight miles north of the Utley-Council House. The buildings share an identical form; asymmetrical, frame, two-story, one-room deep, hall-and-parlor plan houses with one-story rear sheds and exterior-end chimneys. However, the Nancy Jones House is somewhat more sophisticated in detail and finish. The house masks its asymmetry with a full, two-tier entry portico topped by a gabled roof with a broken pediment. Square posts with decorative anvil-shaped caps support the roof. *The Historic Architecture of Wake County* describes the interior treatments as "six-panel doors with molded surrounds, paneled wainscoting with molded chair rails, handsome Federal mantels with panels and surrounded by reeded woodwork and plastered walls on the first floor (326)." The second story is accessed by a partially enclosed stair located in the shed. The second story rooms are sheathed in pine. While the Nancy Jones and Utley-Council Houses are somewhat similar, the former example displays more sophisticated finish details such as the two-tiered portico, reeded mantels, and use of plaster on the first level.

"Historical and Architectural Resources of Wake County, North Carolina 1770-1941" posits that, unlike the ornately detailed Federal dwellings found in some other part of the state, in Wake County the Federal style was primarily expressed in carpentry and proportions. The Utley-Council House is locally significant as a rare and substantially intact example of a restrained local interpretation of a nationally popular style. The two-story, slightly asymmetrical I-house displays several architectural hallmarks of the Federal period including: original double-hung, six-over-nine windows set in three-part surrounds, beaded siding, and two exterior-end concave shouldered chimneys. Under the roofline on the front elevation is a boxed cornice, which, on a more fully expressed Federal style house would have formed a base for the application of decorative embellishments such as dentil moldings and modillions. The hall-and-parlor interior is neatly finished with simple Federal details such as paneled wainscot, pine sheathed walls, simple Federal mantels, six-panel doors, and an enclosed winder stair.

Historical Background

Wake County was formed from Johnston, Cumberland and Orange counties in 1771. Unsubstantiated documentary evidence suggests that the Utley's may have arrived in what is now Wake County prior to its creation. An unpublished

**United States Department of the Interior
National Park Service****National Register of Historic Places
Continuation Sheet**

Section number: 8 page: 8

family history states that the Wake County Utleys are descended from Samuel Utley who immigrated from England to Scituate, Massachusetts around 1650 (Utley 180). By the early nineteenth century, the Utley family was established in southwestern Wake County. A variety of records attest to this fact. Land transactions involving members of the Utley family appear frequently in Wake County records dating from the 1780s. Also, William Sr, Jacob, David, Isham and their families were recorded at the time of the first federal census in 1790. Additionally, the 1802 membership list of the Pleasant Springs Christian Church, near Apex, lists many Utley family members in its ranks including John, Jacob and Littlejohn.

A strong local tradition, supported by deeds showing members of the Utley family engaging in land transactions in Middle Creek Township throughout the nineteenth century, associates the Utley family with the Utley-Council House. Although a direct chain of title for the property has not been established, an early twentieth century obituary for William Dunn Briggs states that David Utley at one time owned the land on which the house sits. It states, "Briggs' grandfather John J. Briggs, married Elizabeth Utley, daughter of David Utley, who was the son of William Utley founder of the family in North Carolina. David is said to have owned and lived on the farm now owned by, and the former residence of, Thomas C. Council located in the fork of Camp Branch and Middle Creek" (Utley 26). Charles Utley's unpublished family history states that upon his death in 1793, David Utley's estate was divided between his wife, Mary Penny Utley and his three children Elizabeth (1778-1853), James and a third child whose name is not known. Elizabeth Utley received 300 acres "on Camp Branch Creek, a tributary of Middle Creek just South of the Raleigh-Holly Springs Road" (Briggs 121 and Deed Book G/280). Two years after her father's death, Elizabeth married John Joyner Briggs (1770-1856) on December 30, 1795. Briggs was a finish carpenter who is known to have worked for wealthy planters in Wake, Orange and Granville counties. Briggs executed the stairs in Fairntosh plantation, the Cameron family seat in what is today Durham County, and at Ayr Mount in Orange County (Bisher 109-113). He also worked on the state capitol. There is no evidence that the Briggs' ever lived on the Camp Branch tract, as John maintained a Raleigh residence before and after his marriage to Elizabeth (Briggs 121).

Robert T. Daniel was a Baptist minister and agent for various North Carolina Baptist organizations in the first quarter of the nineteenth century. Briggs and Daniel were contemporaries and in 1812 founded the First Baptist Church in Raleigh. Daniel served as pastor from 1812 to 1815, and again from 1822 to 1826. In 1806 John J. Briggs used the Camp Branch tract to secure a loan from Daniel. It is unknown if the loan was repaid. In 1808 a suit was brought against Briggs and Daniel by Tignall Jones. The circumstances of the lawsuit are unclear, however, in 1810 the Wake County Court ordered Briggs and Daniel to pay the Tignall Jones heirs one hundred and twenty one pounds to settle the suit. By order of the court, Wake County Sheriff Seth Jones auctioned the Camp Branch tract in order to settle the debt to the Jones heirs. The highest bid was for ninety pounds, submitted by Robert T. Daniel (Deed Book. V/370). Unfortunately, Wake County records do not record a transfer of the property from Robert T. Daniel's ownership. The next date at which ownership of the house can be tentatively documented is 1871. The 1871 Bevers Map of Wake County shows "A. Utley" residing at the approximate location of the house on the "Old Smithfield Road," now Optimist Farm Road. Therefore, at some date between 1810 and 1871 the Utley's regain ownership of the parcel. Robert T. Daniel permanently left Wake County for a Virginia pastorate in 1826 and died in 1840 in Paris, Tennessee. Given Daniel's and Briggs' close association and friendship it is possible that Daniel transferred the property back to the Utley family at an undetermined date.

**United States Department of the Interior
National Park Service**

**National Register of Historic Places
Continuation Sheet**

Section number: 8 page: 9

A definitive chain of title can be established from 1872 to the present. An 1872 deed is recorded in which Thomas A. Council purchases one hundred and twenty acres of land and the house from B.S. and Indiana Utley for a price of six hundred dollars (Deed Book 26/449). In an interview with local resident William Powell, Powell recalled knowing Tom Council, owner of the house from 1872 to until his death in the early 1930s. Council was a Civil War veteran, who lived to be over one hundred. According to Powell, Council's wife was an Utley. Council was a well-respected member of the Middle Creek community. He was a member of the Catawba Springs Church. [This was the same church that the Utley's were members of in 1802. For reasons not recorded in the minutes, the congregation changed the name on August 6, 1871 (2)]. An original hand-written record of Mr. Council's service during the Civil War is a featured part of the Church's Heritage Days event. In this document, Mr. Council recalls his capture by Union troops, his escape across the Potomac River to rejoin Confederate troops, and his subsequent recapture.

The Utley-Council property is in the vicinity of a Union encampment at the end of the Civil War. As Union troops advanced upon Raleigh following the Battle of Bentonville, Sherman's troops continued to forage for food and supplies. On April 25th 1865 the Third Wisconsin Regiment led a thirteen mile march southwest from Raleigh to Holly Springs. James C. Rogers, a colonel with the 123rd New York Regiment, described the march as, "without noticeable incident" (Angsley 12). The current property owner has recovered several mini-balls on the site and also points to gouges in the chimney that past residents claim were made by Union troops using the chimney for target practice.

The house left Council family ownership in 1950 when it was sold to S.A. Alexander. A title search at the Wake County register deeds reveals that since the time Alexander sold the property in 1952, the house has been in the hands of following owners; H.C. and Mamie A. Hair, Basil and Margaret Francisco, Sallie B. Beard, James A. and June Morris Bridger and finally David A. Danehower.

**United States Department of the Interior
National Park Service**

**National Register of Historic Places
Continuation Sheet**

Section number: 9 page: 10

Bibliography

- Angsley, W., Cross, J.L., and M. Hill. "Sherman's March through North Carolina: A Chronology." Raleigh: North Carolina Department of Cultural Resources, Division of Archives and History, 1995.
- Briggs, Willis G. Collection. Located at North Carolina State Archives, Raleigh.
- Bishir, Catherine W. et al. *Architects and Builders in North Carolina*. Chapel Hill: University of North Carolina Press, 1990.
- Bishir, Catherine W. *North Carolina Architecture*. Raleigh: Historic Preservation Foundation of North Carolina, Inc., 1990.
- Catawba Springs Christian Church, "Minutes and Membership 1803-1885." Located at Catawba Springs Christian Church, Apex, North Carolina.
- Deed Books. Located in Wake County Courthouse, Raleigh, North Carolina.
- Historic Structures Data Sheets for Stephenson House, Nancy Jones House, Utlely-Council House. (Located at the Survey and Planning Branch of the North Carolina Division of Archives and History, Raleigh.)
- Lally, Kelly A. "Architectural and Historic Resources of Wake County, North Carolina, ca 1770-1941." Multiple Properties Documentation Form. 1993. (Located at the Survey and Planning Branch of the North Carolina Division of Archives and History, Raleigh.)
- Lally, Kelly A. *The Historic Architecture of Wake County, North Carolina*. Raleigh: Wake County Government, 1993.
- Powell, William. Interview with David Danehower. Date unknown.
- Powell, William S. ed. *Dictionary of North Carolina Biography: Volume 1*. Chapel Hill: University of North Carolina Press, 1988.
- United States Census 2000. Website.
- United States Census 1790. Located at North Carolina Division of Archives and History, Raleigh.
- Utlely, Charles. "The Utlely's of Wake County." Unpublished family history located at the Olivia Raney Local History Library, Raleigh, North Carolina.
- Vital Records. Located in Wake County Courthouse, Raleigh, North Carolina.

**United States Department of the Interior
National Park Service**

**National Register of Historic Places
Continuation Sheet**

Section number: 9 page: 11

Wake County Wills and Estate Records. Located at North Carolina Division of Archives and History, Raleigh.

Williford, Jo Ann and Michael Hill, "Nancy Jones House." Nomination to the National Register of Historic Places, date.
(Located at the Survey and Planing Branch of the North Carolina Division of Archives and History, Raleigh.)

Woodard, Andrew. Interview with David Danehower. Date unknown.

**United States Department of the Interior
National Park Service**

**National Register of Historic Places
Continuation Sheet**

Section number: 10 page: 12

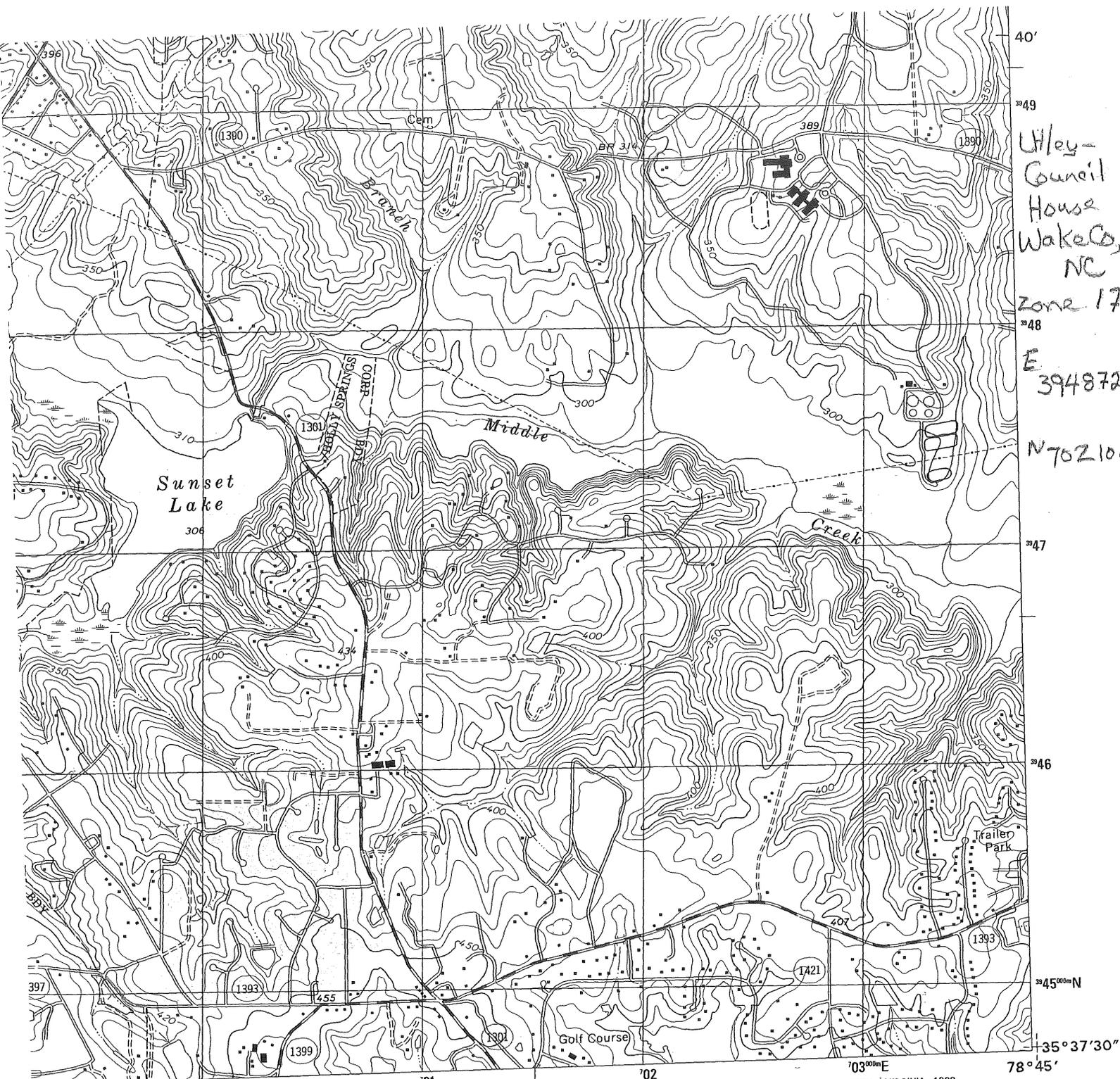
Geographic Data

Verbal Boundary Description

The boundary includes the 2.0 acres of the highlighted parcel on the accompanying 1"= 147' scale Wake County tax map.

Boundary Justification

The boundary encompasses all of the remaining undeveloped acreage historically associated with the Utley-Council House that retains its historical integrity.



Wiley-
Council
House
Wake Co,
NC
zone 17
E
394872
N702100

Sunset
Lake

Middle
Creek

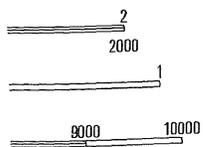
Trailer
Park

Golf Course

INTERIOR - GEOLOGICAL SURVEY, RESTON, VIRGINIA - 1989

ROAD CLASSIFICATION

- Primary highway hard surface
- Secondary highway hard surface
- Light-duty road, hard or improved surface
- Unimproved road
- Interstate Route
- U.S. Route
- State Route



QUADRANGLE LOCATION

1	2	3	1 Green Level
			2 Cary
			3 Raleigh West
4		5	4 New Hill
			5 Lake Wheeler
			6 Colkesbury
6	7	8	7 Fuquay-Varina
			8 Angier

ADJOINING 7.5' QUADRANGLE NAMES

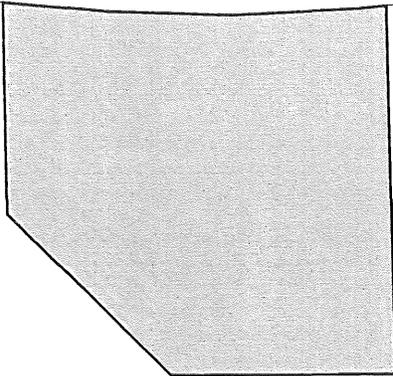
APEX, NC
1993

NIMA 5255 III NE-SERIES V842

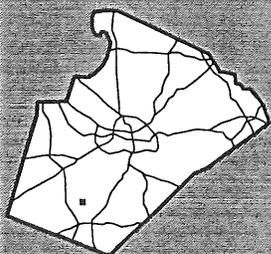
DO 80225



OPTIMIST FARM RD



Planning
Department

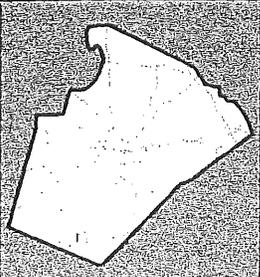
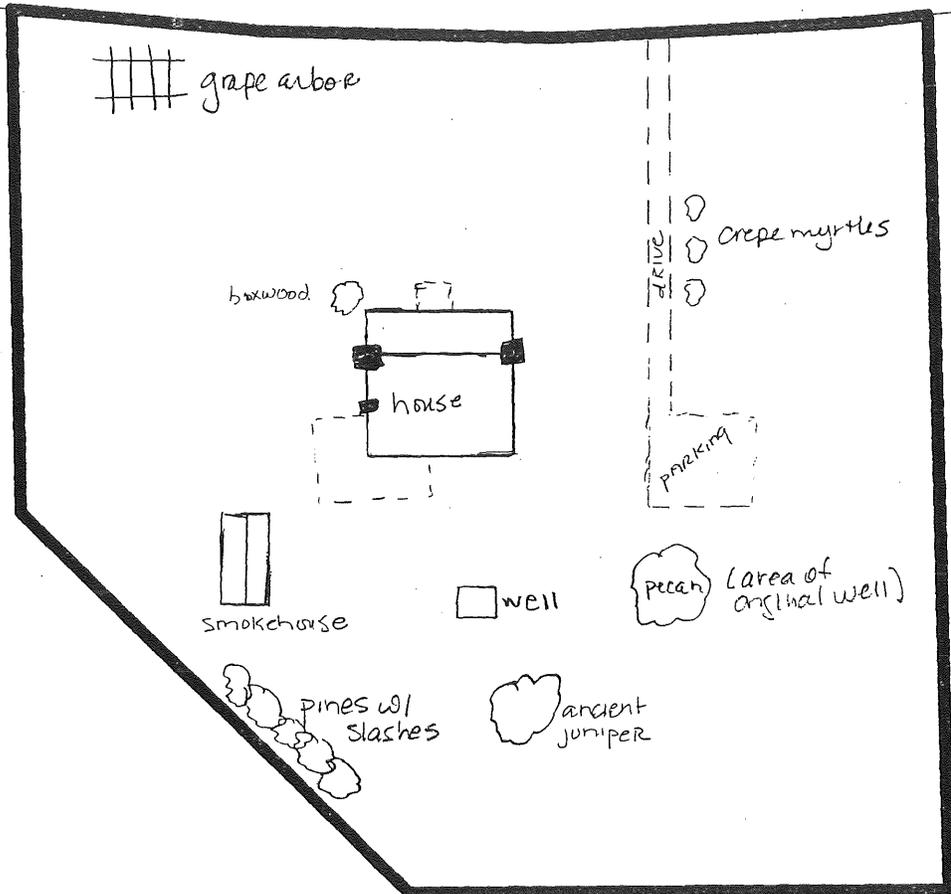


Utley-Council House

4009 OPTIMIST FARM ROAD
APEX VICINITY, WAKE COUNTY

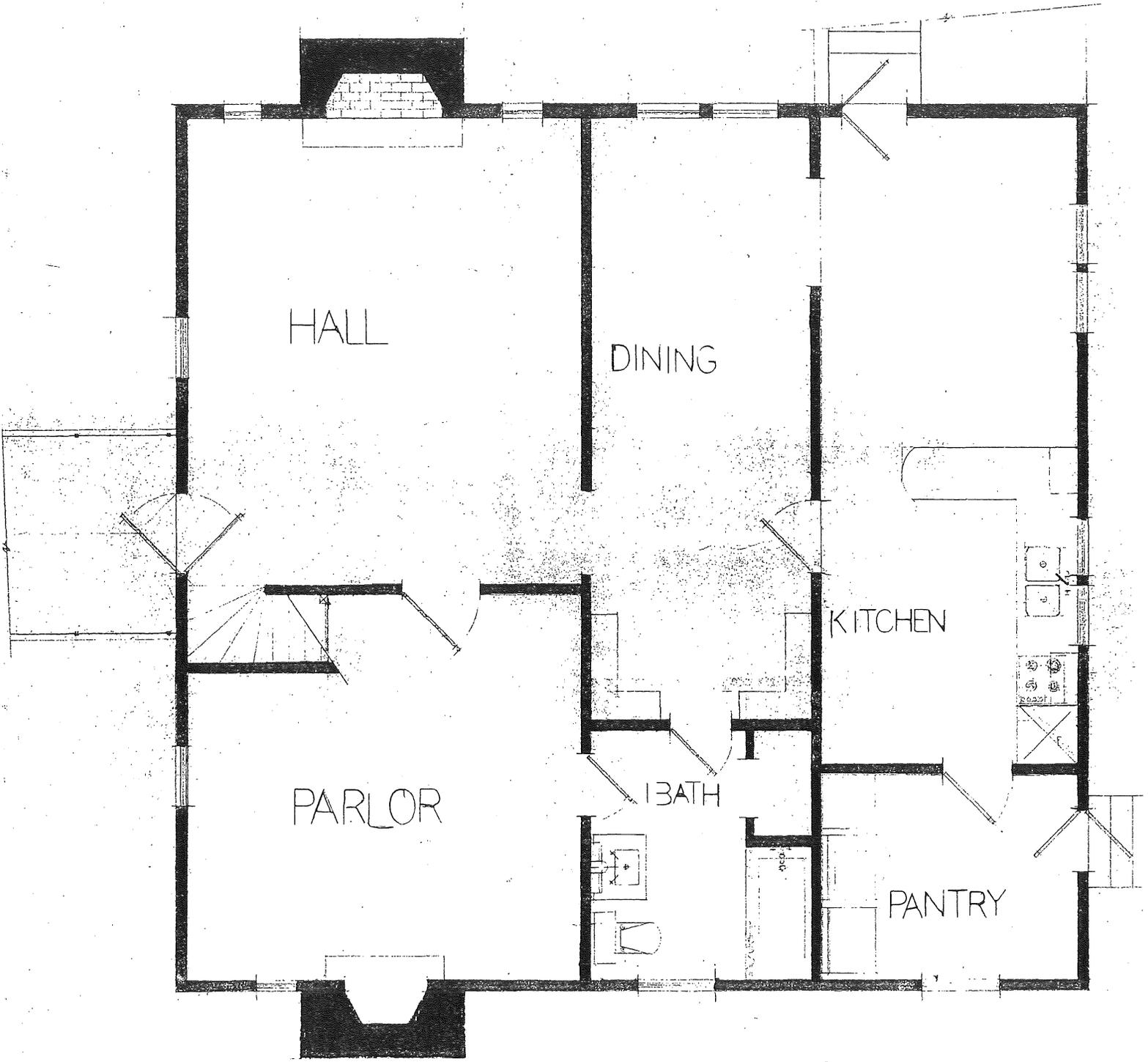


Optimist Farm Rd./SR 1390



SITE Plan
UTLEY-COUNCIL HOUSE
4009 OPTIMIST FARM ROAD
WAKE COUNTY





HALL

DINING

KITCHEN

PARLOR

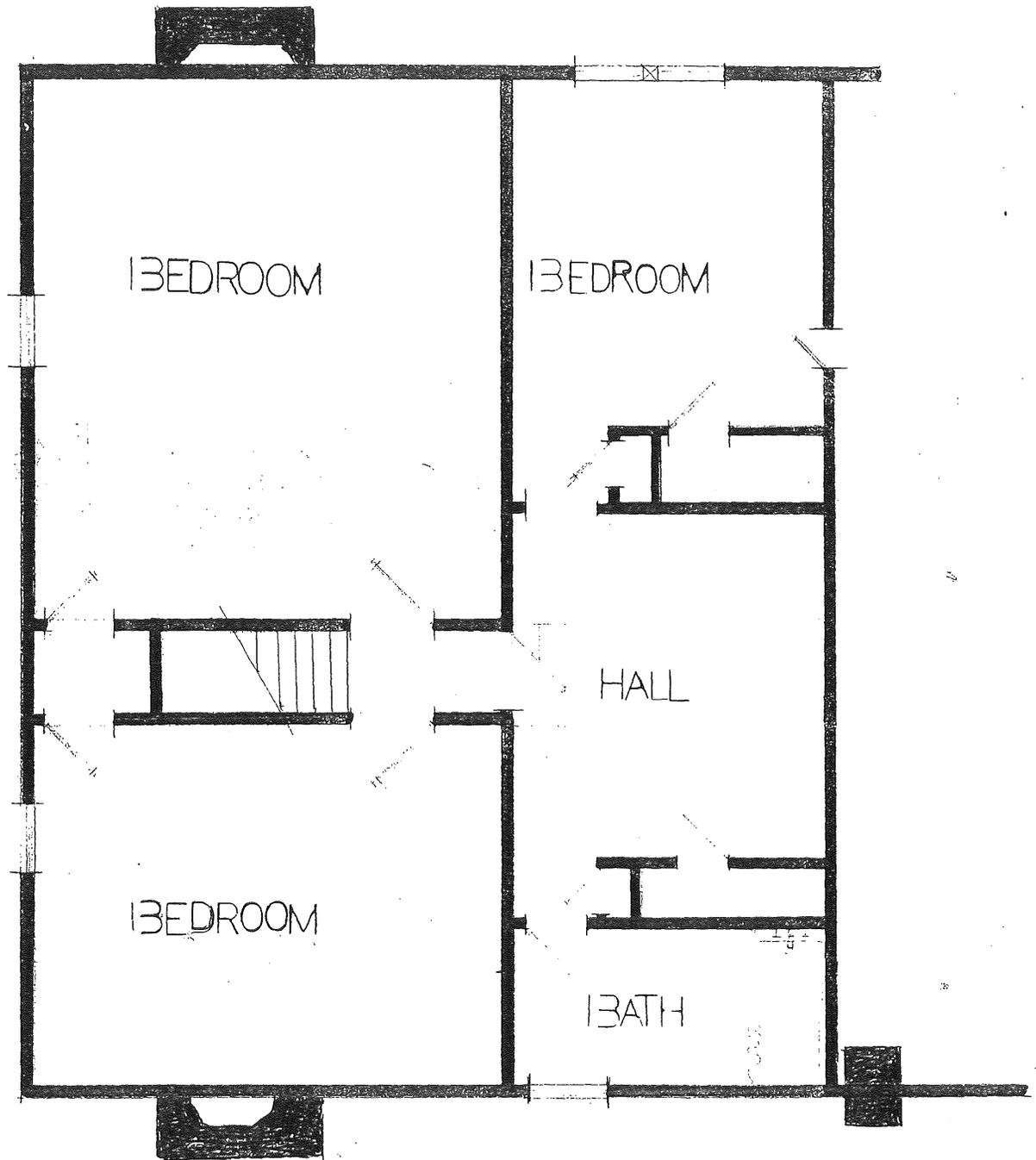
BATH

PANTRY

UTLEY COUNCIL HOUSE

FIRST FLOOR PLAN

SCALE 3/8" = 1'-0"



539-

UTLEY COUNCIL HOUSE

SECOND FLOOR PLAN

SCALE 3/8" = 1'-0"

WAKE COUNTY, NC

BRIDGE

