

FILE NUMBER: Z223-133(RD)

DATE FILED: November 7, 2022

LOCATION: North of Preston Oaks Road, bordered by Cedar Canyon Road on the north, east and west.

COUNCIL DISTRICT: 11

MAPSCO: 15-F

SIZE OF REQUEST: 3.11 acres

CENSUS TRACT: 136.22

APPLICANT/OWNER: White Rock Union Cemetery

REPRESENTATIVE: None

REQUEST: An application for a Historic Overlay for the White Rock Cemetery Garden of Memories (5700 Celestial Road), on property zoned R-16(A) in an area bordered by Cedar Canyon Road on the north, east and west, and north of Preston Oaks Road.

SUMMARY: Believed to be the first integrated cemetery in Texas, the land of the present day cemetery has had a long and convoluted history of ownership. The first known owner of the land now known as the White Rock Cemetery Garden of Memories was Wade Hampton Witt, the first president of the Dallas County Pioneer Association. The Landmark Commission initiated the historic designation of this cemetery as a City of Dallas Landmark with the support of White Rock Cemetery Garden of Memories, Incorporated, whose ownership consists of descendants of the cemetery's inhabitants. The cemetery remains active. A City of Dallas Landmark property must meet 3 of 10 designation criteria. This property has been determined to meet 6.

STAFF RECOMMENDATION: Approval, subject to preservation criteria.

LANDMARK COMMISSION RECOMMENDATION: Approval, subject to preservation criteria.

BACKGROUND INFORMATION:

- Also known as the Scott Family Cemetery and the White Rock Colored Union Cemetery (White Rock Union Colored Grave Yard), the property was originally a part of a land grant to Wade H. Witt by Governor E. M. Pease on April 10, 1852. Adjacent to White Rock Creek and the Old Preston Trail, this land has been a prominent part of the historic landscape of the Upper White Rock community.
- The oldest known grave in the White Rock Cemetery Garden of Memories is that of Margaret McKamy, the infant daughter of William C. and Rachel McKamy, dated 1852.
- On January 26, 1858, Samuel McGregor Scott purchased the land which was a part of the original Thomas Garvin Survey from Preston Witt, brother of Wade H. Witt. The Scott Cemetery, as it came to be known, was named for the Scott family.
- White Rock Chapel Church was organized in Upper White Rock on November 15, 1884 serving about 28 families. The church was on land adjacent to the cemetery, where church and community members would be buried.
- On February 19, 1889, S.A. Scales deeded one acre of land to Giles Armstrong, George Coyt (Coit) and Henry Keller, the Trustees for the White Rock Union Colored Grave Yard. It is this deed which documents the formation of the White Rock Union Colored Grave Yard.
- For the next century, the cemetery continued to be utilized by the African American members of Upper and Lower White Rock and the surrounding freedman's towns.
- On April 17, 1973 the White Rock Cemetery Garden of Memories was established, comprising both the original one acre Scott Cemetery and the one acre White Rock Union Colored Grave Yard.
- The White Rock Cemetery Garden of Memories was designated a Historic Texas Cemetery on June 8, 2020 and awarded an Official Texas Historical Marker.
- After the Landmark Commission initiated the historic designation process on November 7, 2022, the Designation Committee of the Landmark Commission met two times to compile and edit the landmark nomination form and the preservation criteria.
- The Designation Committee approved the designation report, comprised of the landmark nomination form and the preservation criteria, on January 24, 2024.
- The Landmark Commission authorized the public hearing on February 5, 2024.
- There are no proposed changes to the cemetery, or its use, at this time.

STAFF ANALYSIS:

Comprehensive Plan:

The historic overlay is consistent with the Land Use Element of the Comprehensive Plan. Historic preservation has played a key role in defining Dallas' unique character. Preservation of open spaces that are historically and environmentally significant creates a direct, visual link to the past, contributing to a "sense of place."

LAND USE ELEMENT

GOAL 1.1 Align Land Use Strategies with Economic Development Priorities

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

GOAL 1.2 Promote Desired Development

Policy 1.2.2 Establish clear and objective standards for land use planning.

LANDMARK COMMISSION ACTION: (February 5, 2024)

This item appeared on the Commission's discussion agenda.

Motion: Approval, subject to preservation criteria.

Maker: Gibson

Second: Rothenberger

Results: 14/0

Ayes: - 14 Anderson, Cummings, Fogleman, Gibson,
Guest, Hinojosa, Montgomery, Offutt, Preziosi,
Sherman, Spellicy, Taylor, Renaud,
Rothenberger

Against: - 0

Absent: - 1 Hajdu

Vacancies - 2 Districts 7 & 15

:

Dallas Landmark Commission
Landmark Nomination Form

1. Name

Historic: Scott Family Cemetery, White Rock Colored Union Cemetery (White Rock Union Colored Grave Yard)

and/or common: White Rock Cemetery Garden of Memories

Date: c. 1852-1984

2. Location

Address: 5700 Celestial Road, Dallas, TX 75254

Location/neighborhood: Dallas/ Far North Dallas/Addison area

Block: 8165 **lot:** N/A **land survey:** Thomas Garvin Survey, Section 312C, Abst. 524
tract size: 3.112 acres

3. Current Zoning

current zoning: Single Family

4. Classification

Category	Ownership	Status	Present Use	___museum
___district	___public	___occupied	___agricultural	___park
___building(s)	<u>x</u> private	<u>x</u> unoccupied	___commercial	___residence
___structure	___both	___work in progress	___educational	___religious
<u>x</u> site	Public	Accessibility	___entertainment	___scientific
___object	Acquisition	<u>x</u> yes: restricted	___government	___transportation
	___in progress	___yes: unrestricted	___industrial	___other, specify
	___being consider'd	___no	___military	<u>x</u> Cemetery

5. Ownership

Current Owner: White Rock Union Cemetery

Contact: Antonio Suber Phone: (469) 223-1231

Address: 12225 Dandridge Dr. City: Dallas State: TX Zip: 75243

4. Form Preparation

Date: January 28, 2024

Name & Title: Sheniqua Cummings and Andreea Hamilton

Organization: Landmark Commission Designation Committee, City of Dallas

Contact: City of Dallas, Office of Historic Preservation

7. Representation on Existing Surveys

Alexander Survey (citywide): local state national

H.P.L. Survey (CBD) A B C D

Oak Cliff

Victorian Survey

Dallas Historic Resources Survey, Phase ___ **high** ___ **medium** ___ **low**

National Register

Recorded TX Historic Ldmk

TX Archaeological Ldmk

For Office Use Only

Date Rec'd: _____ **Survey Verified:** Y N **by:** _____ **Field Check by:** _____ **Petitions Needed:** Y N
Nomination: Archaeological Site Structure(s) Structure & Site District

8. Historic Ownership*Original owner:* Wade H. Witt (1852)*Significant later owner(s):* Samuel M. Scott; Charles Spear; O.C. Scott; S.A. Scales; Giles Armstrong, George Coyt (Coit) and Henry Keller, Trustees for the White Rock Union Colored Grave Yard.**9. Construction Dates***Original:* c. 1852 (first known grave)*Alterations/additions:* 1889, 1914 (additions)**10. Architect***Original construction:* N/A*Alterations/additions:* N/A**11. Site Features**

Natural: The site is rectangular in shape, oriented in the north-south direction. The southern portion of the site is relatively flat, while the northern portion slopes toward the west and the north. The site is covered with grass, with moderate tree cover concentrated mostly around the perimeter and the eastern portion of the site. An asphalt driveway spans the length of the site in the north-south direction, then turns toward the east, connecting the north entrance to a pavilion located at the southern end of the site. The driveway may have, at one time, continued to the southeast entrance, but that portion is no longer visible and is covered with grass. Only the north entrance is currently in use, while the southeast entrance is boarded up and faces the back of another building. A chain link fence surrounds the site on the cemetery side, backing up to a wood fence on the neighborhood side. The cemetery is surrounded by circa 1980s multi-family residential development, and access to the cemetery is through this residential development.

Urban design: N/A**12. Physical Description***Condition, check one:*☐ *excellent*☐ *good*☒ *fair*☐ *deteriorated*☐ *ruins*☐ *unexposed*☒ *unaltered*☐ *altered**Check one:*☒ *original site*☐ *Moved (date _____)*

The White Rock Cemetery Garden of Memories is located at 5700 Celestial Road in far north Dallas near the town of Addison, approximately 13 miles north of Downtown Dallas. Originally part of the Thomas Garvin Survey, Abstract 524, the subject property is situated off Cedar Canyon Road between Preston Road and Montfort Road and north of Preston Oaks Road. The cemetery entrance is accessed through the Oaks of Preston Ridge apartment complex (Ref. Figures 5 and 6).

The cemetery is approximately 3 acres in size, measuring approximately 217' in width at the north and south boundaries, 625' in length at the west boundary, and 615' in length at the east boundary. The land is pastoral with native grass and a few remaining bois d'arc trees mainly along the perimeter. An asphalt driveway crosses the length of the site, leading to a pavilion that was added for family gatherings sometime in the 1970s. The perimeter of the cemetery is double fenced with an inside chain link fence and an outside wooden slat fence. There are red brick pillars situated near the corners of the cemetery and on either side of both the main entrance on

the north side, and the secondary entrance on the southeast side of the cemetery. Both the north and southeast entrances are secured by wrought iron gates. The “rear” or southeast entrance also has a wooden slat fence covering the wrought iron gate on the inside, as that entrance is no longer in use. The name of the cemetery is visible above the north gate, “White Rock Cemetery Garden of Memories.”

Though many headstones are missing or damaged, there are various notable features in the cemetery. One family plot on the southeast side of the cemetery has decorative iron fencing encompassing about 2-3 graves with one granite headstone present, bearing the family name of Williams. Several family plots have concrete curbs, such as the Barton family, which has a cluster of four headstones with concrete curbs about 50’ from the north entrance on the main pathway. Known gravesites that have unknown occupants are marked with white PVC pipe in the shape of a cross. There are many prominent headstones made of granite, marble, or limestone, and a number of smaller stone monoliths. The earliest gravestone found is marked 1852. While there are over 421 known interments, it is estimated that the number of burials in the cemetery may be around 500.

13. Historical Significance

The following narrative was written and researched by Sheniqua Cummings for the Texas Historical Commission 2019 Undertold Marker Application, Dallas County

One of Dallas County’s oldest black cemeteries, White Rock Cemetery Garden of Memories has a rich history.¹ From its first recorded burial in 1852, the site has borne witness to nearly 170 years of North Texas pioneer history. From white settlers to pioneering former enslaved persons, this cemetery is the eternal resting place of many of Dallas County’s most prominent early families.

Pre- Civil War (1820-1860)

Believed to be the first integrated cemetery in Texas, the land of the present-day cemetery has had a long and convoluted history of ownership. The first known owner of the land was Wade Hampton Witt. Wade H. Witt and his family followed his brother, Preston Witt, to Texas from Illinois in 1845 to take part in the colonization of the new Republic of Texas.^{2 3}

Preston Witt was one of the first recorded settlers in the Addison area, arriving in 1842 prior to the establishment of Dallas County on March 30, 1846. Trinity Mills Road in north Carrollton is named after the successful steam mill he operated with his brother, Wade Witt, and their brother-in-law, A. W. Perry.⁴ The Dallas County deed shows that the land part of the Thomas Garvin

1 Bogan, Christopher. Time capsule: Black cemetery endures amid bustle of N. Dallas. *Dallas Times Herald*. January 30, 1984:1-9.

2 Group GTH. Pioneers of Dallas - History of Dallas County, Texas.

<http://genealogytrails.com/tex/prairieslakes/dallas/pioneersofdallas.htm>. Accessed April 24, 2019.

3 Butler, Steven R. Pioneer Personified: The Life and Times of Capt. Preston Witt. Dallas County Heritage Society. Legacies: A History Journal for Dallas and North Central Texas, Volume 11, Number 2, Fall, 1999, periodical, 1999, pp. 4-16.

<https://texashistory.unt.edu/ark:/67531/metaph35103/m1/9/?q=%22wade%20h.%20witt%22>. Accessed April 14, 2019. University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>. crediting Dallas Historical Society.

4 History of Addison. Addison Economic Development. <https://addisontexas.net/econ-dev/history-addison>. Accessed

Survey was granted to Wade H. Witt by Governor E. M. Pease on the 10th of April 1852 through a Peters' Colony land grant contract, seven years after the Republic of Texas joined the Union in December of 1845.^{5 6 7}

The oldest known grave in the White Rock Cemetery Garden of Memories is that of Margaret McKamy, the infant daughter of William C. and Rachel McKamy, dated 1852.⁸ In 1851, prior to the original land grant for the Thomas Garvin Survey, Captain William Cooper McKamy moved from Roane County, Tennessee to Texas with his wife Rachel, children, and mother. They stopped in Wood County one year, and in 1852 moved to Dallas County, briefly settling on or near the Thomas Garvin Survey. They eventually moved further west to the Frankford area. The McKamy's settled in Carrollton and had at least three other children: William, John T., and Charles. William McKamy was very successful in the business of farming and raising stock, and soon accumulated a large land estate of about 3,000 acres.⁹ He also established the White Rock Masonic Lodge in 1872.

Wade H. Witt would later become the Trinity Mills Postmaster and then serve as the President of the newly formed Pioneer Association of Dallas County, Texas in 1875. By 1854, the land where the White Rock cemetery now lies was conveyed to John Witt, the father of Preston and Wade Witt, as evidenced on the Nacogdoches Land District map of 1854.¹⁰

On February 5th, 1855, the land was transferred to Preston Witt from his father, John Witt.¹¹ It was believed that Preston Witt made his home on the property where Preston Road crosses White Rock Creek.¹² Preston Witt or Captain Preston Witt was a true pioneer, soldier, and rancher. He was born with his twin brother, Pleasant, in Pope County, Illinois in 1819.¹³ In the summer of

April 13, 2019.

5 Dallas County Deed Records, Vol. 34: 331-334.

6 Wade, Harry E. PETERS, WILLIAM SMALLING. The Handbook of Texas Online| Texas State Historical Association (TSHA). <http://www.tshaonline.org/handbook/online/articles/fpe65>. Published June 15, 2010. Accessed April 14, 2019.

7 Butler, Steven R. Pioneer Personified: The Life and Times of Capt. Preston Witt. Dallas County Heritage Society. Legacies: A History Journal for Dallas and North Central Texas, Volume 11, Number 2, Fall, 1999, periodical, 1999, pp. 4-16.

<https://texashistory.unt.edu/ark:/67531/metaph35103/m1/9/?q=%22wade%20h.%20witt%22>. Accessed April 14, 2019. University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>. crediting Dallas Historical Society.

8 Conger, W.R. *Old Cemeteries of Dallas*. Vol 1.; 1981. p.64.

9 History. Frankford Preservation Foundation. <http://frankfordpreservationfoundation.org/history/>. Accessed April 13, 2019.

10 Swindells, H.J. A Map of That Part of Dallas County Lying in Nacogdoches Land District. The Portal to Texas History.

<https://texashistory.unt.edu/ark:/67531/metaph89117/m1/1/zoom/?resolution=3&lat=5431.51643066935&lon=3838.4639719393786>. Published April 2, 2010. Accessed April 14, 2019.

11 Texas General Land Office, "Land Grant Search," digital images, General Land Office Record entry for Witt, Preston, Dallas Co., TX, no. 1131.

12 Butler, Steven R. Pioneer Personified: The Life and Times of Capt. Preston Witt. Dallas County Heritage Society. Legacies: A History Journal for Dallas and North Central Texas, Volume 11, Number 2, Fall, 1999, periodical, 1999, pp. 4-16.

<https://texashistory.unt.edu/ark:/67531/metaph35103/m1/9/?q=%22wade%20h.%20witt%22>. Accessed April 14, 2019. University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>. crediting Dallas Historical Society.

13 Butler, Steven R. Pioneer Personified: The Life and Times of Capt. Preston Witt. Dallas County Heritage Society. Legacies: A History Journal for Dallas and North Central Texas, Volume 11, Number 2, Fall,

1846, Preston Witt had become legendary following his service in the “Grand Prairie Fight” between the Indians and settlers where he was a part of the self-styled “Minute Men”.¹⁴ He later fought in the Mexican War in 1847 where he commanded a Dallas County company of Texas Mounted Volunteers. After returning from battle in Mexico, Preston Witt went into business with his brother, Wade H. Witt, building a mill near Preston Road and White Rock Creek in the late 1840s.¹⁵

Shortly after the mill was built in 1850, the State of Texas sent the land Commissioner, Thomas Ward, to North Texas to issue patents to any of the Peters’ colonists who could prove that they had settled in the area prior to July 1st 1848.¹⁶ It was during this time that Preston Witt received a certificate redeemable for 640 acres of land. Sam Houston, the first president of the Republic of Texas, granted a colony to W. S. Peters and others with the intention of distributing land to introduce settlers into the northeastern portion of the state, which was then an “uninhabited wilderness”.¹⁷ The new settlement was called Peters’ Colony.

It is believed that Preston and Wade Witt either abandoned or sold the mill near White Rock Creek and formed a partnership with Alex W. Perry in 1853 to establish what would be a popular and profitable mill in present-day Carrollton, formally known as the Trinity Grist Mill and Store.¹⁸ In 1858, Preston Witt sold the remainder of his land on White Rock Creek and took his family to settle in Parker County.¹⁹

On January 26, 1858, Samuel McGregor Scott purchased the land which was a part of the original Thomas Garvin Survey from Preston Witt.²⁰ Samuel Scott and his family arrived in Dallas County on January 8th, 1858, from Lynchburg, Virginia.²¹ It was said that when Samuel Scott and his family arrived with their enslaved persons, the population doubled.²² It was recorded that the Scott family, including their enslaved persons, numbered over two hundred. The Scott Cemetery, as it came to be known, was named for the Scott family. There are three recorded Scott burials on the plot – two infants with unknown dates of death and Josephine Scott, who died at 30 years old in 1878.²³

1999, periodical, 1999, pp. 4-16.

<https://texashistory.unt.edu/ark:/67531/metaph35103/m1/9/?q=%22wade%20h.%20witt%22>. Accessed April 14, 2019. University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>. crediting Dallas Historical Society.

14 Ibid.

15 Ibid.

16 Ibid.

17 de Cordova. South-Western American (Austin, Tex.), Vol. 3, No. 36, Ed. 1, Wednesday, February 18, 1852. The Portal to Texas History. <https://texashistory.unt.edu/ark:/67531/metaph79717>. Published February 21, 2010. Accessed April 23, 2019.

18 Butler, Steven R. Pioneer Personified: The Life and Times of Capt. Preston Witt. Dallas County Heritage Society. Legacies: A History Journal for Dallas and North Central Texas, Volume 11, Number 2, Fall, 1999, periodical, 1999, pp. 4-16.

<https://texashistory.unt.edu/ark:/67531/metaph35103/m1/9/?q=%22wade%20h.%20witt%22>. Accessed April 14, 2019. University of North Texas Libraries, The Portal to Texas History, <https://texashistory.unt.edu>. crediting Dallas Historical Society.

19 Ibid.

20 Dallas County Deed Records, Vol. F: 307.

21 Memorial and Biographical History of Dallas County, Texas, book, 1892. The Portal to Texas History. <http://www.texashistory.unt.edu/ark:/67531/>. Accessed April 24, 2019.

22 James, Francis. WHITE ROCK CREEK, 1910 Before It Was a Lake The... Dallas Gateway. <https://dallasgateway.com/white-rock-creek-1910-before-it-was-a-lake-the/>. Published January 22, 2018. Accessed April 24, 2019.

23 Keaton, Dr. George. White Rock Garden of Memories Complete Cemetery Survey. USGenWeb Archives - census

Samuel Scott was born in Virginia, July 26, 1799. He married Camilla W. Scott in 1819 and they had ten children. Both were of Scotch-Irish descent, and Camilla was a member of a distinguished and much respected Virginia family. Samuel enlisted for the War of 1812, but before he reached the front lines, the war had ended. It is noted that the Scott family made the journey to Texas in wagons, brought about forty servants and purchased 800 acres of land.²⁴ The Scotts farmed on a large scale until Samuel's death in 1878.²⁵

With the influx of settlers from the north, the new landscape was taking shape. By 1850 Dallas County had a population of 2,743 with 207 enslaved persons. The population had tripled to 8,665 by 1860 with 1,074 enslaved persons.²⁶

During the 18 years that Scott owned the land from 1858 to 1876 the nation began to go through a social and political transformation and began to prepare for war. On July 8, 1860, a fire broke out in the square, destroying most of the buildings in the city business district of Dallas. Many residents believed that three enslaved persons caused the fires, and they were hanged.²⁷ On February 23, 1861, Texans voted to secede from the Union and joined the Confederate States of America.²⁸ The Civil War commenced shortly afterwards on April 12, 1861. It was during this time that enslavers from other southern states moved to Dallas County with their enslaved persons to avoid attack by Union soldiers.²⁹

Reconstruction (1865-1877)

The end of the Civil War brought emancipation for Texas' enslaved persons on June 19, 1865. "Freedman's Towns" began to form around Dallas County as black communities were established in and around the periphery of the city.³⁰ Local historians have documented more than 30 black settlements in early Dallas.³¹ Upper and Lower White Rock were examples of such communities.

The Upper and Lower White Rock communities were started as freedman's towns, settled by former enslaved persons from the nearby Coit, Caruth and Obier plantations, as well as migrants

wills deeds genealogy. <http://files.usgwarchives.net/tx/dallas/cemeteries/whiterock.txt>. Accessed May 4, 2019.

24 Memorial and Biographical History of Dallas County, Texas, book, 1892. The Portal to Texas History. <http://www.texashistory.unt.edu/ark:/67531/>. Accessed April 24, 2019.

25 Harvey, Doug. Four Portraits of Early Lynchburgers Restored and on Exhibition. Google Groups. <https://groups.google.com/forum/#!topic/cvamuseums/uIvx2FU7Y64>. Accessed May 4, 2019.

26 Maxwell, Lisa C. DALLAS COUNTY. The Handbook of Texas Online| Texas State Historical Association (TSHA). <https://tshaonline.org/handbook/online/articles/hcd02>. Published June 12, 2010. Accessed May 5, 2019.

27 Ibid.

28 The African American Story | Texas State History Museum. The African American Story | Texas State History Museum. <https://www.thestoryoftexas.com/discover/campfire-stories/african-americans>. Accessed May 4, 2019.

29 Maxwell, Lisa C. DALLAS COUNTY. The Handbook of Texas Online| Texas State Historical Association (TSHA). <https://tshaonline.org/handbook/online/articles/hcd02>. Published June 12, 2010. Accessed May 5, 2019.

30 Hazel, Michael V., McElhaney, Jackie. DALLAS, TX. The Handbook of Texas Online| Texas State Historical Association (TSHA). <https://tshaonline.org/handbook/online/articles/hdd01>. Published June 12, 2010. Accessed May 5, 2019.

31 Allen, Leona. Mapping a heritage: Records, oral history show blacks' huge role in shaping Dallas. *The Dallas Morning News*. February 5, 1995.

32 Dillon, David. On Hallowed Ground: How Dallas' oldest black church battled the developers, and won. And lost. D Magazine. <https://www.dmagazine.com/publications/d-magazine/1980/february/on-hallowed-ground/>. Published February 1980. Accessed May 5, 2019

from other states who came to Dallas searching for work.³² They came from plantations in Carrollton, Farmers Branch, Dallas and other nearby areas and established homes for their families all along the northern side of White Rock Creek.

In Upper White Rock the early settlers owned farms along Midway Road, Preston Road near Alpha Road, McShann Road and Keller Springs Road – the latter streets bearing the names of the black pioneer farm owners.³³ Newly freed enslaved persons purchased more land in far North Dallas, including what became known as Upper and Lower White Rock, than any other area in Dallas County.³⁴ Notable structures on this land today include the Galleria and Medical City with Central Expressway running through the middle of the area.³⁵

First African American Burials on the Site (1870s)

Some of the former enslaved persons had crossed the Collin County line into Dallas because ownership of land by blacks was forbidden in Collin County. Henry Keller, Sr., whose name was given to Keller Springs Road; George Wells and his wife, Phyllis Jackson Wells, and Phyllis' brother, Mose Jackson were among those who had left Collin County and settled in Upper White Rock.³⁶ It is around this time that we begin to see the first African American burials on the site in the 1870's, one of which is the Coit Infant in 1875.³⁷

On December 11, 1876, Charles and Louisa Spear purchased 97 acres of the original 640-acre Thomas Garvin Survey from Samuel M. and Camilla Scott.³⁸ Selected Federal Census Non-Population Schedules showed that Charles Spear had owned land in Dallas County (Precinct No. 4) as early as 1870.³⁹ In Dallas County there was little opposition to land ownership by former enslaved persons, as the whites already owned more land than they could farm without enslaved person labor.⁴⁰

On July 16, 1878, George Coit purchased 57 and 54/100 acres of the Thomas Garvin Survey from Samuel Scott only a few months before Scott's death on October 20, 1878.⁴¹ This land was purchased primarily for the use of farming. George Coit and his wife, Rosa sold a half-acre of land that same year on November 12, 1878 to B.F. Turner, Felix Brigham, William Harris,

33 Partee McMillan, Eva. Upper and Lower White Rock- Little Egypt/Fields'. Annual White Rock Cemetery Garden of Memories, Inc. Memorial Day Meeting.

34 McKnight, Dr. Mamie L. *African American Families and Settlements of Dallas: on the inside Looking out: Exhibition, Family Memoirs, Personality Profiles and Community Essays*. Dallas, TX: Black Dallas Remembered; 1990. pp. 46-47.

35 Partee McMillan, Eva. Upper and Lower White Rock- Little Egypt/Fields'. Annual White Rock Cemetery Garden of Memories, Inc. Memorial Day Meeting.

36 McKnight, Dr. Mamie L. *African American Families and Settlements of Dallas: on the inside Looking out: Exhibition, Family Memoirs, Personality Profiles and Community Essays*. Dallas, TX: Black Dallas Remembered; 1990. pp. 46-47.

37 Keaton, Dr. George. White Rock Garden of Memories Complete Cemetery Survey. USGenWeb Archives - census wills deeds genealogy. <http://files.usgwarchives.net/tx/dallas/cemeteries/whiterock.txt>. Accessed May 4, 2019.

38 Dallas County Deed Records, Vol. 34:32.

39 Ancestry.com U.S., *Selected Federal Census Non-Population Schedules, 1850-1880*[database on-line]. Provo, UT, USA: Charles Speer; <https://search.ancestry.com/cgi-bin/sse.dll?indiv=1&db=NonPopCensus&h=3535050>. Accessed May 9, 2019.

40 McKnight, Dr. Mamie L. *African American Families and Settlements of Dallas: on the inside Looking out: Exhibition, Family Memoirs, Personality Profiles and Community Essays*. Dallas, TX: Black Dallas Remembered; 1990. pp. 46-47.

41 Dallas County Deed Records, Vol. 98: 608.

William Wilkerson and Sam Coit, Trustees of White Rock School House to be used for a school house building site.⁴² George Coit was a former enslaved person who migrated to Texas from Georgia. George and his wife, Rosa had three sons: George Jr., Alex, and Thomas. The land that he was to later purchase with other stockholders was to become the White Rock Union Colored Grave Yard, which was adjacent to the Scott Cemetery. George Coit was also one of the first trustees of the White Rock C.M.E. Church.

As the former enslaved persons established communities, they bought land and built schools and churches to create a legacy for their families. White Rock Chapel Church was organized in Upper White Rock on November 15, 1884, serving about 28 families.⁴³ It was the first African American church established in Far North Dallas and the first such establishment for African Americans in the North Texas area.⁴⁴ The first trustees were: Jack and George Coit, B.F. Turner, Felix Bingham, and Willie Harris. The Church was located on Celestial Road, between Preston Road and Montfort, beside the small African American burial ground, known then as the Scott Cemetery. The original site was purchased from the plantation owner, Obier, for the price of ten dollars.⁴⁵ Additional church land was once owned by the Noell family. Nearby White Rock Creek flowed past the only cemetery for blacks in the area.⁴⁶ In the years to come, White Rock Chapel Church would become inextricably linked to the cemetery.

On November 14, 1888, Charles Spear and his wife Louisa sold a portion of his land from the Thomas Garvin Survey, abstract number 524, to Oceola Payne or “O.P.” Scott, the son of Samuel McGregor and Camilla Payne Scott.⁴⁷ A few weeks afterwards on December 4, 1888, Charles and Louisa Spear sold another portion of the land to Sam “S.A.” Scales.⁴⁸ It is here that we first see a reference to an official designation of interment for the land previously purchased by O.P. Scott:

“...said tract purchased by Samuel M. Scott from Preston Witt...crossing White Rock Creek to the beginning and containing 97 and 51/100 acres and is intended to convey all land above described except one square acre deeded by us to O.P. Scott for the purpose of a graveyard”.⁴⁹

This one square acre was sold to O. P. Scott on January 3, 1889, for the sum of \$10. This is the southern tract of the current cemetery. It is noteworthy that members of the Spear family are interred in the cemetery.

Charles and Louisa Spear sold the larger property to Sam A. Scales for the sum of \$1000. S. A. Scales purchased the 97.51-acre tract in a transaction dated February 9, 1889. On February 19, 1889, S.A. Scales deeded one acre of land to Giles Armstrong, George Coyt (Coit) and Henry Keller, the Trustees for the White Rock Union Colored Grave Yard.⁵⁰

42 Dallas County Deed Records, Vol. 39: 536.

43 McKnight, Dr. Mamie L. *African American Families and Settlements of Dallas: on the inside Looking out: Exhibition, Family Memoirs, Personality Profiles and Community Essays*. Dallas, TX: Black Dallas Remembered; 1990. pp. 46-47.

44 Christian Chapel Christian Methodist Episcopal Church. History. CCTOF. <https://www.cctof.org/church-history>. Accessed May 16, 2019.

45 McKnight, Dr. Mamie L. *African American Families and Settlements of Dallas: on the inside Looking out: Exhibition, Family Memoirs, Personality Profiles and Community Essays*. Dallas, TX: Black Dallas Remembered; 1990. pp. 46-47.

46 Ibid.

47 Dallas County Deed Records, Vol. 100: 124-125.

48 Dallas County Deed Records, Vol. 98: 608.

49 Ibid.

50 Dallas County Deed Records, Vol. 102: 219-220.

“...have granted, bargained, sold and released and by these presents do grant, bargain, sell and release unto the said Giles Armstrong, George Coyt and Henry Keller, Trustees for the White Rock Union Colored Graveyard, and their successor in office, all that tract of land about 11½ miles north of Dallas, Texas, situated on the waters of White Rock Creek, containing one acre of land”.⁵¹

It is this document that establishes the formation of the White Rock Union Colored Grave Yard. The property description is listed as beginning with the northeast corner of Scott Cemetery and extending 69.6 yards north and 69.6 yards east and returning to the Scott plot.

Charles and Lula E. Booth purchased the larger remaining tract. On October 23, 1914, they convey a one-acre tract (Tract 3) adjacent to the existing cemetery (Tracts 1 and 2). The grantee is listed as Dr. S. W. Armstrong and William Phifer as trustees of the White Rock Union Graveyard.⁵² The price was \$85 and a 10 x 25-foot plat in the center and along the south side of the cemetery for the use of the Booth family.⁵³ This 1914 transaction completes the three acres that are now recognized as White Rock Cemetery Garden of Memories.

For the next century, the cemetery continued to be utilized by the African American members of Upper and Lower White Rock and the surrounding Freedman’s towns. The White Rock Union Colored Grave Yard was supported and maintained by its Stockholders, the White Rock Union Colored Graveyard Association, made up of representatives from most of the churches in the area. On April 17, 1973, the White Rock Cemetery Garden of Memories was established, comprising both the original one-acre Scott Cemetery and the two-acre White Rock Union Colored Grave Yard.⁵⁴ The care of the cemetery has continued with the trustees of the White Rock Cemetery Garden of Memories and the cemetery association.

Urbanization (1960s)

With the increase in the population of Dallas in the 1960s came growth and expansion of the city. New buildings, apartments and condominiums were cropping up all over the city throughout the 1970s to facilitate urban growth.⁵⁵ The city itself had expanded well beyond its post reconstruction-era boundaries to encompass a sprawling metropolis of shining skyscrapers and multi-million-dollar homes on its outskirts. The area immediately surrounding the cemetery was not immune to this growth (Ref. Figures 5 and 6).

With condominiums and expensive communities encroaching upon the boundaries of the cemetery, land disputes were certain to occur. The precipice of the ordeal occurred in the fall of 1969 when the gates to the cemetery erected by the cemetery association were padlocked by OKC Corporation. What followed would be a land case like none ever witnessed before or since in Dallas County. The cemetery would become embroiled in what would be the biggest battle of its existence.

⁵¹ Ibid.

⁵² Dallas Country Record of Deeds, Vol. 633, p. 106.

⁵³ Ibid.

⁵⁴ The State of Texas. *Articles of Incorporation: White Rock Cemetery Garden of Memories, Inc.* Secretary of State; April 17, 1973.

⁵⁵ United States Census Bureau. Dallas population in: 1880-1990. Retrieved May 17, 2019.

OKC Corporation, a large oil, cement, and real estate conglomerate started buying land in the Upper White Rock Creek area in 1969. They purchased three acres of land, including, they claimed, the land known as the White Rock Union Colored Grave Yard. Though the families

who had ancestors there made regular visits to the cemetery to take care of the graves, OKC Corporation claimed that the cemetery had been abandoned. A temporary restraining order was filed against OKC Corporation in March 1974 by the White Rock Union Graveyard Association and local churches, including White Rock Chapel, Mount Pisgah, Christian Chapel and St. Paul A. M. E. to prevent OKC Corporation from denying access to the cemetery.⁵⁶

J.O. Allen, Willie Mae Sowell and Minnie Moody and Trustees of White Rock Chapel Church, which became White Rock Chapel Independent Methodist church after the original church moved, wanted assurance that their original church site would be preserved and that the pathway from Celestial Road to the cemetery would remain unobstructed, so they took up the fight on August 13, 1975, against OKC Corporation.⁵⁷ Two years later, on February 15, 1977, the trustees received a ruling in their favor. Appeals and re-hearings went on between OKC Corporation and the trustees of White Rock Chapel Church until May 30, 1979, when the Texas Supreme Court upheld the original decision in favor of the trustees.⁵⁸ This was 10 years after the temporary restraining order was first filed.

Notable Interments

The White Rock Cemetery Garden of Memories has over 421 known interments.⁵⁹ As it was the only cemetery for blacks in the area, many of Dallas County's earliest black settlers and most influential pioneer families, including Anderson and Eliza Bonner, George and Rosa Coit, Henry Keller, George Wells, and Taylor Tarpley, were laid to rest there.

Anderson Bonner was born into enslavement in Alabama, most likely in the late 1830s. He was a farmer and owner of extensive land holdings north of Dallas along White Rock Creek and Cottonwood Branch. He purchased the properties with funds earned from his farm products and houses he leased to sharecroppers. Records indicate that the warranty deed for one of his earliest land purchases, which was over sixty acres, was filed in Dallas County on August 10, 1874. He married Eliza and they had nine children.⁶⁰

According to the 1870 United States Census, Bonner's personal financial worth was valued at \$275.⁶¹ He eventually amassed nearly 2,000 acres of land, located mostly along White Rock Creek and surrounding areas in what is known today as North Dallas and Richardson.⁶² Anderson

56 Dillon, David. On Hallowed Ground: How Dallas' oldest black church battled the developers, and won. And lost. D Magazine. <http://www.dmagazine.com/publications/d-magazine/1980/february/on-hallowed-ground/>. Published February 1980. Accessed May 19, 2019.

57 Ibid.

58 Ibid.

59 Keaton, Dr. George. White Rock Garden of Memories Complete Cemetery Survey. USGenWeb Archives - census wills deeds genealogy. <http://files.usgwarchives.net/tx/dallas/cemeteries/whiterock.txt>. Accessed May 4, 2019.

60 McKnight, Dr. Mamie L. *First African American Families of Dallas: Creative Survival*. Vol 1. Black Dallas Remembered Steering Committee; 1987.

61 1870 United States Federal Census; Census Place: *Precinct 4, Dallas, Texas*; Roll: *M593_1581*; Page: *381B*; Family History Library Film: 553080.

62 McKnight, Dr. Mamie L. *First African American Families of Dallas: Creative Survival*. Vol 1. Black Dallas Remembered Steering Committee; 1987.

Bonner died in 1920. A park has been named in his honor on the west side of Medical City Dallas where his farmland used to be.

George Coit was a true pioneer of the Upper White Rock settlement, helping to build the community. He was one of the first trustees of the White Rock Chapel Methodist Church. The church was organized after a meeting at Coit's home.⁶³ On November 12, 1878, George Coit and his wife Rosa deeded land to B.F. Turner, Felix Bingham, William Harris, William Wilkerson, and Jack Coit to build a school in the community. Coit was also one of the original trustees for the White Rock Union Colored Grave Yard. Coit, along with Henry Keller and Giles Armstrong, were deeded land for the cemetery on February 19, 1889. He died January 17, 1903.

Henry Keller was born into enslavement in 1817 on a plantation in Greenville, Tennessee. He moved to Texas with his wife Mary Jane Reed after emancipation and settled on a farm in Collin County where they raised ten children. When they reached their first milestone, they purchased a farm and moved to Dallas County where they settled in Addison, the area that is now called Far North Dallas.⁶⁴ There was an everlasting running spring on his farm that supplied water for him and many of his fellow farmers who needed water at no cost. The farm was located on a farm road which later was named Keller Springs Road in his honor.⁶⁵

His land ownership continued to grow, and he soon acquired several other parcels of farmland in the general area which was known as Upper White Rock. He became one of the larger black landowners and farmers in Dallas County. His holdings totaled 640 acres of land. He lived on his original Dallas County farm until his death in 1911 at the age of 94.⁶⁶

Taylor Anderson Tarpley was born in Wiley, Texas on August 1, 1865. He and his mother, Anne Turner, moved to Northwest Dallas County and settled in Addison, Texas. His mother purchased a large farm on Dooley Road, now Midway and Keller Springs Road. Taylor met and married Mary Jane Coit on January 7, 1886 and they had fifteen children by 1918. The young father bought a 106-acre farm to raise his family.⁶⁷

As one of the original organizers of the White Rock Methodist Church, Taylor and Mary were hard working people and proud of their family. They instilled in their children early in life the values of responsibility. This was evident when the Tarpley family was recognized as one of the largest cotton farmers in the area.⁶⁸ Taylor and Mary Jane insisted on their children getting an education, as many of them went on to receive college degrees. Taylor Tarpley died on October 19, 1938, and his wife, Mary Jane died in 1937.

A prominent figure in the nearby Alpha community, **Reverend Elkanah Columbus "E.C." Bramblitt**, a white Baptist minister and his wife, Mary Elizabeth Wade Bramblitt (1842-1893) along with a host of other relatives are also buried in White Rock Cemetery Garden of Memories.

63 McKnight, Dr. Mamie L. *African American Families and Settlements of Dallas: on the inside Looking out: Exhibition, Family Memoirs, Personality Profiles and Community Essays*. Dallas, TX: Black Dallas Remembered; 1990. pp. 46-47.

64 McKnight, Dr. Mamie L. *First African American Families of Dallas: Creative Survival*. Vol 1. Black Dallas Remembered Steering Committee; 1987.

65 Ibid.

66 Ibid.

67 Ibid.

68 Ibid.

69 Martin, W.L. *The Carrollton Chronicle*. Carrollton, Texas, Vol.32, No. 11, Ed. 1, Friday, January 24, 1936;

Elkanah Bramblitt was born in Campbell County, Virginia in 1840 and came to Texas with his parents in 1859. Bramblitt engaged in various occupations which included cattle driver, farmer, schoolteacher and minister.⁶⁹ He was the Postmaster in Alpha in 1894.⁷⁰ Ironically, Elkanah Bramblitt served as a Confederate soldier in Co. E. 18th Texas Calvary in the Civil War, and was buried in what would later be called the White Rock Colored Union Cemetery. He lived in Texas for 76 years until his death in 1936.

Other prominent early Upper White Rock Settlement pioneer families and large landowners from the area resting in White Rock Cemetery Garden of Memories include Taylor and Laura **Turner Family**, George and Phyllis **Wells Family** and Isaac and Florence **Barton Family** as well as many other influential families from the area.⁷¹

Surrounding Context Post 1980

Despite being completely obscured by the surrounding apartment complexes and condominiums, as of 2023 burials are still occurring at the cemetery.

Upkeep of the cemetery is handled by the cemetery association. The White Rock Cemetery Garden of Memories, Inc. is a non-profit cemetery association made up of the descendants of early African American pioneers of the Upper White Rock community. They have been meeting annually on the grounds of the cemetery for over 30 years to give honor to their ancestors and to preserve the legacy of the Upper White Rock community. Oral histories and family photos are shared by the surviving family members, keeping the memories of their ancestors alive.

History has accepted that after Emancipation blacks were perpetually poor, uneducated, and landless. But pioneers like Anderson Bonner, George Coit, Henry Keller, George Wells and Taylor Tarpley defied those perceptions and achieved economic equality, a stunning achievement during that time in spite of the enactment of Jim Crow laws.

White Rock Cemetery Garden of Memories, mostly comprised of African Americans who were active members of their North Texas farming communities, is the resting place for a strong, self-sufficient community of people who were exceptional, especially during that time period. With its rich and distinctive history, the White Rock Cemetery Garden of Memories is a hidden treasure in Dallas County.

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70 Wheat, Jim. *Postmasters and Post Offices of Texas, 1846 – 1930*.

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71 McKnight, Dr. Mamie L. *First African American Families of Dallas: Creative Survival*. Vol 1. Black Dallas Remembered Steering Committee; 1987.

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15. Attachments

☒ *District or Site Map*
☒ *Site Plan*
☒ *Photos (historic & current)*

☐ *Additional descriptive material*
☐ *Footnotes*
☐ *Other:* _____

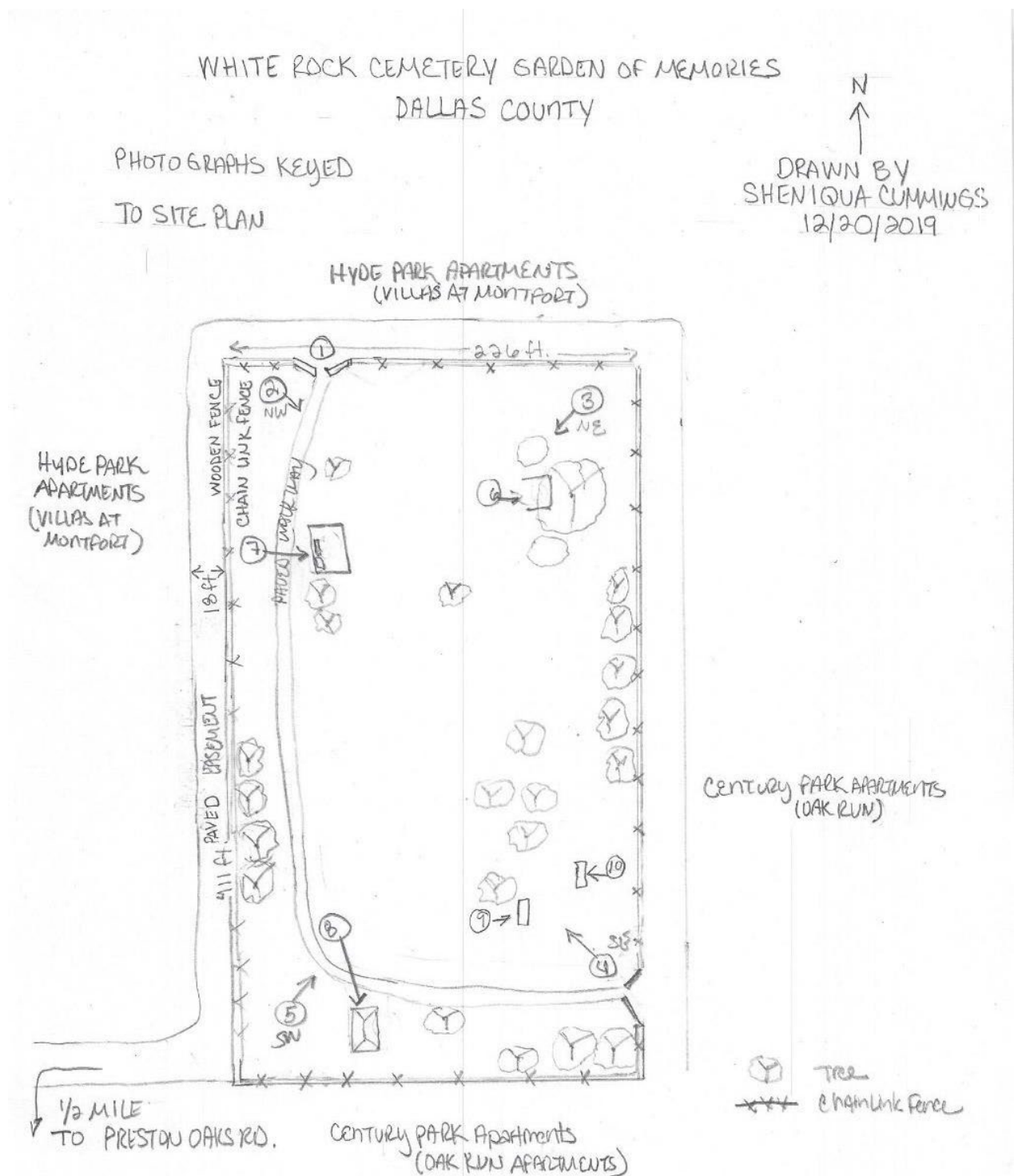


Figure 1. Site Plan of the property drawn by Sheniqua Cummings, 12/20/2019.

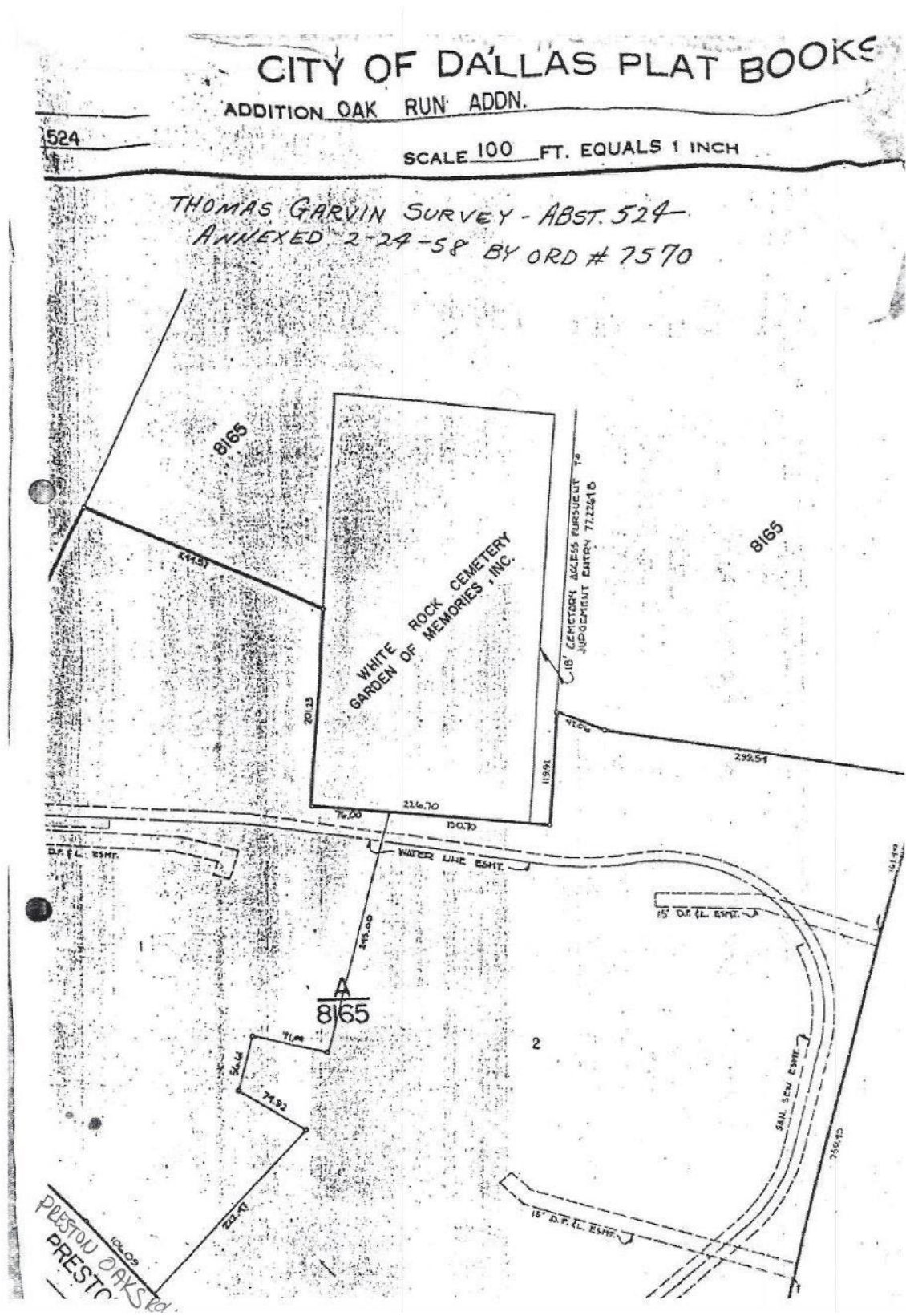


Figure 2. City of Dallas Plat Books, Oak Run Addition, Thomas Garvin Survey, Abstract 524, Annexed 2/24/58 by Ord. #7570.

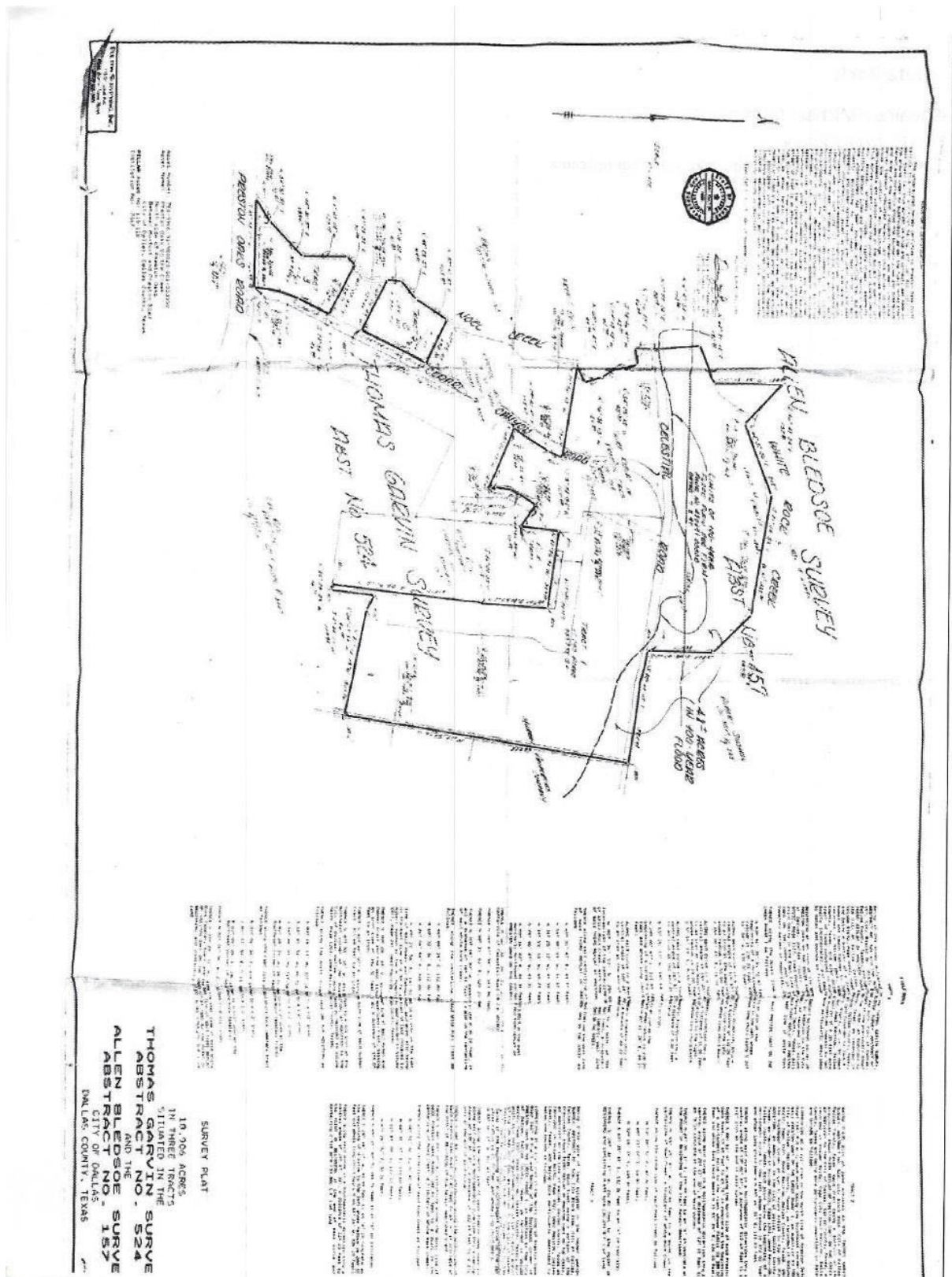


Figure 3. Survey Plat, Thomas Garvin Survey, Abstract no. 524, City of Dallas, Dallas County, Texas

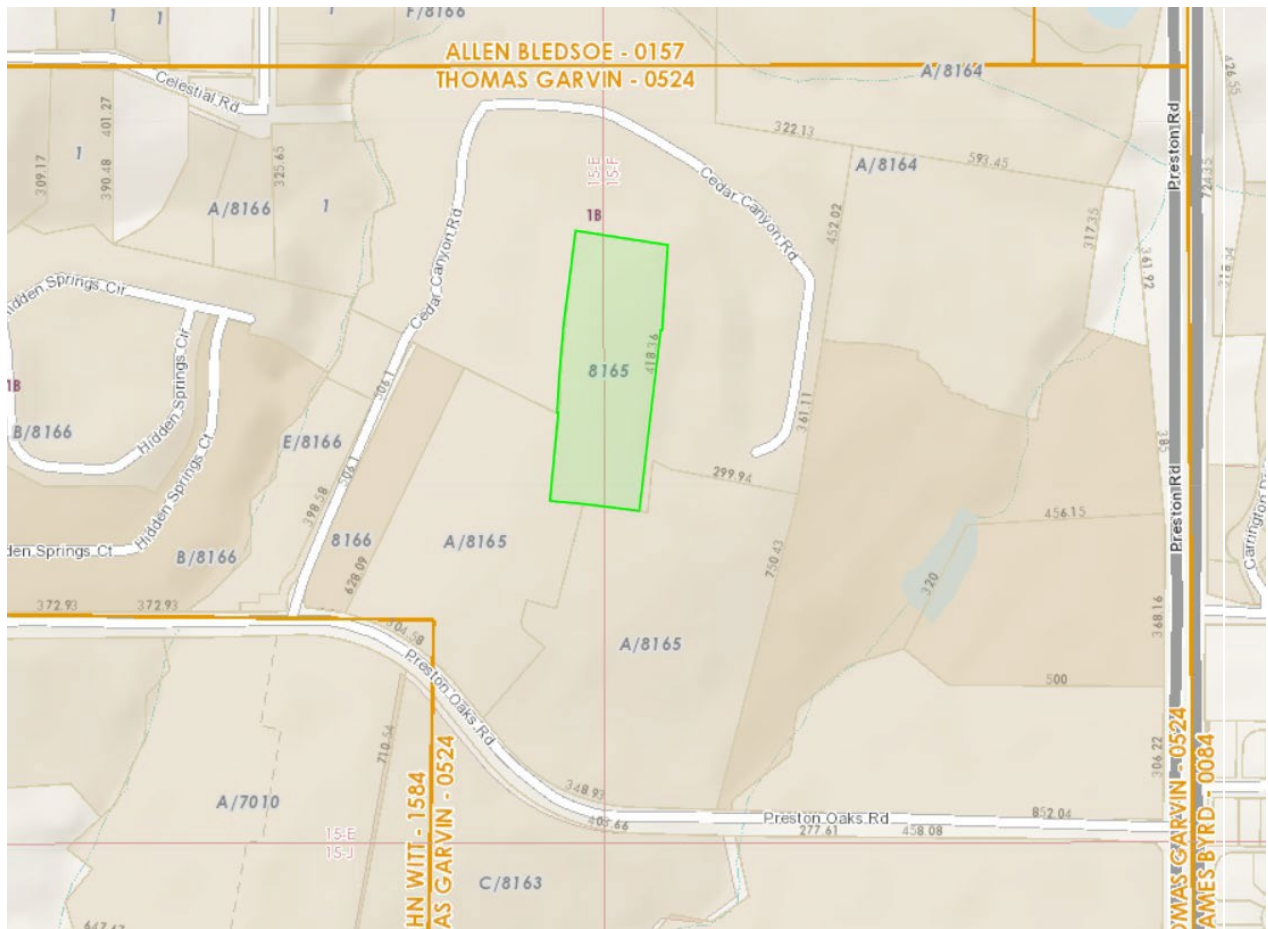


Figure 4. Dallas County Appraisal District Property Map, Thomas Garvin Survey #0524, Subject property is rectangle labeled block 8165; 11/19/2023.

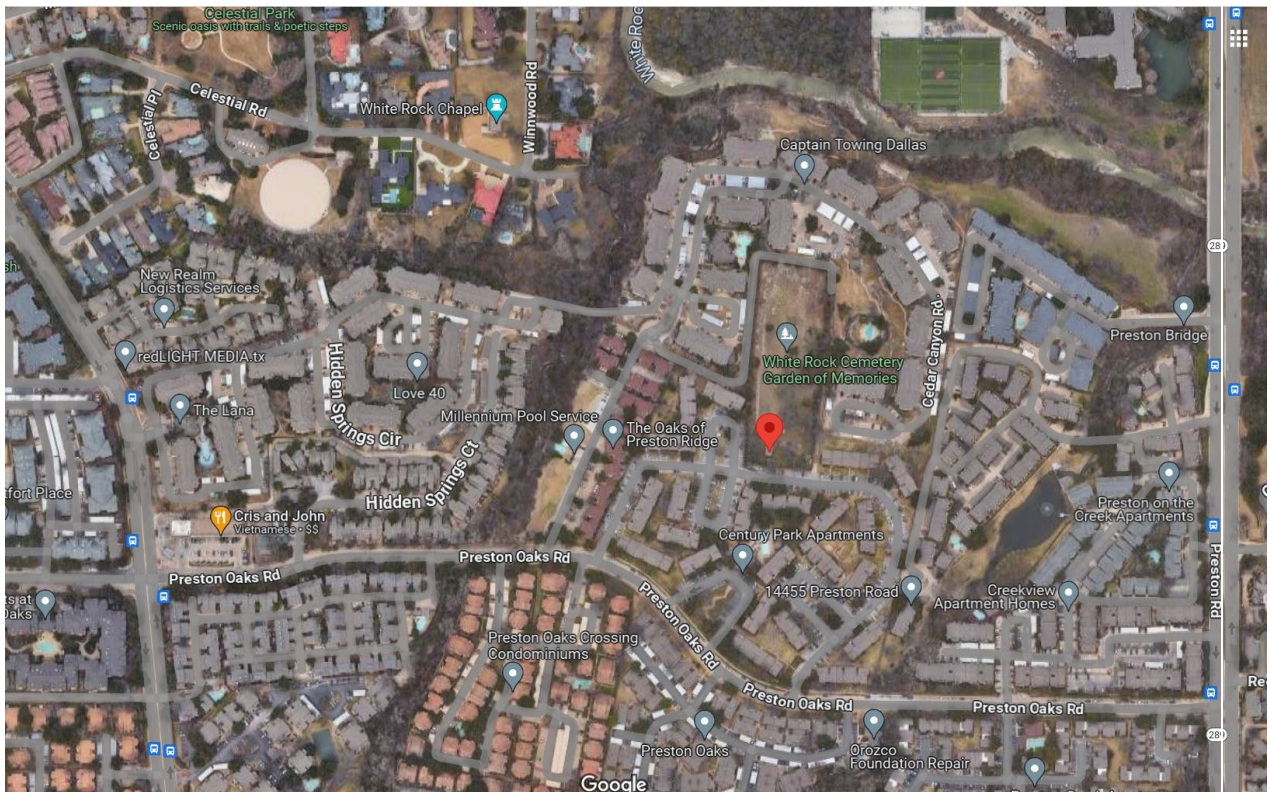


Figure 5. Google Map showing White Rock Cemetery Garden of Memories and current surroundings, 11/19/2023.

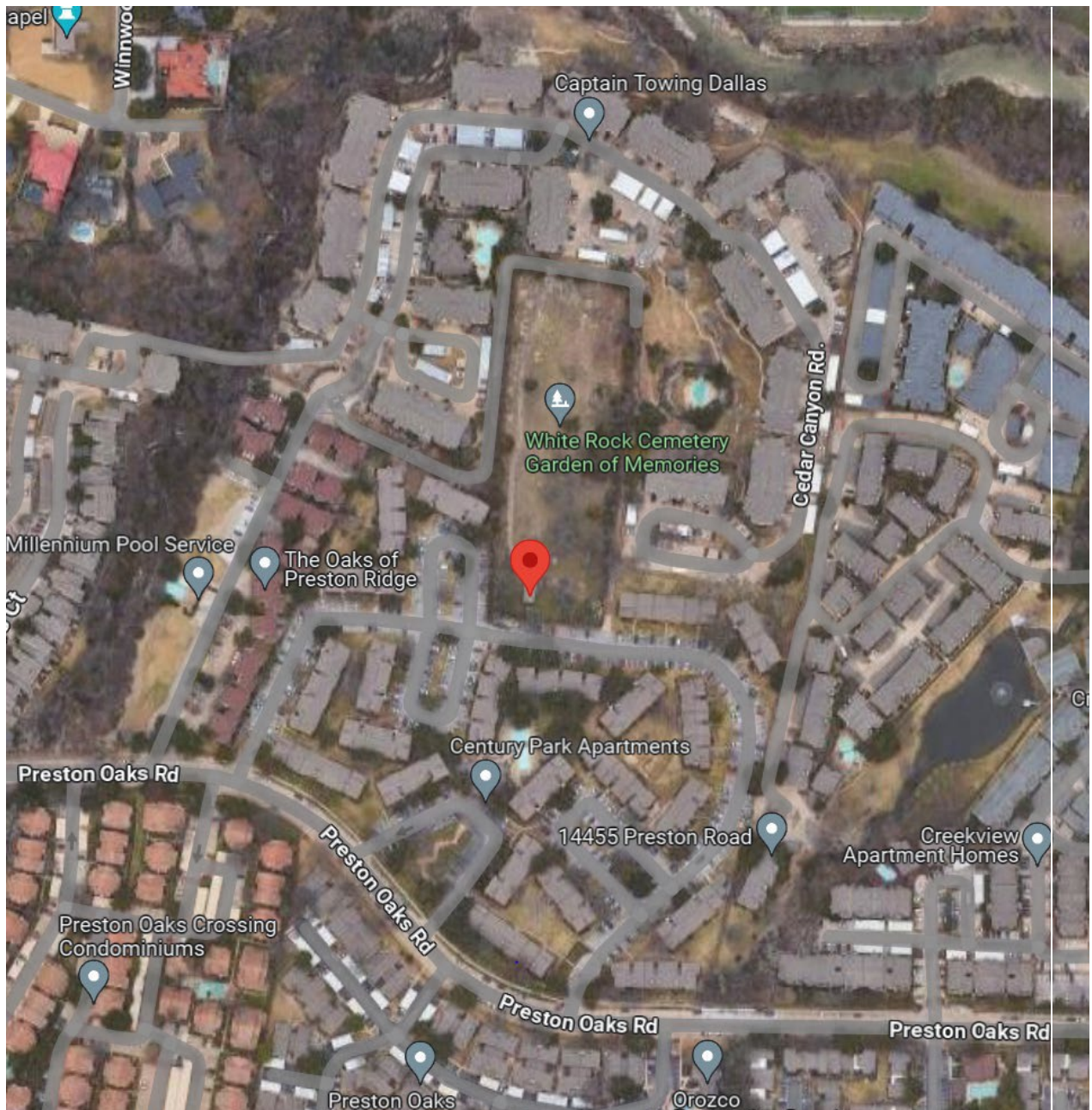


Figure 6. Google Map showing a close up view of White Rock Cemetery Garden of Memories completely surrounded by circa 1980s multi-family residential development, and accessed through this residential development, 11/19/2023.



Photo 1. Front (north) entrance to the cemetery with wrought iron gate displaying the name “White Rock Cemetery Garden of Memories.” Photo by Andreea Hamilton, April 1, 2023.



Photo 2. Henry and Mary Jane Keller (for whom Keller Springs Road was named). Photo by Andreea Hamilton, April 1, 2023.



Photo 3. Anderson and Eliza Bonner (largest landowner). Photo by Andreea Hamilton, April 1, 2023.



Photo 4. Josephine Scott (wife of E.B. Scott). Photo by Andreea Hamilton, April 1, 2023.



Photo 5. M.E. Wade (wife of E.C. Bramblitt). Courtesy of Sheniqua Cummings, Nov. 18, 2019.



Photo 6. Reverend E.C. Bramblitt. Courtesy of Sheniqua Cummings, Nov. 18, 2019.



Photo 7. L.G. Pinkston (for whom Pinkston High School was named). Courtesy of Sheniqua Cummings, May 15, 2019.



Photo 8. Margaret McKamy (oldest known grave). Courtesy of Sheniqua Cummings, Nov. 18, 2023.



Photo 9. Wrought Iron Fenced Plot (Williams Family). Courtesy of Sheniqua Cummings, Nov. 18, 2019.



Photo 10. Example of a Concrete Curb Plot (Barton Family). Courtesy of Sheniqua Cummings, Nov. 18, 2019.



Photo 11. Example of a Pier Type Monument. Courtesy of Sheniqua Cummings, Nov. 18, 2019.



Photo 12. Example of a Pedestal Type Monument. Courtesy of Sheniqua Cummings, Nov. 18, 2019.



Photo 13. George and Rosie Coit (Original founder/landowner for whom Coit Road was named). Courtesy of Sheniqua Cummings, May 15, 2019.



Photo 14. Cemetery pavilion built in the 1970s. Courtesy of Sheniqua Cummings, Nov. 2, 2019.

16. Designation Criteria

x **History, heritage and culture:** Represents the historical development, ethnic heritage or cultural characteristics of the city, state, or country.

 Historic event: Location of or association with the site of a significant historic event.

x **Significant persons:** Identification with a person or persons who significantly contributed to the culture and development of the city, state, or country.

 Architecture: Embodiment of distinguishing characteristics of an architectural style, landscape design, method of construction, exceptional craftsmanship, architectural innovation, or contains details which represent folk or ethnic art.

 Architect or master builder: Represents the work of an architect, designer or master builder whose individual work has influenced the development of the city, state or country.

 Historic context: Relationship to other distinctive buildings, sites, or areas which are eligible for preservation based on historic, cultural, or architectural characteristics.

x **Unique visual feature:** Unique location of singular physical characteristics representing an established and familiar visual feature of a neighborhood, community or the city that is a source of pride or cultural significance.

x **Archeological:** Archeological or paleontological value in that it has produced or can be expected to produce data affecting theories of historic or prehistoric interest.

x **National and state recognition:** Eligible of or designated as a National Historic Landmark, Recorded Texas Historic Landmark, State Archeological Landmark, American Civil Engineering Landmark, or eligible for inclusion in the National Register of Historic Places.

x **Historic education:** Represents as era of architectural, social, or economic history that allows an understanding of how the place or area was used by past generations.

<i>17. Recommendation</i>

The Designation Committee requests the Landmark Commission to deem this nominated landmark meritorious of designation as outlined in Chapter 51 and Chapter 51A, Dallas Development Code.

Further, the Designation Committee endorses the Preservation Criteria, policy recommendations and landmark boundary as presented by the Department of Development Services.

Date:

***Daron Tapscott - Chair
Designation Committee***

Historic Preservation Planner

[Date]

ORDINANCE NO. _____

An ordinance changing the zoning classification on the following property:

BEING a tract of land in City Block 8165; fronting approximately 210 feet along Celestial Road south of Cedar Canyon Road; and containing approximately 3.112 acres;

by establishing Historic Overlay District No. 156 (White Rock Cemetery Garden of Memories); providing procedures, regulations, and preservation criteria for structures and property in the district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the rezoning of the Property described in this ordinance; and

WHEREAS, the city council finds that the Property is an area of historical, cultural, and architectural importance and significance to the citizens of the city; and

WHEREAS, the city council finds that it is in the public interest to establish this historic overlay district; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the zoning classification is changed by establishing Historic Overlay District No. 156 on the property described in Exhibit A (“the Property”), which is attached to and made a part of this ordinance.

SECTION 2. That the establishment of this historic overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the regulations of the underlying zoning district. If there is a conflict, the regulations in this ordinance control over the regulations of the underlying zoning district.

SECTION 3. That a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, demolish, or remove any structure on the Property without first obtaining a certificate of appropriateness or certificate for demolition or removal in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria attached to and made a part of this ordinance as Exhibit B.

SECTION 4. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the City of Dallas.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection,

construction, reconstruction, alteration, repair, conversion, maintenance, demolition, or removal of a building, structure, or land on the Property.

SECTION 6. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, City Attorney

By _____
Assistant City Attorney

Passed _____

EXHIBIT A
White Rock Cemetery Garden of Memories

Being a 135,562 Square Foot (3.112 Acre) tract of unplatted land lying in the City of Dallas, Dallas County, Texas, in the Thomas Garvin Survey, Abstract No. 524, lying in Block 8165, Official City of Dallas Block Numbers, land being a part of that property described in a Boundary Line Agreement between the White Rock Cemetery Garden of Memories, Inc. and JPI Texas Development, Inc. recorded in Volume 94029, Page 2125 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

NOTE: All coordinates shown are State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, Realization of 2011, No Scale, No Projection.

BEGINNING at a ½-inch diameter iron rod (Controlling Monument) found at the Southwest corner of the herein described tract of land, being also an inside corner of Lot 1, Block A/8165 of the Oak Run Addition, an addition to the City of Dallas recorded in Volume 78105, Page 1203 of the Deed Records of Dallas County, Texas:

THENCE North 03°39'22 East with the common line between said Lot 1, Block A/8165 and the herein described tract of land a distance of 201.29 feet to a ½-inch diameter iron rod (Controlling Monument) found at an outside corner of said Lot 1, Block A/8165, being also a common outside corner of Lot 1B, Block F/8166 of the Jefferson Oaks Addition Phase Two, Second Replat, an addition to the City of Dallas recorded in Volume 75146, Page 3244 of the Deed Records of Dallas County, Texas:

THENCE Northerly, Easterly and Southerly with the common line between the herein described tract of land and said Lot 1B, Block F/8166 the following courses and distances:

North 01°51'38" East a distance of 104.13 feet to a ½-inch diameter iron rod (Controlling Monument) found at an outside corner of the herein described tract of land:

North 04°15'46" East a distance of 109.62 feet to a fence post found at an outside corner of the herein described tract of land:

North 05°15'27" East a distance of 99.57 feet to an inside corner of the herein described tract of land (not monumented):

North 04°25'18" East a distance of 110.04 feet to a ½-inch diameter iron rod (Controlling Monument) found at the Northwest corner of the herein described tract of land:

South 82°31'12" East a distance of 216.99 feet to a 100-0 Nail (Controlling Monument) found at the Northeast corner of the herein described tract of land:

South 01°51'34" West a distance of 195.94 feet to a 3/8-inch diameter iron rod (Controlling Monument) found at an outside corner of the herein described tract of land:

North 88°03'40" West a distance of 5.26 feet to a 3/8-inch diameter iron rod (Controlling Monument) found at and inside corner of the herein described tract of land:

THENCE South 04°30'58" West continuing with the said common line between the herein described tract of land and Lot 1B, Block F/8166 a distance of 418.90 feet to a Mag Nail with washer stamped "CITY OF DALLAS" set at the Southeast corner of the herein described tract of land, at the intersection with the North line of the above referenced Lot 1, Block A/8165 of the Oak run Addition, *FROM WHICH* a 3/8-inch diameter iron rod (Controlling Monument) found at an inside corner of said Lot 1, Block A/8165 bears South 85°03'23" East a distance of 13.39 feet:

THENCE North 85°03'28" West, continuing with said common line a distance of 213.31 feet to the **POINT OF BEGINNING**, containing 135,562 Square Feet, or 3.112 Acres of land.

BASIS OF BEARINGS: Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, Realization of 2011.

EXHIBIT B
PRESERVATION CRITERIA
White Rock Cemetery Garden of Memories
5700 Celestial Road

1. GENERAL.

- 1.1 All demolition, maintenance, new construction, public works, renovations, repairs, and site work in this district must comply with these preservation criteria.
- 1.2 Any alterations to property within this district must comply with the regulations in Chapter 51A of the Dallas City Code, as amended. If there is a conflict, these preservation criteria control.
- 1.3 Certificate of appropriateness.
 - a. A person may not alter a site within this district, or alter, place, construct, maintain, or expand any structure on the site without first obtaining a certificate of appropriateness in accordance with Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
 - b. The certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.
 - c. Any work done under a certificate of appropriateness must comply with any conditions imposed in the certificate of appropriateness.
 - d. After the work authorized by the certificate of appropriateness is commenced, the applicant must make continuous progress toward completion of the work, and the applicant shall not suspend or abandon the work for a period in excess of 180 days. The Director may, in writing, authorize a suspension of the work for a period greater than 180 days upon written request by the applicant showing circumstances beyond the control of the applicant.
- 1.4 A person may not demolish or remove any structure in this district without first obtaining a certificate for demolition or removal in accordance with Section 51A-4.501 of the Dallas Development Code, as amended.
- 1.5 Preservation and restoration materials and methods used must comply with the Secretary of the Interior's Standards for Rehabilitation and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library.
- 1.6 No person shall allow a structure in this district to deteriorate through demolition by neglect. Demolition by neglect is neglect in the maintenance of a structure that

results in deterioration of the structure and threatens preservation of the structure. All structures in this district must be preserved against deterioration and kept free from structural defects. See Section 51A-4.501 of the Dallas Development Code, as amended, for regulations concerning demolition by neglect.

- 1.7 Consult Article XI, "Development Incentives," of the Dallas Development Code, as amended, for tax incentives that may be available in this district.
- 1.8 The period of historic significance for this district is the period from 1866 to 1960.

2. DEFINITIONS.

- 2.1 Unless defined in this section, the definitions in Chapter 51A of the Dallas City Code, as amended, apply.
- 2.2 APPROPRIATE means typical of the historic architectural style, compatible with the character of this district, and consistent with these preservation criteria.
- 2.3 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
- 2.4 DIRECTOR means the Director of the Department of Planning and Urban Design or the Director's representative.
- 2.5 DISTRICT means Historic Overlay District No. 156, the White Rock Cemetery Garden of Memories Historic Overlay District. This district contains the property described in Section 1 of this ordinance and as shown on Exhibit C.
- 2.6 ERECT means to attach, build, draw, fasten, fix, hang, maintain, paint, place, suspend, or otherwise construct.
- 2.7 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.
- 2.8 GRADE means the existing ground surface elevation.
- 2.9 GRAVE means the space of ground used or intended to be used for the permanent interment of human remains.
- 2.10 GRAVE MARKER means a permanent marker that identifies the locations of one or more graves. Grave markers may be stone or metal and typically are inscribed with the name and dates of birth and death. Grave markers can be located at the head or foot of a single grave, or located to mark a collection of graves (family gravesites).

- 2.11 MEMORIAL MONUMENT means a commemorative marker, pylon, or sculpture that memorializes a person, place, or historic event.
- 2.12 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.
- 2.13 REINTERMENT means the reburial of human remains.
- 2.14 REMAINS means the body, or parts of the body, of a deceased person.

3. SITE AND LANDSCAPING.

- 3.1 New construction is only allowed in the area as shown in Exhibit C.
- 3.2 Activities that require the disturbance of more than six inches (depth) of surface soil in the district require a certificate of appropriateness in advance of the activities. Archeological studies should be considered as part of the certificate of appropriateness to prevent the inadvertent disturbance of unmarked graves.
- 3.3 New sidewalks, walkways, paths, and steps must be constructed of pavers, brick, broom finished concrete, or other appropriate material. Crushed gravel, stone, or stone chips may be used as new or replacement sidewalks and paths. Artificial grass, artificially-colored concrete, asphalt, exposed aggregate, and outdoor carpet are not permitted.
- 3.4 Driveways and parking areas must be constructed of brick, broom finished concrete, or asphalt.
- 3.5 No path or walkway may be extended over a grave.
- 3.6 Outdoor lighting must be appropriate. Light poles may not exceed 16 feet in height.
- 3.7 Except for reinterments, the grade of any area should not be changed. After a reinterment is completed, the grade of that area must be restored.
- 3.8 Landscaping.
 - a. Landscaping must be appropriate, enhance the district and surroundings, and may not obscure significant views of protected memorial monuments and fences.
 - b. A certificate of appropriateness is required to remove any trees or shrubs, or to install any landscaping material.

- c. No new or replacement shrubs or trees may be planted on a grave.
- d. No new destructive or invasive ground cover, such as Boston Ivy or Asian Jasmine, may be planted on or allowed to extend over a grave. Native species of plants and grasses are encouraged.

3.9 Fencing.

- a. Perimeter fencing of the Property is allowed. Fences must be appropriately located for a cemetery setting, and may not exceed six feet in height. Decorative metal is preferred.
- b. Replacement fences at individual gravesites or at a collection of graves (family gravesites) may be allowed only if evidence exists that there was a fence at the location, and adequate documentation exists that may be used as a guide for reconstruction. Replacement fences must match the material, design, style, and height of the original fence as near as possible.

4. GRAVE MARKERS AND MEMORIAL MONUMENTS

- 4.1 Existing grave markers and memorial monuments are protected.
- 4.2 It is recommended that existing, or relocated, grave markers and memorial monuments be preserved and restored and that damaged grave markers and memorial monuments be repaired.
- 4.3 The identification of unidentified graves is encouraged. Following research to determine the deceased or other pertinent information, marking of unidentified graves is encouraged.
- 4.4 It is encouraged that grave markers that are no longer in place, missing, or irreplacably damaged be replaced with grave markers that are similar in design, material, color, and size to the original grave markers at that location. Light colored stones are encouraged.
- 4.5 If the design of the original grave marker is not known, new flat grave markers may be used, similar to the veteran replacement grave markers already installed.
- 4.6 Texas Historical Commission grave markers may be placed at graves.
- 4.7 New replacement family grave markers may be used.
- 4.8 New vertical memorial monuments may be erected, and new historic markers that provide details of the history of White Rock Cemetery or the individuals buried there are permitted. Vertical monuments greater than 36 inches in height are required to obtain a certificate of appropriateness.

5. BURIALS AND REINTERMENTS.

- 5.1 For new burials, graves must be open and closed by a grave service company employed by a licensed funeral director. Burials do not require a certificate of appropriateness.
- 5.2 In the event that human remains, or artifacts suggestive of the presence of a grave, are encountered during any activity, the site of the discovery must be secured, the city historic preservation staff must be notified, and all ground-disturbing activities in the immediate area must cease. A certificate of appropriateness to restore the site or relocate the grave must be obtained before any activities can resume. No burials or reinterments shall occur in this area.
- 5.3 Any future relocation of marked or unmarked graves must be conducted according to the Texas Historical Commission guidelines for preserving historic cemeteries, and coordinated with the state archeologist.
- 5.4 Reinterment within the district is allowed. Locations of proposed reinterments must be reviewed through the certificate of appropriateness process.

6. PROTECTED ELEMENTS.

- 6.1 The following elements are considered important features and are protected:
 - a. Grave markers.
 - b. Memorial monuments.
 - c. Historic gravesite fences.
 - d. Gravesite curbs.
 - e. Artifacts associated with gravesites.

7. CONSERVATION, REPAIR, AND MAINTENANCE OF EXISTING GRAVE MARKERS AND MEMORIAL MONUMENTS.

- 7.1 It is encouraged that existing grave markers and memorial monuments be cleaned on a regular basis, but not more than once every 18 months.
- 7.2 Routine cleaning of grave markers and memorial monuments that are in good condition must be done by washing with water, then softly brushing with mild detergent, then thoroughly rinsing with water.
- 7.3 Grave markers that have a friable or sugary surface; a grainy surface that readily falls away; or other indications that the stone is delicate, brittle, or otherwise vulnerable should not be cleaned.

- 7.4 Removal of lichen and algae from grave markers or memorial monuments that are in good condition must be done by thoroughly soaking the stone with water and then using a wood scraper to gently remove the biological growth. It may be necessary to repeat this process several times to fully remove lichen or algae.
- 7.5 If a grave marker falls or is otherwise damaged, a temporary grave marker must be installed at the grave marker location before the damaged grave marker is removed for repair.
- 7.6 Grave markers that have broken into two or more pieces must be repaired using standards accepted by the Association for Grave Stone Studies (278 Main Street, Suite 207, Greenfield, MA 01301, ph. 413-772-0836 or <http://www.gravestonestudies.org>) or in “A Graveyard Preservation Primer” by Lynette Stranstad.
- 7.7 Fallen or broken grave markers may not be repaired by embedding them (typically face up) in concrete or using metal splints because both methods are detrimental to the integrity of the stone.
- 7.8 Lawnmowers without bumpers, lawn edgers and trimmers, and weed trimmers with metal wire may not be used directly around grave markers and memorial monuments as these cause irreversible damage to the stone when they strike or touch the stone. Lawnmower bumpers, fabricated from rubber tires or inner tubes, may be attached to lawnmowers to provide a buffer between the machine and the grave markers and memorial monuments. Weed trimmers with soft nylon whips may be used around grave markers and memorial monuments.

8. NEW CONSTRUCTION.

- 8.1 New construction is allowed only in the area as shown in Exhibit C. Any new construction must be appropriate to the cemetery. A certificate of appropriateness must be secured prior to the commencement of any construction activities.
- 8.2 No burials or reinterments shall occur in the area demarcated for new construction (See Exhibit C.)

9. SIGNS.

- 9.1 Only premise signs, park signs, cemetery identification signs, street signs, interpretive signs, movement control signs, and historic markers may be erected, and only if the sign is appropriate to the district.
- 9.2 All signs must comply with the provisions of the Dallas City Code, as amended.

10. ARCHEOLOGICAL STUDIES.

- 10.1 Any archeological studies must have a certificate of appropriateness prior to any ground-disturbing activities. A registered professional archeologist or a physical

anthropologist must conduct any archeological studies in accordance with the Texas Historical Commission guidelines for preserving historic cemeteries.

11. ENFORCEMENT.

- 11.1 A person who violates these preservation criteria is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness is obtained or the property is restored to the condition it was in immediately prior to the violation.
- 11.2 A person is criminally responsible for a violation of these preservation criteria if:
 - a. the person knowingly commits the violation or assists in the commission of the violation;
 - b. the person owns part or all of the property and knowingly allows the violation to exist;
 - c. the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials; or
 - d. the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property.
- 11.3 Any person who adversely affects or demolishes a structure in this district in violation of these preservation criteria is liable pursuant to Section 315.006 of the Texas Local Government Code for damages to restore or replicate, using as many of the original materials as possible, the structure to its appearance and setting prior to the violation. No certificates of appropriateness or building permits will be issued for construction on the site except to restore or replicate the structure. When these restrictions become applicable to a site, the Director shall cause to be filed a verified notice in the county deed records and these restrictions shall be binding on future owners of the property. These restrictions are in addition to any fines imposed.
- 11.4 Prosecution in municipal court for a violation of these preservation criteria does not prevent the use of other enforcement remedies or procedures provided by other city ordinances or state or federal laws applicable to the person charged with or the conduct involved in the offense

12. RESOURCES FOR ADDITIONAL INFORMATION.

Carmack, Sharon Debartolo. *Your Guide to Cemetery Research*. Cincinnati, Ohio: Betterway Books, 2002.

Hughes Wright, Roberta. *Lay Down Body: Living History in African American Cemeteries*. Detroit, Michigan: Visible Ink Press, 1996.

Jordan, Terry G. *Texas Graveyards: A Cultural Legacy*. Austin: University of Texas Press, 1982.

Keister, Douglas. *Stories in Stone: A Field Guide to Cemetery Symbolism and Iconography*. Salt Lake City, Utah: Gibbs Smith, Publisher, 2004.




Sloane, David Charles. *The Last Great Necessity: Cemeteries in American History*. Baltimore, Maryland: The Johns Hopkins University Press, 1991.

Strangstad, Lynette. *A Graveyard Preservation Primer*. 2nd ed. Lanham, Maryland: AltaMira Press, 2013.

Striegel, Mary F., Frances Gale, Jason Church, & Debbie Dietrich-Smith. *Preserving Grave Markers in Historic Cemeteries*. Preservation Brief #48. National Park Service (NPS), U.S. Department of the Interior, Technical Preservation Services.

Wolgemuth, Rachel. *Cemetery Tours and Programming: A Guide*. Lanham, Maryland: Rowman & Littlefield, 2016.

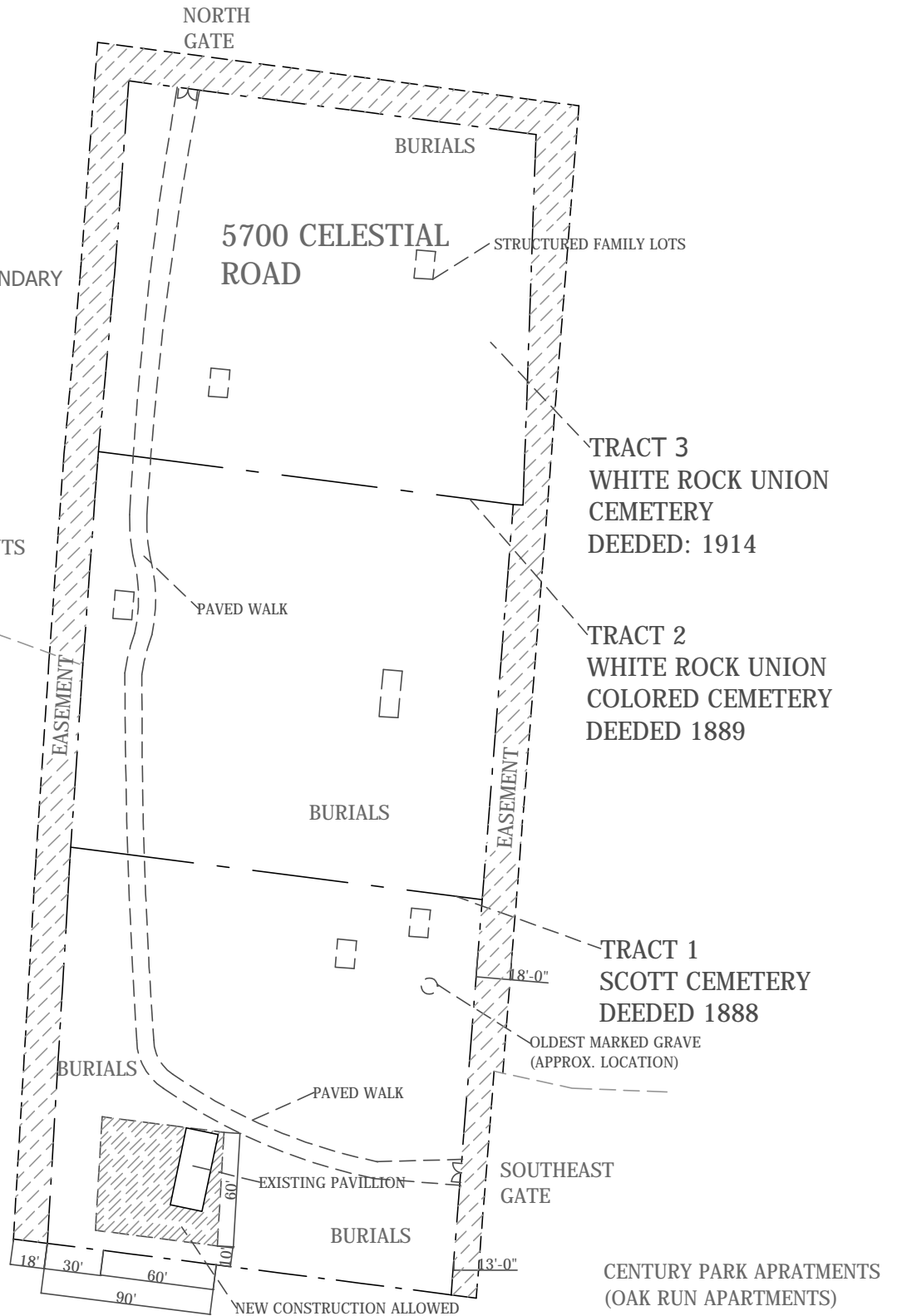
EXHIBIT C

-  NO BUILD ZONE
-  BUILD ZONE
-  EASEMENT

--- DESIGNATION BOUNDARY

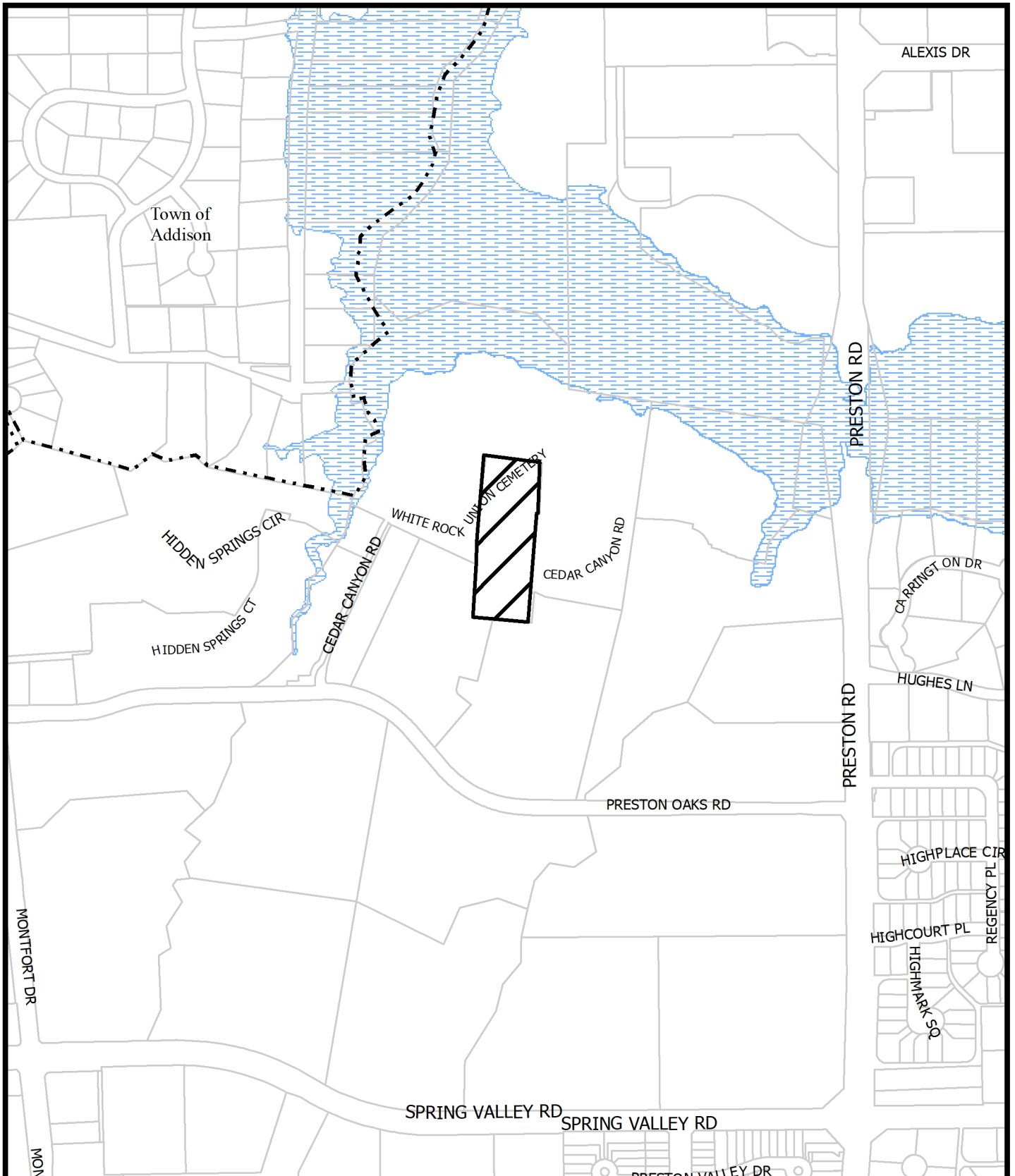
--- PROPERTY LINE

HYDE PARK APARTMENTS



5700 CELESTIAL ROAD - SITE PLAN
DISTRICT BOUNDARIES ARE THE EASMENT LINES



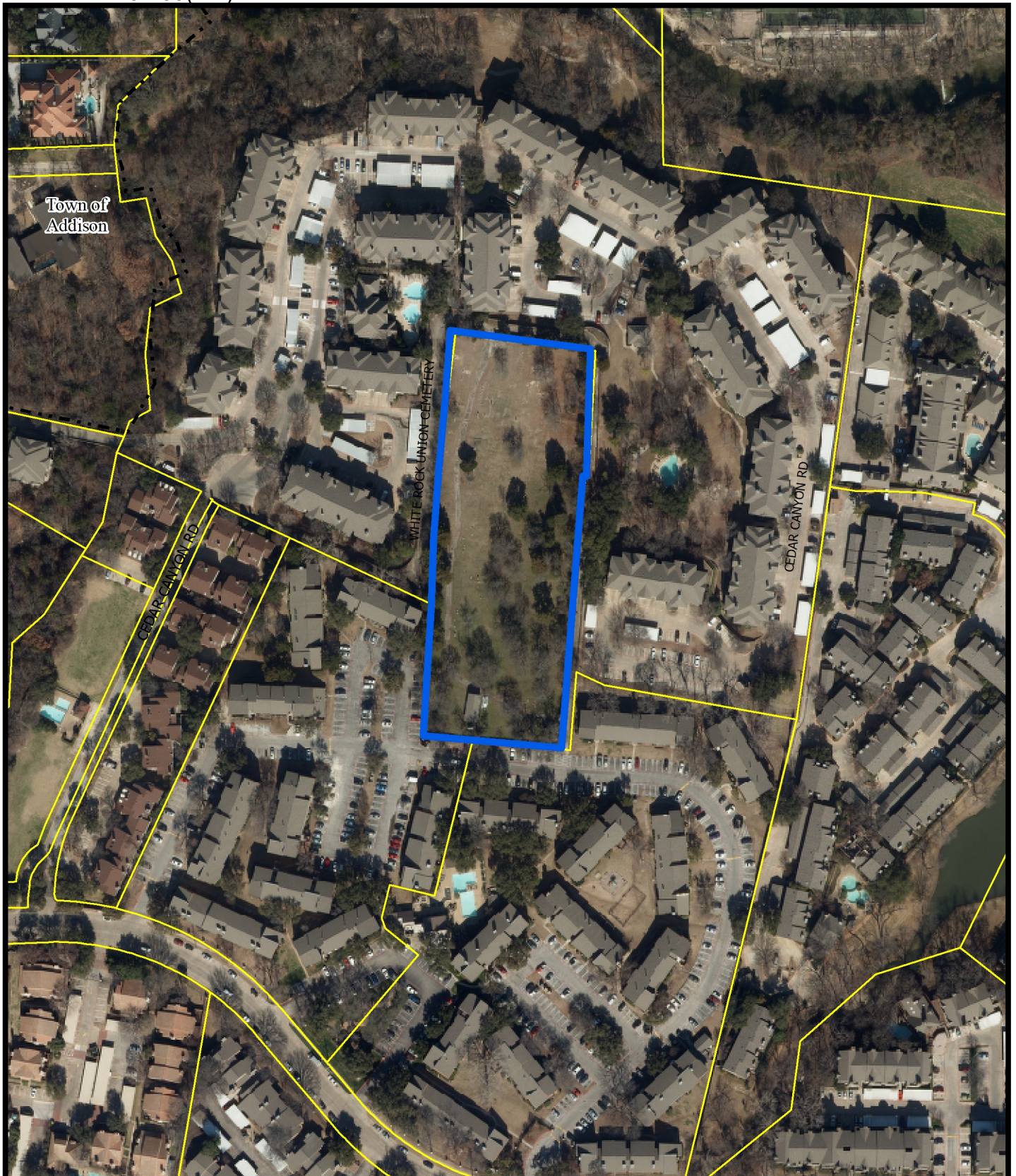


1:6,000

VICINITY MAP

Case no: **Z223-133**

Date: **2/27/2024**

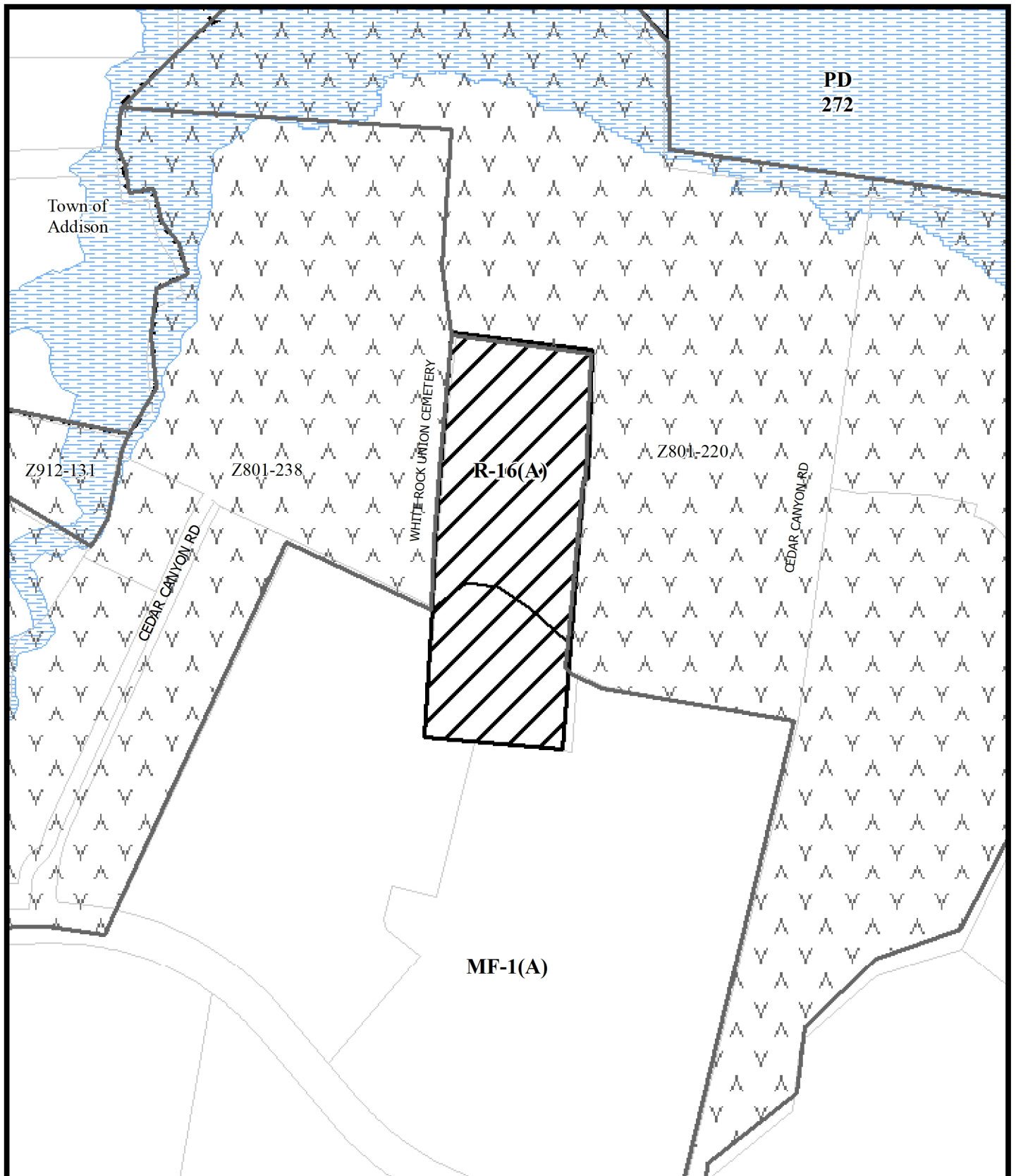


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AERIAL MAP

Case no: Z223-133

Date: 2/27/2024





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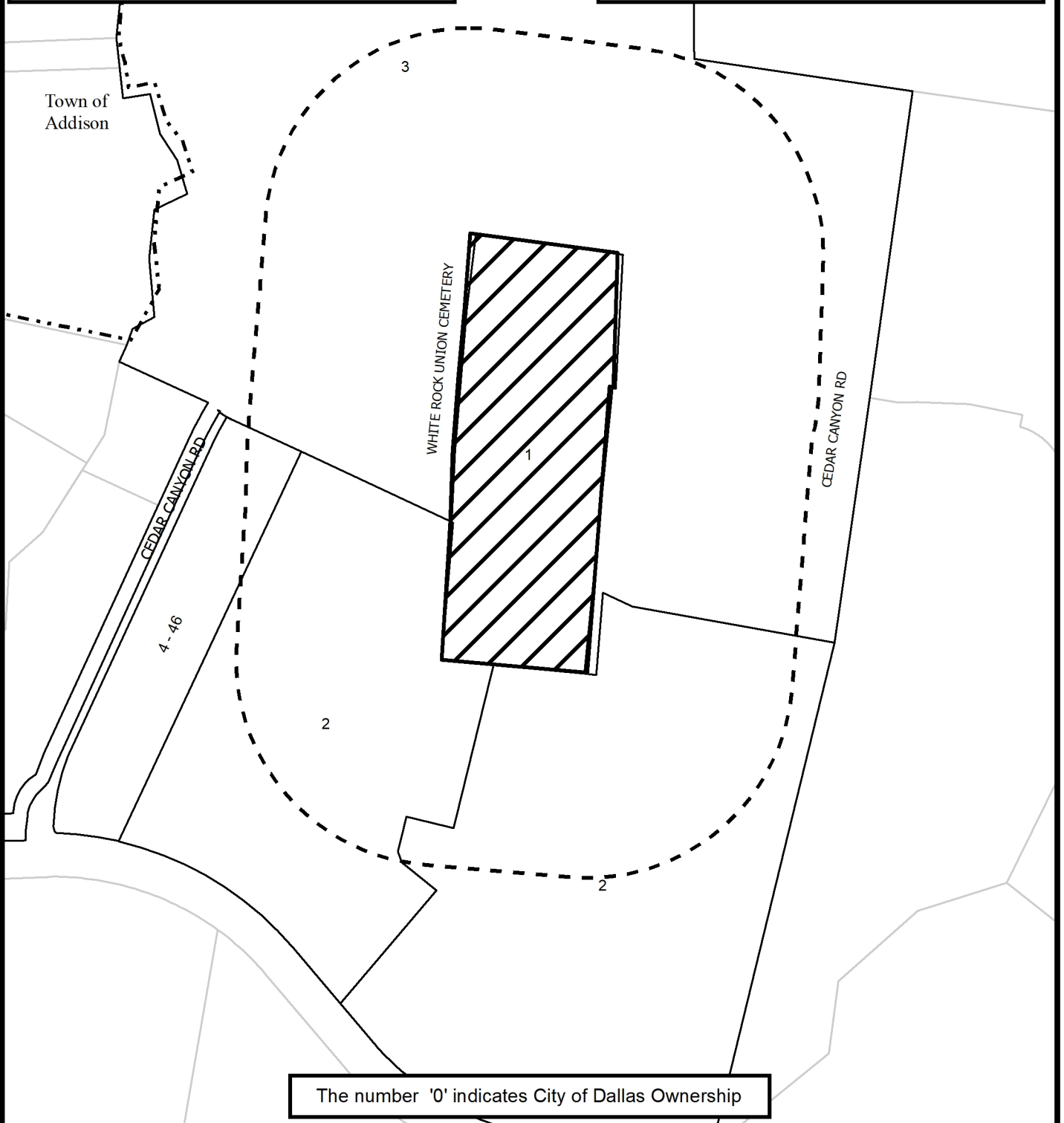
ZONING AND LAND USE

Case no: Z223-133

Date: 2/27/2024

The area of request is hatched  . Notification is sent to all property owners within the notification buffer area (shown by the dashed circle). Your property is not being rezoned if you are outside of the hatched area. If your property is not within the hatched area, you are receiving this notice only to let you know of the request.

El área de solicitud está sombreada  . La notificación se envía a todos los propietarios dentro del área de notificación (que se muestra con un círculo discontinuo). Su propiedad no será re zonificada si está fuera del área sombreada. Si su propiedad no está dentro del área sombreada, recibió este aviso solo para informarle sobre la solicitud.



1:2,400

NOTIFICATION

300'

AREA OF NOTIFICATION

46

NUMBER OF PROPERTY OWNERS NOTIFIED

Case no: **Z223-133**

Date: **2/27/2024**

02/27/2024

Notification List of Property Owners***Z223-133******46 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	5700 CELESTIAL RD	WHITE ROCK UNION CEMETERY
2	5801 PRESTON OAKS RD	FRONTLINE OAK RUN LLC
3	5711 PRESTON OAKS RD	WAK VILLAS AT MONTFORT INVESTOR LLC &
4	5619 PRESTON OAKS RD	BRICE JOSEFA
5	5619 PRESTON OAKS RD	SMALL KELLY J
6	5619 PRESTON OAKS RD	BASS JOLAYNE
7	5619 PRESTON OAKS RD	ERICKSEN MAGDALENA
8	5619 PRESTON OAKS RD	FIELDS KARLTON KRAIG &
9	5619 PRESTON OAKS RD	DALIRIFAR JAHANBAKHSI &
10	5619 PRESTON OAKS RD	BOYCE BARBARA L REVOCABLE TRUST
11	5619 PRESTON OAKS RD	MACALANDA KATHRINA
12	5619 PRESTON OAKS RD	ELROD JOHNSON
13	5619 PRESTON OAKS RD	VICTOR JONATHAN
14	5619 PRESTON OAKS RD	STEARMAN FRANKLIN RAY
15	5619 PRESTON OAKS RD	SHINN DARLA M
16	5619 PRESTON OAKS RD	DILL KARL ARTHUR
17	5619 PRESTON OAKS RD	RASHED AHMAD
18	5619 PRESTON OAKS RD	MATHIS MARK C
19	5619 PRESTON OAKS RD	MODI SHITAL
20	5619 PRESTON OAKS RD	RHODES KATHERINE L
21	5619 PRESTON OAKS RD	PARK YEE LIM
22	5619 PRESTON OAKS RD	YOUNG JUDY E
23	5619 PRESTON OAKS RD	SWOYER RANDY
24	5619 PRESTON OAKS RD	MCFARLAND MARY E
25	5619 PRESTON OAKS RD	BERNARD MARIE LIANE
26	5619 PRESTON OAKS RD	WOHFARTH CASSIDY

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	5619 PRESTON OAKS RD	NAYARSWATIMADHU
28	5619 PRESTON OAKS RD	ANTHONY BEN T
29	5619 PRESTON OAKS RD	YASSAIJAFAR
30	5619 PRESTON OAKS RD	HUERTA JULIA M
31	5619 PRESTON OAKS RD	TSEGAIPAULOS
32	5619 PRESTON OAKS RD	PARSA HASSAN
33	5619 PRESTON OAKS RD	CHEN FENG & DI YAO
34	5619 PRESTON OAKS RD	ROGERS ALISCIA R
35	5619 PRESTON OAKS RD	NORRIS DAKOTA
36	5619 PRESTON OAKS RD	HEJHAL GREGORY J
37	5619 PRESTON OAKS RD	BRENNER JACK
38	5619 PRESTON OAKS RD	ZHANG JUN &
39	5619 PRESTON OAKS RD	PRESTON OAKS JOINT
40	5619 PRESTON OAKS RD	SANTAMARIA VANESSA MICHELLE
41	5619 PRESTON OAKS RD	YASSAIYAFAR
42	5619 PRESTON OAKS RD	TUCKER CINDY CAROL &
43	5619 PRESTON OAKS RD	EVANS TIMOTHY P &
44	5619 PRESTON OAKS RD	HENDERSON CAMBRIA L
45	5619 PRESTON OAKS RD	BLOME PARKER
46	5619 PRESTON OAKS RD	ROWE CEA E