

**Avery Council Upchurch****(XID – 930)**Commentary –

Avery Council Upchurch (1928-1994) (XID – 930) distinguished himself and the American Upchurch family by his public service in Raleigh NC. His five-term mayor ship of the city (1983-1993) was unprecedented and exemplary. He was a descendant of Revolutionary War patriot Nathan Upchurch, I, who settled in western Wake County, NC about 1803 along with his brother, and fellow Revolutionary War veteran, Moses Upchurch. Descendants of the two brothers played significant roles in Raleigh as it existed in the 1800's. Among these was another mayor of Raleigh in the 1880's by the name of William Henry Dodd. W.H. had married Roxanna Margaret Upchurch, another descendant of Nathan Upchurch. The City Complex of Raleigh is named for Avery. WH and Roxanna left us the legacy of their restored historic home on Hillsboro Street which houses the elegant Second Empire Restaurant.

Acknowledgement

This Biofile was transcribed by Judith Pottenger Rysdon

**(1)** RPU Entry - 20 Jun 2016

I. Nathan U, I – Head of Clan

A. Burtis U

1. Gilbert Burtis U.

a. William Burtis U.

i. Rufus Merriman U.

(I) Auba Merriman U.

(A) Avery Council U.

d 30 Jun 1994

Mayor of Raleigh, NC

**(2)** Input to RPU by phone from Daniel Horner Sears 10 Jul 2009

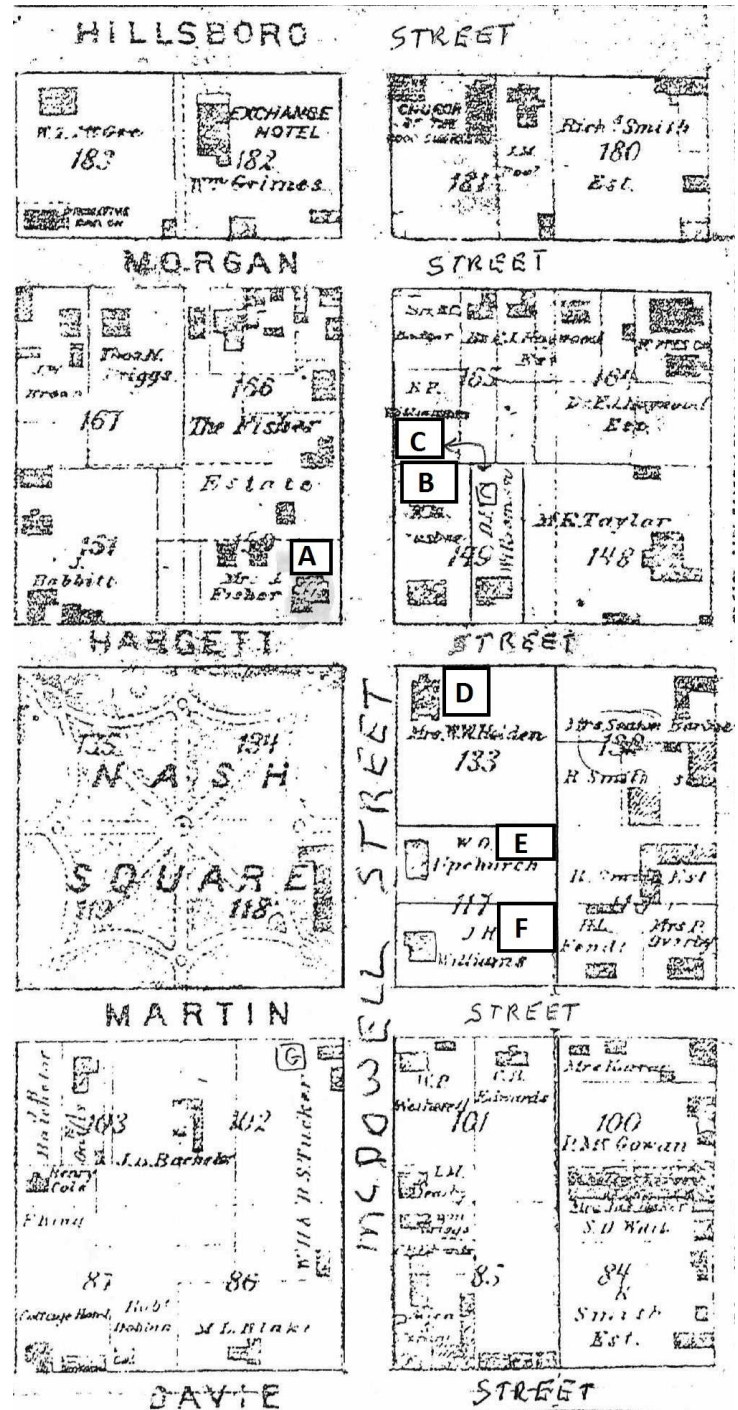
DHS knew Avery U & thought highly of him. Also knew Avery's father-in-law who owned the Morrisette Esso Station on Hillsboro Street. DNS lives near the Mordecai House and often was the community representative to appear before Avery as Mayor who DNS says was loved by one and all. He shared 2 stories about Avery

1. A lady called & complained to Mayor Upchurch about her garbage not being picked up. He got in his city car and went to get the garbage – reported in newspapers.
2. RE Krispy Kreme sign at Peace & Person. It was larger than a new sign ordinance allowed. Came out to inspect & DHS argued that the sign was a marker for anyone trying to find their way even though it exceeded limits. Avery listened to DHS argument and the sign is still there. The Krispy Kreme people never knew to thank DHS.

(3) FROM SHAFFER'S MAP OF RALEIGH, NC 1881, BY: A.W.SHAFFER, C.E. [full map found at [digital.ncdcr.gov/cdm/singleitem/collection/p249901coll26/id/3825/rec/1](http://digital.ncdcr.gov/cdm/singleitem/collection/p249901coll26/id/3825/rec/1) JPR] RPU EXTRACT 14 FEB 2012





- RPU ANNOTATIONS:
  - A [#150 on original map] Present site of Raleigh City Hall named for Mayor Avery Council U.,
  - B. [#149] W. M. Busbee
  - C. [#149] Bailey P. Williamson (2 Lots)
  - D. [#133] Mrs. W. W. Holden
  - E. [#117] William George U.
  - F. [#117] J. H. Williams
  - G. [#102] Corner Firestone Tire Store, Source of RPU 1939 Bicycle Next door west is office of Lawyer R. L. McMillan, visited by RPU 2010.
  - Email 9 JAN 2012 Gettis Bradley U, to RPU shows WGU house address as 219 South McDowell St.
  - Hiway marker on street at D: H-92
- WILLIAM W. HOLDEN 1818-1892  
Editor. Appointed provisional governor, 1865. Elected governor, 1868; impeached and removed, 1871. Home stood here.

US 70/401/NC 50 (McDowell Street) at Hargett Street in Raleigh/ 1986



(4) Item in Letter 5 May 2000 Doris Ruth U to RPU. This given to her by a neighbor who is a 1949 graduate of NC State and of Needham Broughton High.

## BROUGHTON MAYORS OF RALEIGH

<p><b>Thomas Wood Bradshaw, Jr.</b></p> <p>Class of '57 Pres. Raleigh J.C.'s Sec. N.C. Dept. Trans. Mayor '71-73</p>  <p>"Tommy" ... Clothes ... Dancer ... Lover</p> <p>Junior Civic Council 3; Audio Visual Committee 1, 2; Traffic Club 1; Spanish Club 4; Hi-Y 1,2,Vice-President 2; Senior Hi-Y 3, 4; Chorus 1; Home Room President 1, Sergeant-at-Arms 2, 3.</p>	<p><b>Avery Council Upchurch</b></p> <p>Class of '47 Pres. N.C. Service Station Assc. A Director of the N.C. Oil Jobbers Raleigh Municipal Bldg named in his honor Mayor '83-93</p>  <p>Anne ... Q-Ball Quartet ... blushing ... Chevy</p> <p>Green Hope High School, Green Hope, N.C., 1, 2; Basketball 1, 2, 3; Glee Club 2; Boy Scouts 1; Vice-President Class 1; Apex High School, Apex, N.C. 3; President Class 3; Student Council Representative 3; Sports Editor 3; American History Club 4; LATIPAC, Business Staff 5.</p>
<p><b>George Smedes York "Smedes"</b></p> <p>Class of '59 Chm. N.C. Citizens for Bus. &amp; Ind. Chm. RDU Airport Pres. Ral-Dur Regional Comm. Mayor '79-83</p>  <p>Hatchet ... tall'n blond ... brains!</p> <p>Student Council Representative 3, Alternate 2; Homeroom Officer 2, 4; Monogram Club 3, 4; Hi-Y 2, Vice-President 3, President 4; Marshal 3, 4; Football 2, 3, 4; Basketball 2, 3, 4; Gold 2, 3, 4; Queen of Hearts Escort 3; Boys' State 3.</p>	<p><b>Paul Yelverton Coble</b></p> <p>Class of '72 City Council '93-99 Newly installed mayor 1999</p>  <p>Tuffstuff</p> <p>Student Council Representative 4; Homeroom Officer, Sergeant-at-Arms 3; Poster Committee 4; Hi-Y 4; Little Theater 4; Monogram Club 4; Fellowship of Christian Athletes 4; Wrestling Team 3, 4.</p>

(5) From: Raleigh Memorial Park Cemetery, Glenwood Ave, Raleigh, Wake Co., NC. Inspected by RPU 10 Oct 2004

Avery C. U "Beloved Father & Husband  
22 Dec 1928 – 30 Jun 1994 [No reference to his being mayor.]

(6) Obituary from Genealogy Bank.com

**James L. "Jay" Jenkins Jr.**

RALEIGH -- James L. "Jay" Jenkins Jr., a member of the North Carolina Journalism Hall of Fame and retired senior assistant to the president of the University of North Carolina system, died Thursday after a brief illness. He was 84.

Born in Robeson County, Jenkins was the son of the late Rev. Dr. J. L. Jenkins of Boiling Springs and his wife, the late Kate Watson Jenkins. Dr. Jenkins was senior pastor of the Boiling Springs Baptist Church for 25 years, and a former president of what is now Gardner-Webb University in North Carolina's foothills. Mrs. Jenkins was a long-time teacher and principal in Boiling Springs.

Jay Jenkins was a member of a large and distinguished extended family descended from 18th century Scottish missionaries with branches all over Eastern and Western North Carolina. His great uncle, John Charles McNeill, was poet laureate of North Carolina in the early part of the 20th century. Jenkins' cousin, the late Gerald White Johnson of Baltimore, was a colleague of the legendary H.L. Mencken on the Baltimore Sun and the author of numerous books. Jenkins spent parts of his youth in Scotland County, of which both Johnson and McNeill considered themselves native. In addition, the family had a prominent role in the founding of Meredith College in Raleigh, where buildings are named for Jenkins' relatives.

As a schoolboy in Boiling Springs, Jenkins was an accomplished and noted outdoorsman and athlete who played semiprofessional baseball. In later life, he was a low-handicap golfer and devoted follower of the Atlanta Braves and his beloved Wake Forest Demon Deacons.

The family has included many other writers and journalists, and has had along association with Wake Forest University, where a member of the family had been enrolled or employed on the faculty continuously since 1838, with rare breaks. Jay Jenkins was a graduate, class of 1940. (His father was a graduate of the class of 1910.)

Jenkins also was a veteran of World War II, serving in the Army Air Corps in the Pacific Theater for 30 months. He spent a total of four years in military service.

Jenkins' career in journalism began with United Press International in 1941. He later worked for The Shelby Star, The Wilmington Post and later the Star-News, The News & Observer, The Charlotte Observer and The Winston-Salem Journal. He was regarded by many colleagues as a mentor among them the late Charles Kuralt of CBS News, David Cooper, retired editorial page editor of the Akron (Ohio) Beacon-Journal, James Batten, the late president of the Knight-Ridder Publishing Co., Joe Doster, retired publisher of the Winston-Salem Journal and Eugene Roberts, retired managing editor of The New York Times. Jenkins' reputation as a liberal editor was reflected in his professional and personal life. A long-time member of Raleigh's Pullen Memorial Baptist Church, he was an early and ardent supporter of the civil rights movement and a friend of long standing of that church's courageous minister of 30 years, W.W. Finlator.

Jenkins was the recipient of numerous journalism awards, including, in 1953, the national Sidney Hillman Award for investigative articles in The News & Observer exposing activities of the Ku Klux Klan in North Carolina. At that time, Jenkins and Jonathan Daniels, then-editor of The News & Observer,

#### **p.4 Cont'd**

nominated two small-town North Carolina editors, Willard Cole and Horace Carter, for the Pulitzer Prize because of their daring reporting on the Klan. Cole and Carter won.

Jenkins was inducted into the N.C. Journalism Hall of Fame in 1991.

In the course of his newspaper career, Jenkins knew a multitude of North Carolina politicians, dating to the 1940s, and he attended many national political conventions. Along the way, he made many close friends of considerably different political persuasions: While he was a student in the late 1930s at what was then called Wake Forest College, he formed what would be a lifelong friendship with a fellow student, Jesse Helms. His other closest friend in that arena was the late governor and U.S. Sen. Terry Sanford.

In 1970, Jenkins joined another long-time friend, William Friday, then-president of the University of North Carolina system, as his senior assistant for public affairs and as a lobbyist, which at that time meant Jenkins supervised media relations and promoted the UNC system's campuses in the General Assembly. He and R.D. McMillan, also a close friend and the senior lobbyist for the UNC system, were consistently rated among the top lobbyists at the Legislative Building.

One of Jenkins most notable accomplishments while with the university system was his creation of "North Carolina People," a television show for which Friday was, and still is, the host. In retirement, Jenkins dabbled in local politics (advising the late Raleigh Mayor Avery Upchurch in his first successful campaign for the office), wrote a column for the Charlotte Observer and continued to serve as a source of information for numerous books written on state and national politics. He also worked for the oral history program in the North Carolina Collection at UNC-Chapel Hill, interviewing many subjects whom he personally knew.

Jenkins is survived by his wife of more than 58 years, the former Lillian Ruth Byers of Shelby and one son, James L. (Jim) Jenkins III, deputy editorial page editor and columnist for The News & Observer. Both are of Raleigh. Other survivors in his immediate family include three sisters: Mrs. Betty Washburn of Boiling Springs, N.C., Mrs. Neil Burrus of Shelby and Mrs. Cathy Vosecky of Cullowhee. There also are many surviving members of the extended family, including those from the Riverton community of Scotland County and the Jones family of Shelby.

Family members wish to express their thanks to Dr. Mary Beth Jones, and to the entire staff of the Mayview Convalescent Center, for their extraordinary compassion and care.

The family will greet friends Sunday, November 2 from 2:00 to 4:00 p.m. at Brown-Wynne Funeral Home on St. Mary's Street in Raleigh.

In lieu of flowers, those who wish to acknowledge Jay Jenkins may do so with a contribution to the needbased general scholarship fund at Wake Forest University, to the comparable fund at Meredith College or Gardner-Webb University, or to the Salvation Army.

A private memorial service will be held at a future date on the banks of the Lumber River in Scotland County.

News & Observer, The (Raleigh, NC) - Sunday, November 2, 2003

(7) Obituary Downloaded by Jenna Lane U. for RPU

Paper: News & Observer, The (Raleigh, NC)  
Deceased: Noted journalist dies  
Date: October 31, 2003

RALEIGH — James L. "Jay" Jenkins Jr., a member of the North Carolina Journalism Hall of Fame and retired senior assistant to the president of the University of North Carolina system, died Thursday after a brief illness. He was 84.

Jenkins was a veteran of World War II, serving in the Army Air Corps in the Pacific Theater for 30 months. He spent four years in military service.

Jenkins' career in journalism began with United Press International in 1941. He later worked for The Shelby Star, The Wilmington Post and later the Star-News, The News & Observer, The Charlotte Observer and The Winston-Salem Journal.

"He had that rare quality of being a good listener," said William Friday, president emeritus of the UNC system. "He was the best of his generation that came back here after World War II to help North Carolina get back on its feet and starting to move again."

Jenkins' reputation as a liberal editor was reflected in his professional and personal life. A longtime member of Raleigh's Pullen Memorial Baptist Church, he was an early supporter of the civil rights movement.

Jenkins received numerous journalism awards, including, in 1953, the national Sidney Hillman Award for investigative articles in The N&O exposing activities of the Ku Klux Klan in North Carolina. At that time, Jenkins and Jonathan Daniels, then-editor of The N&O, nominated two small-town North Carolina editors, Willard Cole and Horace Carter, for the Pulitzer Prize because of their daring reporting on the Klan. Cole and Carter won.

Jenkins was inducted into the state's Journalism Hall of Fame in 1991.

Jenkins became close friends with a multitude of North Carolina politicians of considerably different political persuasions.

While he was a student in the late 1930s at what was then Wake Forest College, he formed what would be a lifelong friendship with a fellow student, Jesse Helms. Another close friend was the late governor and U.S. Sen. Terry Sanford.

In 1970, Jenkins joined another longtime friend, then-UNC President Friday, as his senior assistant for public affairs and as a lobbyist, which at that time meant Jenkins supervised media relations and promoted the UNC system's campuses in the General Assembly.

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One of Jenkins' most notable accomplishments while with the university system was his creation of "North Carolina People," a television show for which Friday is still the host.

In retirement, Jenkins dabbled in local politics, advising former Raleigh Mayor Avery Upchurch in his first successful campaign for the office. He also wrote a column for The Charlotte Observer.

He also worked for the oral history program in the North Carolina Collection at UNC-Chapel Hill.

Jenkins is survived by his wife of more than 58 years, Lillian Ruth Jenkins, and a son, Jim Jenkins III, deputy editorial page editor and columnist for The News & Observer, both of Raleigh; and three sisters.

The family requests that contributions be made to the need-based general scholarship fund at Wake Forest University, to the comparable fund at Meredith College or Gardner-Webb University, or to the Salvation Army.

A private memorial service will be held at an undetermined date on the banks of the Lumber River in Scotland County.

Author: From Staff and Wire Reports  
Section: News  
Page: B5  
Copyright (c) 2003 The News and Observer

(8) Obituary Downloaded by Jenna Lane U. for RPU**Margaret Lane Turner**

DURHAM -- Mrs. Margaret Lane Turner, 75, passed away Thursday, November 1, 2007 at Durham Regional Hospital. Mrs. Turner was born in Durham, daughter of the late Chet and Elizabeth Taylor.

She worked for many years at Liggett & Myers Tobacco Company and would be recognized by many as a representative for the Estee Lauder Companies. Margaret was very active in civic affairs for the City of Raleigh while married to former Mayor Avery Upchurch. She also enjoyed serving the Look Good Feel Better organization that benefited women with cancer. Margaret's family and friends' hearts will smile when they reminisce about her sense of humor, and the things she loved... the beach, her dogs Princess, Joy and Abigail, and her desire to help others. Many of her friends will miss the encouragement and laughter she brought to their lives and how she lived so boldly, staying true to her beliefs. After the tragic death of her former husband, she was able to find the courage to open her heart again to Jim Turner, whom she married and had 10 wonderful years with.

Margaret Turner was not afraid to live her life to the fullest, always excited about change and trying new things. She was always glowing and ready to greet each new day and the challenges it would bring. Margaret's advice was to live life now and not put off the things you aspire to in life.

Surviving: her husband, James C. Turner of Durham; son, Lane West of Cornelius, NC; stepdaughter, Sharon F. Davis and her husband, Matt Davis of Durham; stepson, Eric Turner of Durham; grandchildren, Ashley Turner and Amanda Turner.

She was preceded in death by two brothers, Joe and Ray Taylor.

A funeral service will be held 2:00 p.m. Sunday at Pleasant Green United Methodist Church, Rev. Brian Wingo presiding. Interment will follow in the church cemetery.

The family will receive friends 3:00-5:00 p.m. Saturday evening at Howerton & Bryan Funeral Home.

Flowers are acceptable or donations may be made to: Pleasant Green U.M.C., 3005 Pleasant Green Rd., Durham, 27705.

The Turner family is under the care of Howerton & Bryan Funeral Home.

Online condolences at [www.howertonbryan.com](http://www.howertonbryan.com)

**IN MEMORIAM**

News & Observer, The (Raleigh, NC) - Sunday, November 4, 2007

- I Chet Taylor
  - A. Joe Taylor
  - B. Ray Taylor
  - C. Margaret Lane Tayler
    - md 1<sup>st</sup> Avery Upchurch
    - md. 2<sup>nd</sup> James C. Turner



(9) Obituary Download by Jenna Lane U. for RPU

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Margaret's family and friends' hearts will smile when they reminisce about her sense of humor, and the things she loved: the beach, her dogs Princess, Joy and Abigail, and her desire to help others.

Many of her friends will miss the encouragement and laughter she brought to their lives and how she lived so boldly, staying true to her beliefs.

After the tragic death of her former husband, she was able to find the courage to open her heart again to Jim Turner, whom she married and had ten wonderful years with.

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Margaret's advice was to live life now and not put off the things you aspire to in life.

Surviving is her husband, James C. Turner, of Durham; son, Lane West, of Cornelius, N.C.; stepdaughter, Sharon F. Davis and her husband Matt Davis, of Durham; step-son, Eric Turner, of Durham; grandchildren, Ashley Turner and Amanda Turner. She was preceded in death by two brothers, Joe and Ray Taylor.

A funeral service will be held at 2 p.m., Sunday, at Pleasant Green United Methodist Church, Rev. Brian Wingo presiding. Interment will follow in the church cemetery.

The family will receive friends Saturday evening from 3 to 5 p.m. at Howerton & Bryan Funeral Home. Flowers are acceptable or donations may be made to Pleasant Green U.M.C., 3005 Pleasant Green Rd., Durham, N.C. 27705.

The Turner family is under the care of Howerton & Bryan Funeral Home.

Online condolences at [www.howertonbryan.com](http://www.howertonbryan.com).

Herald-Sun, The (Durham, NC) - Sunday, November 4, 2007

Margaret Lane Turner

md (1) Avery Council U.

she md (2) after Avery's death Jim Turner [James C. Turner]

**(10)** Download for RPU by Jenna Lane U.

### **City workers remember Upchurch's life and mourn his death**

RALEIGH -- Among the dozens of events that the city's Public Affairs Office has organized over the years, one might always be remembered as the easiest to pull together: the farewell party last fall for the retiring Mayor Avery C. Upchurch.

"He was so dearly loved that absolutely everybody in City Hall wanted to help out," said Jayne Kirkpatrick, the city's public affairs director.

On Friday -- just seven months after Upchurch left office -- the same city employees were in mourning over his death.

They said that with his passing the day before, Raleigh had lost one of its best-loved leaders -- and that many of them had lost an extraordinarily caring and compassionate friend.

"Avery was the kind of person who everybody liked," said Clay Rhodes, a plans examiner in the city's inspections department. "It didn't matter if you worked in the mail room or emptied the trash or cleaned the bathroom. Avery had time for you, and in most cases knew you by your first name."

Flags at the Municipal Building were lowered to half-staff Friday morning in honor of Upchurch and his unprecedented decade in the mayor's office, and they will remain lowered through today. Upchurch's funeral is today at 2 p.m. at Forest Hills Baptist Church. Burial will follow at Raleigh Memorial Park.

His passing weighed heavily Friday on many of the city's 2,500 employees, from the city's manager office down through the ranks. Before the inauguration of Tom Fetzner in December, Upchurch had been the only mayor most current city staff had served.

"It's very quiet, very somber here today," said Brenda Hunt, the city's deputy clerk.

She said she kept thinking about Upchurch's visit to the clerks' office just a few weeks after he retired. With his characteristic smile, he came bearing candy for everyone there.

That was the last time many of them saw him. In January, he was diagnosed with cancer of the esophagus, which soon began to spread to other parts of his body.

Hunt said she had come to know Upchurch long before he was elected mayor for the first time in 1983. When she was a young girl, Hunt said, Upchurch and his wife Margaret would shop in her father's grocery store. She and her family would stop at the gas station Upchurch operated.

"I just don't ever remember not knowing him," she said.

Just down the second-floor hall from the clerk's office, City Attorney Thomas McCormick sat back and reminisced about his friend. A day earlier, he had sat by the former mayor's bedside when he died at Duke University Medical Center.

"He always was a great personal booster for me," McCormick said. "When I felt discouraged about things, he'd always push me back up. ... You always had to force it out of him to find out if something was troubling him because he was always so concerned about you."

## **p. 8 Cont'd**

Upchurch was first elected to a seat on City Council in 1979, about three years after McCormick's arrival in the city attorney's office.

"We spent a lot of time together," McCormick said, adding that Upchurch's passing really hadn't sunk in yet. "I still keep thinking about needing to go visit him in the hospital today."

City employees repeatedly mentioned in interviews Friday that Upchurch took remarkable pride in their work.

When the city began its recycling program several years ago, Upchurch came out to the sanitation warehouse to take a look at the city's new fleet of recycling trucks -- and beamed at what he saw.

"He was so proud of our people," said Gerald Latta, the city's sanitation superintendent. "It meant a lot. He was a good man. He really looked out for the employees."

Planning Director George Chapman said he thought many city staff members who knew Upchurch well were "still at the coping stage" Friday.

"It's a major loss," Chapman said, "not only of the leadership he provided, but also, because he was such a personable mayor, a lot of people will miss him as a friend."

Chapman recalled that a few years ago, his daughter, who was 12 at the time, had told Upchurch that the city should have a movie theater located downtown on Fayetteville Street Mall.

Chapman said both he and his daughter were taken aback when Upchurch wrote a detailed letter explaining why that might be difficult.

"He took the time to write a letter to a 12-year-old. That's the kind of person he was," Chapman said.

When he retired, Upchurch said he wanted to spend more time with his wife, two sons and granddaughter. Others said he certainly deserved to relax a little after devoting so much time to serving the city.

"What a shame that that time was so short," Chapman said. "He had such promise as a retired mayor, as a statesman who could continue to bring people together."

For the last six of Upchurch's 10 years as mayor, council member Mary Watson Nooe worked out of the office next door to his at City Hall.

"I'm really having a hard time dealing with this," she said Friday, holding back tears as she spoke from the office she continues to occupy.

She said she receives some comfort from knowing how full Upchurch's life has been.

"Avery got to do what he wanted to do," she said. "He really wanted to be mayor of Raleigh. Avery served the city for 10 years and every day he got up, and he was proud to be mayor."

Nooe said she considered Upchurch a mentor, even though the two didn't always agree on the issues.

"I will miss him," she said. "I will miss him very, very much."

*News & Observer, The (Raleigh, NC) - Saturday, July 2, 1994*

(11) Download for RPU by Jenna Lane U.

Paper: News & Observer, The (Raleigh, NC) Deceased: Ex-Mayor Upchurch dies of cancer Date: July 1, 1994

~

Avery C. **Upchurch**, a gas station operator who stepped forward to serve an unprecedented five terms as Raleigh's homespun mayor from 1983 to 1993, died Thursday after a six-month battle with cancer. He was 65.

In his decade at the city's helm, Mr. **Upchurch** presided over Raleigh's transformation from a growing government town to an emerging American city lauded for its high quality of life. He was known for his folksy style, even temper and willingness to listen. Mr. **Upchurch** retired from politics in December and was diagnosed with cancer of the esophagus in January. He had been treated for the disease at Duke University Medical Center and recently had been re-admitted. He died at 5:33 p.m.

"He earned the title of Raleigh's drive-in mayor," said his friend G. Wesley Williams, former executive director of the Raleigh Merchants Bureau. "You could drive into the service station and have a conference with the mayor without having an appointment, and he always had time to talk."

He earned a reputation as an amiable, around-the-clock public servant. When an angry woman called him to complain that her garbage hadn't been picked up, Mr. **Upchurch** didn't shove the problem off to a bureaucrat. He drove to the woman's house and picked it up himself.

Mr. **Upchurch's** tenure bridged the gap from the time when City Council candidates ran campaigns geared mainly to pro-business or pro-neighborhood interests to the more modern, more expensive, media-dominated election that produced Tom Fetzter, the city's first Republican mayor.

"Avery **Upchurch** served as mayor of Raleigh longer than anyone else in modern times and left an indelible imprint on our city," Fetzter said. "He will be remembered not only for his achievements, but the way he went about accomplishing them. He always conducted himself with consummate grace, dignity and humility. In doing so, he set a standard for myself and all others who will follow him."

The funeral will be at 2 p.m. Saturday at Forest Hills Baptist Church. Burial will follow at Raleigh Memorial Park. The family will receive friends at Mitchell Funeral Home, 600 St. Mary's St., from 7 to 9 p.m. today. In the ice cream of Raleigh politics, Mr. **Upchurch** was the dependable, comfortable vanilla that separated old-fashioned strawberry from Rocky Road.

He drew support from business and neighborhood groups, and pleased enough of the people enough of the time to be re-elected four times. His wide popularity was illustrated by the fact he was a registered Democrat, but his biggest financial supporter most of the time was developer Steve Stroud, a power in the Republican party.

Born and reared in the **Upchurch** community in southwestern Wake County, Mr. **Upchurch** moved to Raleigh with his family in 1945. He graduated from Broughton High School in 1947. He took economics and business classes at N.C. State University for two years, and in 1953 started a heating oil business in Raleigh. Besides the heating oil business, he operated two gas stations, one on Glenwood Avenue and the other on Peace Street. He said running those businesses taught him a skill that would come in handy later -- how to be a good listener. He heard a lot of complaints, and he got a lot of advice.

Over the next few years, Mr. **Upchurch** served as executive director and later as president of the N.C. Service Station Association. He was president of the Raleigh Merchants Bureau, director of the N.C. Oil Jobbers Association and a member of a state advisory board for distributive education in North Carolina. He also was a national director of an organization of service station dealers in America.

His political career was launched in 1976 when he was appointed to fill a vacancy on the Raleigh Planning Commission. For the folksy **Upchurch**, the planning commission became a springboard. In August 1979, he filed for an at-large seat on the Raleigh City Council. His platform had four planks: the need for comprehensive planning; stimulating economic development; reining in government regulation; and cooperating with other governments and agencies.

He was elected to the council and won re-election in 1981. In 1983, he decided to go for the whole bag of marbles and ran for mayor, defeating Tony Jordan and two other candidates.

Shortly after he took office, Mr. **Upchurch** showed people what kind of new mayor they had elected. On Christmas Day 1983, during an unusually bitter cold spell, police found a man had frozen to death outside a downtown building. As soon as he heard it, Mr. **Upchurch** stopped his own Christmas Day observance with his family and came downtown to see what he could do.

In 1985, Mr. **Upchurch** faced O. Thomas Dobbs and swept every precinct, collecting 85 percent of the vote.

He ran unopposed in 1987 and went for a fourth term in 1989, defeating at-large council member Charles Meeker with 56 percent of the vote. He promised to fight the city's drug problem, and the council endorsed Project Phoenix, a joint city-state effort to combat drugs with education and law enforcement.

Mr. Meeker and Mr. **Upchurch** were at odds on mass transit, taxes, the Outer Loop and controls on development, but agreed on a downtown coliseum and expansion of the Civic Center and Memorial Auditorium.

Mr. **Upchurch** was elected to what would be his final term in 1991. He had closed his Peace Street service station in 1988 but still ran his Glenwood Avenue business until 1991.

During his tenure, he was an officer in the N.C. League of Municipalities, a member of the State Capital Planning Commission, the N.C. Transportation Task Force and the governor's Local Government Advocacy Council. He also served on the Falls/Jordan Lake Steering Committee and at one time was chairman of the Triangle J. Council of Governments.

Woodrow Wilson was his idol. A collection of President Wilson's speeches and a series of his lectures occupied a prominent place on a shelf in the **Upchurch** home on Fernwood Drive.

Mr. **Upchurch** was a bit of an international man himself, using his own money to visit Raleigh's sister city in England, Kingston-Upon-Hull, and twice attending meetings of the International Association of Cities of the Future in Europe. He said that dealing with foreign dignitaries helped him realize the whole world is really one big community.

He said being mayor was like living in a glass house. But he kept his philosophy simple. "To be elected is the honor. to serve is the opportunity, and to be effective is the reward," he once said.

But he received criticism as well as praise during his tenure.

He spearheaded a successful \$20 million bond issue for roads that gave Raleigh taxpayers a visible, and useful, return on their investment -- new corridors that got them across town more quickly and easily.

He championed the cause of downtown revitalization, and saw Moore Square grow from a run-down park and shabby commercial area to an attractive downtown drawing card with speciality shops, art galleries and restaurants and a \$4.5 million, six-level parking deck on East Martin Street.

He drew praise from the black community when he appointed Ralph Campbell Jr., then a council newcomer, to head the powerful Law and Finance Committee. But other factions criticized him for not appointing long-term council member Mary Cates to chair the Public Works Committee.

He was praised when he called for the city manager to investigate complaints about police tactics in a sex-offense case because some didn't think police had acted responsibly.

Early on, he called for restraints on development in the sensitive Falls Lake watershed, and he prodded the city to hire private help to get the city's streets cleared of snow during a particularly messy winter.

But the down-home mayor sometimes failed to move the City Council out of the dithering stage, and sometimes it seemed as if council members couldn't see the forest for the trees. A quandary over where to put a new aquatics center dragged on for years before the council finally made a decision. And sometimes he was frustrated when he couldn't negotiate compromise between warring neighborhood-oriented and business-oriented groups.

**(11) continued**

When a reporter asked how he made his decisions, Mr. Upchurch responded by saying that problems really built a fire under him, and he based his decisions on past experience and by attempting to put himself in the other person's shoes. He wrote notes to himself about important things he wanted to remember, and sometimes, he said, he awakened in the middle of the night with answers to dilemmas.

During Mr. Upchurch's tenure, Raleigh adopted billboard and landscape ordinances, an urban forestry program, a program to beautify Capital Boulevard, and a landscaped median on the Raleigh Beltline.

He never appeared in public without his coat and tie -- he disapproved of politicians in shirt sleeves -- but to most of his constituents, he was just Avery. Titles such as Mr. Mayor and His Honor were reserved by most for formal occasions.

He was the people's mayor. Quiet and definitely un-flashy, Mr. Upchurch could be counted on to be there when there was a ribbon-cutting or a ground-breaking or a new community program that needed to be launched.

He rode an elephant, danced with Donald Duck, won the 1984 lizard race at the State Fairgrounds, and once got blown away in a hot air balloon until the pilot managed to slow it down by dragging it against trees.

But he knew where to draw the line. Mr. Upchurch never would dive into a pool of Jello, not even for charity.

When a "Goodbye, Avery" party was given shortly before he left office, hundreds of people massed in Hargett Street to wish him well and thank him for his service. The outgoing mayor seemed overwhelmed and at one point had tears in his eyes as he pointed to a sapling planted in his honor in Nash Square, across from City Hall. It had been grown from an acorn collected from Raleigh's historic Henry Clay Oak.

"Look at that," he said, pointing to the sapling. "That's going to be here for a long time after I'm gone."

But if health concerns played any role in Mr. Upchurch's retirement, he never mentioned it. He said he decided to step aside in 1993 when he was asked to go to Morocco for a week to visit a water treatment plant and realized he hadn't had a vacation in years. When he left office after Mr. Fetzter's swearing-in last December, he told a reporter, "I'm ready to have some fun."

But as it turned out, he had very little time for that.

In January, Mr. Upchurch had difficulty with swallowing and speaking, and was admitted to Duke University Medical Center for tests. He was diagnosed with esophageal cancer, which had spread to his lymph nodes before it was detected. He received treatments at Duke and appeared to be responding well, even feeling good enough to preside over a Research Triangle World Trade Center meeting in February.

In May, the city's Appearance Commission honored him with a lifetime achievement award, but the former mayor had to watch the ceremony at home on cable television because he was too weak to attend. Mr. Upchurch started the awards, to acknowledge excellence in landscaping and architecture, in 1983.

"The family greatly appreciates the efforts put forth by his many friends and the staff of Duke Medical Center to make him comfortable," Mr. Upchurch's son, Edward, said in a statement Thursday night.

The family asked that memorials be made to the Avery C. Upchurch Foundation, 702 N. Person St., Raleigh 27604. The foundation was created to sponsor annual conferences for students at City Hall to teach how cities are organized, planned and governed.

In addition to his son, he is survived by his wife, Margaret; a stepson, Lane West; a brother, Thurman **Upchurch** of Swansboro; and a sister, Bobbie Denton, of Raleigh.

### Staff writers Wade Rawlins, Debbi Sykes and John Wagner contributed to this report. ###(This story has 3 side bars.)

*Author: TREVA JONE.S*

(12) North Carolina divorce listings for Upchurch couples  
1958-2004      County of Divorce      Wake

Arthur Upchurch	Storme Upchurch	14 Oct 1981	Wake
Avery Upchurch	Marilyn Upchurch	10 May 1965	Wake

(13) North Carolina marriages      1759-1979

Avery C. Upchurch      birth 1929      marriage 21 Jul 1951      Raleigh, Wake Co. Spouse Marilyn F. Morrisette

(14) North Carolina death Records 1968-1996

Upchurch, Avery Council      Death Date: 30 June 1994      Gender: Male  
Place of Death      Durham (P), Durham, North Carolina      Race: White  
Residence: Raleigh, Wake, North Carolina      Age: 65 years  
Autopsy: No      Marital Status: Married  
Hospital, General Hospital      Bed Code: 100Beds & Over  
Attendant: Physician      Burial: Burial in state  
Birth Date: 22 December 1928      State of Birth: North Carolina  
Father:      UPCHURCH      Death Date: SS# 239389416

(15)

Avery Council Upchurch      Article reproduced from Upchurch Bulletin Vol 6 No 2, April 1985  
page 47 and 48 by Robert Phillip Upchurch, Editor Upchurch Bulletin.

## II. PHOTOGRAPH

### A. A TRIBUTE TO THE HONORABLE AVERY COUNCIL UPCHURCH - MAYOR OF RALEIGH, NORTH CAROLINA.

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930



AVERY COUNCIL UPCHURCH

In December 1983 Avery Upchurch was sworn in as Mayor of Raleigh, 930  
the Capital City of NC. His successful election to the Mayorship  
followed eight years in city government and a lifetime of struggle,  
growth and performance. He served on the Raleigh Planning Commission  
1976-1978 and on the City Council 1979-1983.

On 27 FEB 1985 your Editor visited Mayor Upchurch in his office  
and had the pleasure of conferring about family history and about how  
a country boy feels as Mayor of a major city.

Avery is the son of Auba Merrimon Upchurch, the gs of 930,926  
Rufus Merrimon Upchurch, the ggs of William Burtis Upchurch I, 909, 93  
the gggs of Gilbert Burtis Upchurch, the ggggs of Burtis Upchurch 135, 80



(15) continued

and the gggggs of Nathan Upchurch I, Head of Upchurch Clan 3. 78  
Avery Upchurch was born and raised in a farm community in western 930  
Wake Co., NC near Green Level where his ancestor Nathan Upchurch I 78  
had settled about 1802.

Avery was b. 27 DEC 1928 and grew up during the depression. 930  
Life on the farm was hard but there was productive work to do. His  
father and his grandfather were stern taskmasters and they drilled  
into Avery the importance of success and of saving money. When he  
graduated from Needham Broughton High School in Raleigh, NC  
circumstances did not offer the prospects of a college education.  
Accordingly, he set out to gain further education through experience  
and public service. Over the years he has never stopped pushing  
forward and striving for greater and greater success.

In the early years Avery started working for his father-in-law at  
Morrisette's Esso Service Station on Hillsborough Street across from  
N. C. State University. This launched him on the path to being a  
successful small businessman. Today he owns two service stations and  
a heating oil company. Along the way he has found time to enrich his  
life with formal courses at N. C. State University and he has contri-  
buted to numerous civic and public service clubs. His life-long goal  
is to contribute one-half of his time to public service.

The success of Avery U. grows out of his feeling for the common man.  
They believe he understands their problems and their viewpoints. They  
visit him as he pumps gas at his station on the corner of Glenwood Avenue  
and Oberlin Road. While I waited for my appointment with the Mayor,  
an elderly black minister dropped by to get help with a problem. I  
was ever so impressed with the helpful attitude of the Mayor's staff.  
The gentleman left the office with the conviction that he had the Mayor's  
support. Clearly Avery attracts the common man and surrounds himself  
with helpful, caring people. The result of all of this is that there  
is an excellent balance in the Capital City with respect to the interests  
of the ordinary citizen and the interests of the larger firms.

The people of North Carolina are comfortable with Avery as well  
they should be. We know not what additional opportunities he may yet  
have for service in high office. We do know that he is accumulating a  
record of performance that will serve him well whatever may come. He  
has developed a creed which is posted in his office. It reads as follows:

"To be elected is the honor,  
To serve is the opportunity,  
To have been effective is the reward."

With this philosophy is there any wonder that Avery Council Upchurch  
has come so far and developed so much potential. I am proud to count him  
my third cousin twice removed and know that all the members of our  
extended Upchurch family wish him well and will watch with interest  
his continuing achievements.