

GR-02-18

Elmore Property Grave Removal Petition

2520 New Hill-Olive Chapel Road (Apex)

October 15, 2018



Purpose of Grave Removal

To accommodate the sale of the property to allow for development by others and to move the remains to a properly maintained cemetery where they will receive perpetual care.

Petitioner:	Deborah Joy, Legacy Research Associates
Owner:	William and Deborah Elmore
Location:	2520 New Hill-Olive Chapel Road (PIN 0710747480)
Zoning:	Residential-40 Watershed
Number of Graves in Petition:	Approximately 2—Actual number cannot be determined with certainty until the site is fully excavated.

Cemetery Location



Cemetery Survey

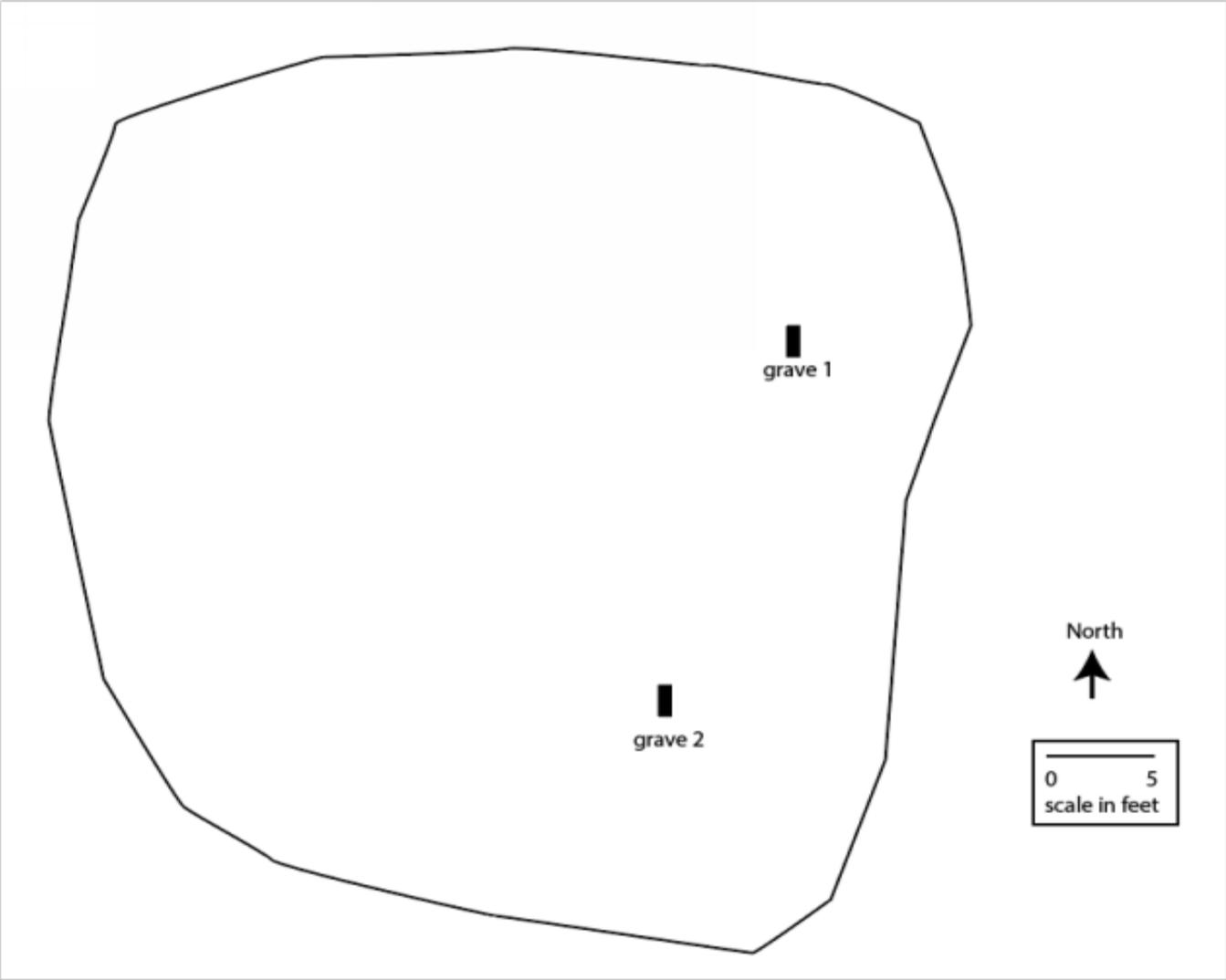


Figure 7. Elmore Property Abandoned Cemetery, site plan, showing approximate boundary and the location of the two gravestones.

Cemetery Photograph



Figure 9. Elmore Property Abandoned Cemetery showing the two headstones, view northeast.

Cemetery History

- There are 2 graves marked by uninscribed tombstones.
- Three deeds for the property (1897, 1900 and 1964) contained references to a cemetery.
- The petitioner was unable to conduct any direct genealogical research due to the lack of inscribed tombstones.
- The petitioner conducted extensive genealogical research of the previous owners of the property and identified a distant relative of one of the previous owners, but he indicated that he did not know about the cemetery and had no opposition to relocating the graves.

Cemetery History

- No records, or historical significance, was found, and no opposition to this petition has been received.
- Review by other resources
 - Capital Area Preservation
 - Irene Kittinger, Wake County Cemetery Survey Group
 - Town of Apex planning staff

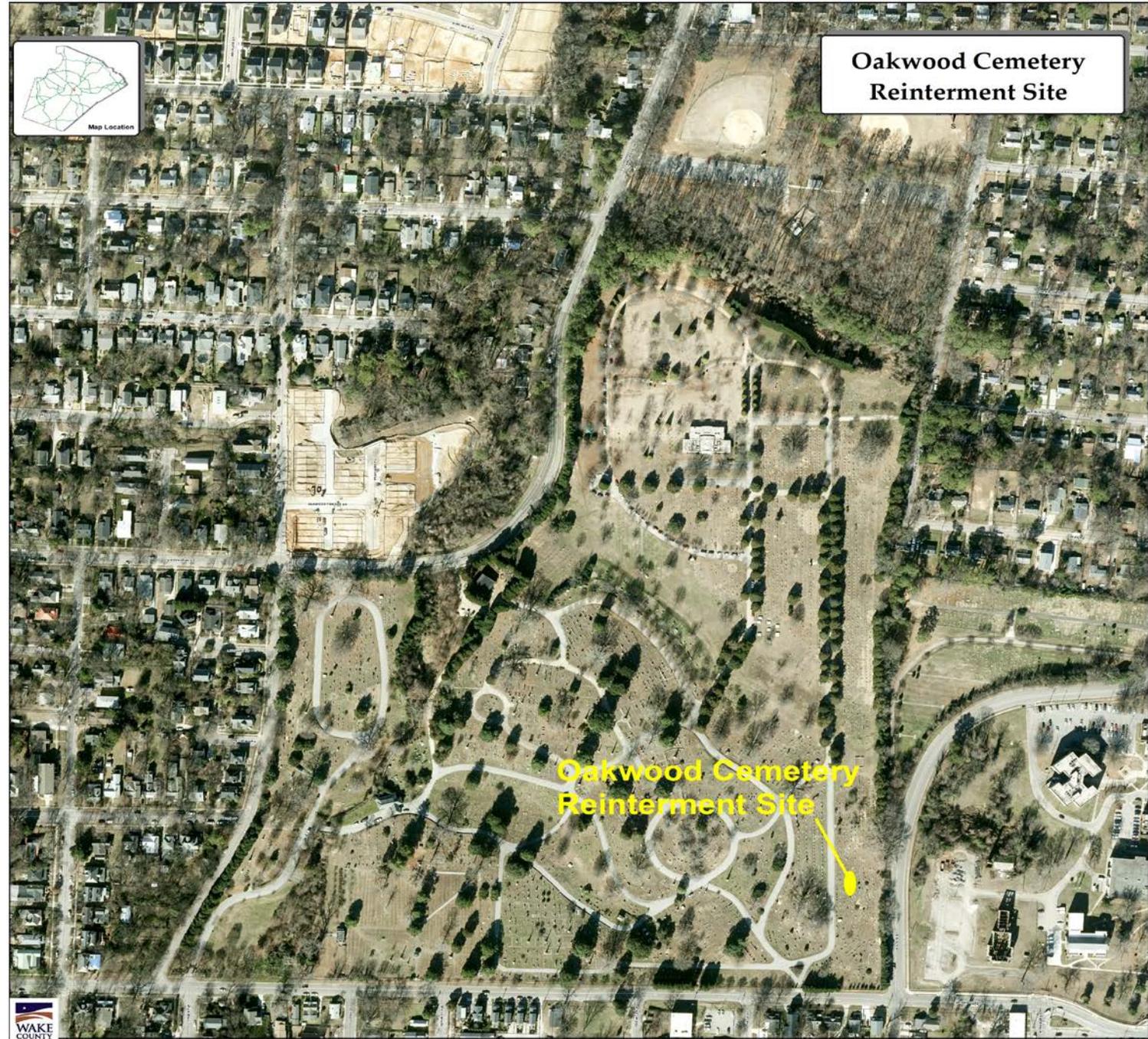
Grave Removal Process

- Under NCGS, the remains are required to be reinterred in a suitable cemetery.
- Work shall be performed by a licensed funeral director.
- Wake County Environmental Services staff will observe the disinterment.
- The petitioner (or funeral director) must record the Removal of Graves Certificate at the Register of Deeds Office after completing the reinterment.

Compliance with NCGS

- Legal notices appeared in the News and Observer newspaper on May 21st and 28th, and June 4th and 11th, 2018.
- The remains will be reinterred in Oakwood Cemetery at 701 Oakwood Avenue, where they will receive perpetual care.
- Planning staff posted the required notification signs at the property on October 3rd, 2018 (and ran 2 N&O legal ads).
- No opposition has been received.

Oakwood Cemetery Reinterment Site



Staff Findings

1. The petitioner has fulfilled all of the requirements as outlined by the North Carolina General Statutes.
2. Removal of the cemetery is necessary to accommodate the sale of the property for development by others.
3. The remains will be reinterred in Oakwood Cemetery where they will receive perpetual care.

Staff Findings

4. No opposition to the removal and relocation of the cemetery.
5. No evidence of any historical significance and its removal and relocation would not be detrimental to the general welfare of the County.

Public Hearing



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Planning Staff Recommendation

That the Board of Commissioners APPROVE the disinterment, relocation, and reinterment of the cemetery as requested.

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