



## GRAVE REMOVAL PETITION

Submit required documentation to:

Wake County Planning, Development and Inspections  
PO Box 550 Wake County Office Building  
Raleigh, NC 27602-0550 336 Fayetteville Street, Downtown Raleigh  
Contact (919) 856-6335 for additional information.

File #  
Fee  
Amt Paid  
Check #  
Rec'd Date  
Rec'd By

### Petitioner

Name Deborah Joy, Legacy Research Associates  
Telephone Number 919-215-8469 Fax Number djoy@legacy-research.com  
Address 125 W Woodridge Dr  
City Durham State NC Zip Code 27707

### Subject Property Address and Parcel Identification Number (PIN):

1208 Barley Stone Way Wake County NC PIN 0791451498

### Reason for Petition:

Grave Removal

The undersigned applicant hereby certifies that, to the best of his or her knowledge and belief, all information supplied with this application is true and accurate.

Signature: [Signature] Date: 1/22/18

### Property Owner

Name Caruso at Olde Mill Trace LLC  
Telephone Number 919 880 2829 E-Mail JRADMAN@CAURSONHOMES.COM  
Address 2120 Baldwin Avenue, Suite 200  
City Crofton State MD Zip Code 21114

All property owners must sign this application (please attach separate sheet for signatures if needed) unless one or more individuals are specifically authorized to act as an agent on behalf of the collective interest of some or all of the owners (provide a copy of such authorization).

The undersigned property owner(s) hereby authorize the filing of this application (and any subsequent revisions thereto). The filing of this application authorizes the Wake County staff to enter upon the site to conduct relevant site inspections as deemed necessary to process the application. All documents and maps submitted as required become the property of Wake County.

Signature: [Signature] Date: 1-9-18

Notes: County fee to file petition is \$500.00 Jeff Caruso, member manager

Technical Report

Historical and Archaeological Investigations at the Olde Mill Trace Development at 1208 Barley  
Stone Way, Swift Creek Township, Wake County, North Carolina  
Wake County NC Parcel Identifier Number (PIN) 0791451498

Prepared for  
Caruso Homes  
118 New Edition Court  
Cary, NC 27511



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11 April 2018

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Historical and Archaeological Investigations at the Olde Mill Trace Development located at  
1208 Barley Stone Way, Swift Creek Township, Wake County, North Carolina  
Wake County NC Parcel Identifier Number (PIN) 0791451498

## Introduction

This technical report details the historic research and systematic archaeological exploration of displaced gravemarkers (Lot 9) and an abandoned cemetery (Lots 154 and 155), two distinct entities, located in the approved Olde Mill Trace Development on Lake Wheeler Road, Wake County, North Carolina (NC) (Figure 1). Figure 2 depicts the location of these two survey areas. This work was conducted by Legacy Research Associates in Durham, NC, for Caruso Homes in Cary, NC.

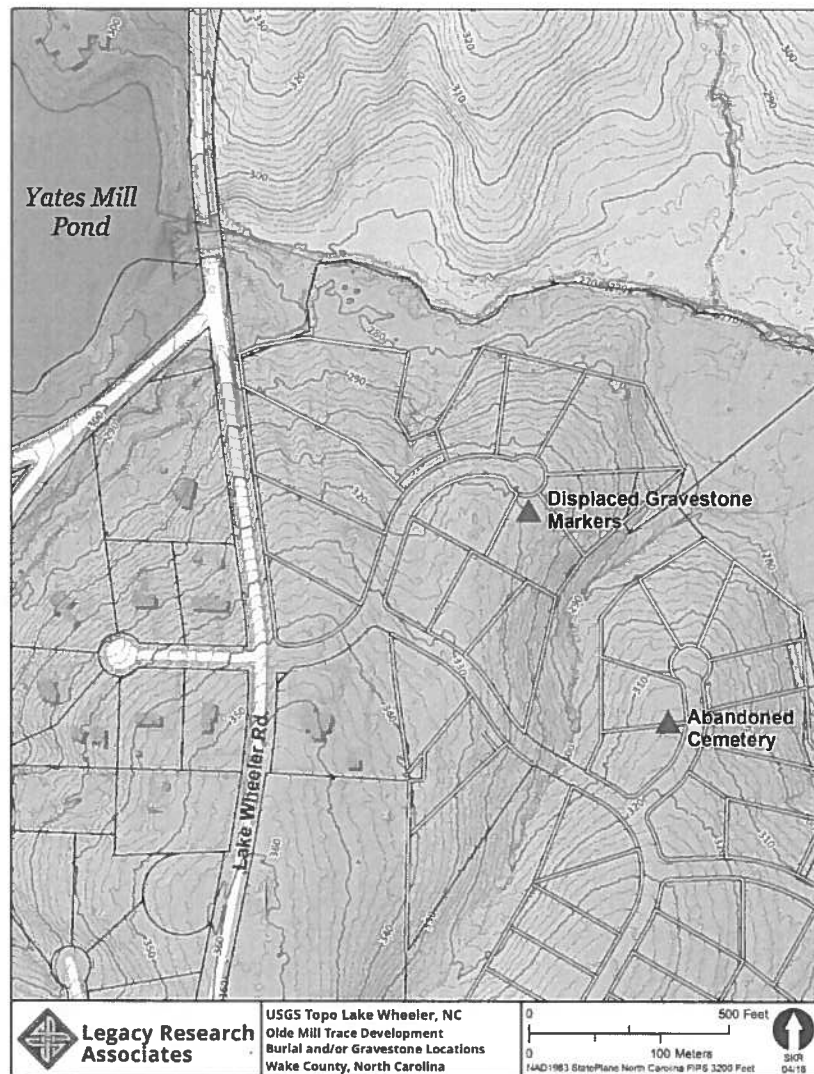


Figure 1. Olde Mill Trace Gravestone Locations.

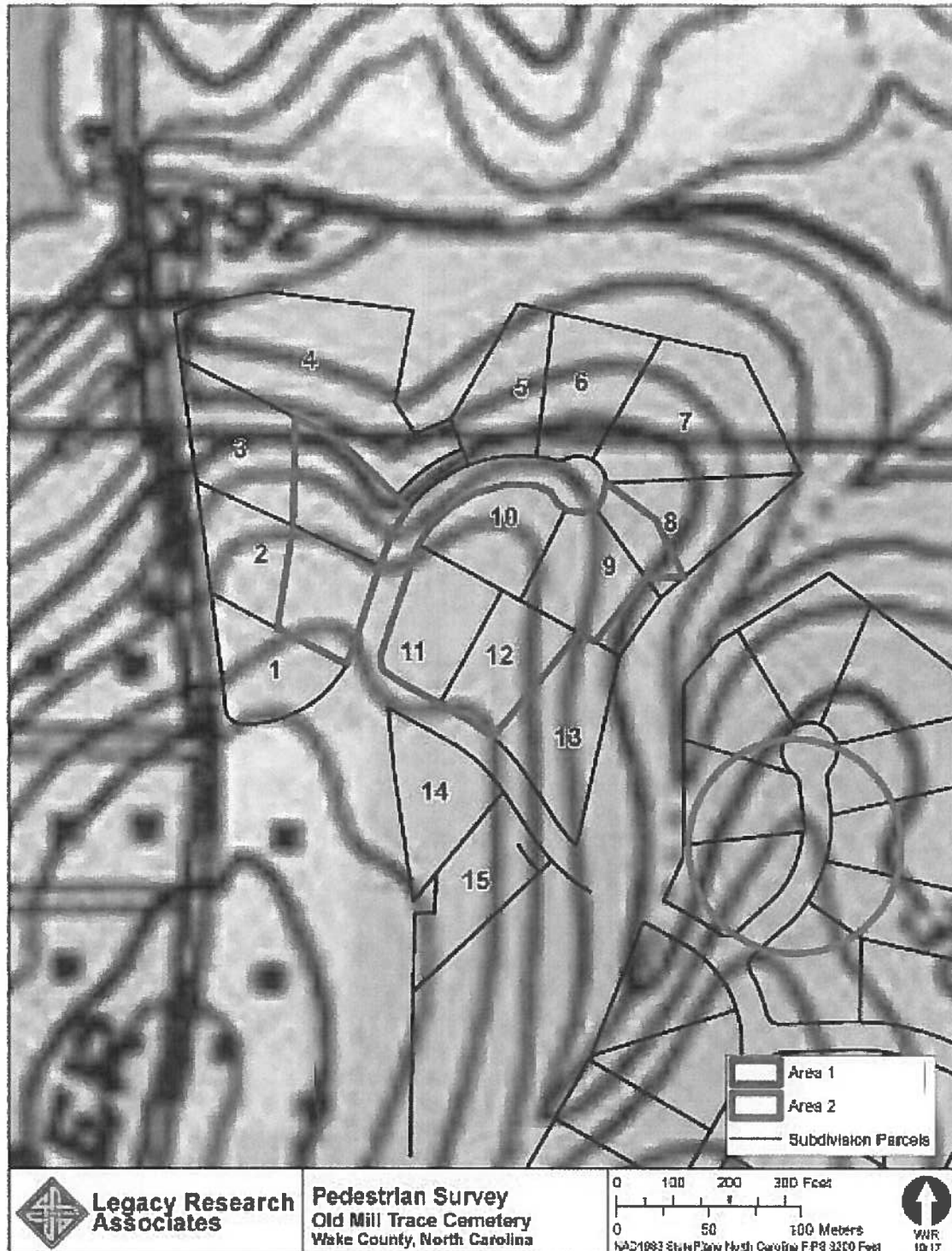


Figure 2. Olde Mill Trace Development Survey Areas.

## Cultural Context

To provide context for understanding the general cemeteries in the American Southeast, the following summary information about historic cemeteries has been extracted and summarized from the website: <https://www.sciway.net/hist/chicora/gravematters.html>. Other references include *The Southern Folk Cemetery in Piedmont North Carolina* (Clauser 1984) and *Texas Cemeteries* (Jordan 1982).

Some southern cemetery traditions include wife-to-the-left burials, bordered family plots, and feet-to-the-east interments. Wife-to-the-left (or husband-to-the-right) is a common traditional interment position for married couples found in Southern Folk Cemeteries. This apparently derives from a British Christian belief that Eve was created from the left side of Adam. The basis of feet-to-the-east burials can be linked to sun worship cults found in Europe at the advent of Christianity.

The southern folk cemetery tradition was introduced in the nineteenth or early twentieth century. It is characterized by a hilltop location, scraped ground surface, mounded graves, creative gravemarkers and decorations using readily available (not commercially produced) materials, certain species of vegetation, the use of grave shelters, and the obvious devotion to God and/or parents and family, with graveyard workdays and monument dedications. Since the regional distribution of this type of cemetery coincides with the southern culture, this cemetery is known as "Southern Folk."

There are three distinct models of the Southern Folk Cemetery that have progressed over time: Pioneer, Transitional, and Modern. The diverse aspects of each of these types provide a glimpse into the evolution of attitudes toward death in this region. A description of these three types follows.

### Pioneer Model

The Pioneer Model is the earliest phase found in the Southern Folk Cemetery and is found in remote rural areas. The Pioneer Model cemetery is small and burials within the cemetery were not limited to the immediate family, as the extended family ties that formed when families intermarried were significant.

Important and distinctive traits of the Pioneer Model cemetery include (1) that it was often located on a hilltop, (2) that periodically the ground was scraped clean of grass, and (3) that the graves were laid out in an east-west direction, nearly aligned, and mounded with dirt. The clean cemetery showed honor and respect for the ancestors. Grave mounds identified the grave location and compensated for the settling of soil within the grave shaft. Grave markings, when present, included a fieldstone or wooden stake that marked the head and/or foot of the grave. The dominant vegetation in the Pioneer Model cemetery is the eastern red cedar tree, which is referred to as the "cemetery tree."

Honoring the family and ancestors buried in the cemetery was a customary practice of the community, maintenance and "keeping up" of the burial grounds was important. The graveyard workday was an annual event, in late summer or early fall, when all members of the community gathered to pay respects to the memory of the deceased. It was often an all-day affair when grass was scraped, graves were mounded, gravemarkers were placed or replaced, decorations were bestowed, repairs were made, and trash was removed.

### Transitional Model

The Transitional Model dates from the mid- to late nineteenth century and in some areas of the South the tradition continues today. It is characterized by (1) the presence of family plots, (2) a mixture of scraped plots and grassy areas, (3) the absence of creative markings, decorations, or grave shelters, and (4) the eventual decline of the community gathering to collectively honor and respect those interred. The Transitional Model also marked the decline of mounded graves and an increase in the use of commercially produced gravemarkers or tombstones with epitaphs and sometimes with portraits.

The Transitional Model cemetery also introduced different varieties of vegetation, such as magnolia trees and crape myrtles. Cedar trees and flowering shrubs, such as roses, azaleas, and forsythia were often included. Other commonly seen cemetery vegetation included yucca, English ivy, and periwinkle. By the mid-twentieth century, artificial flowers had largely replaced living flowers.

### Modern Model

After World War II, the South began to experience a cultural change toward modernization that extended into burial customs. Examples of this trend can be seen in the use of urban memorial gardens and perpetual-care mortuary complexes, while family cemeteries were rarely used and fell out of widespread practice. Some memorial gardens continue to exhibit aspects of the traditional Southern Folk Cemetery with bordered and sometimes scraped family burial plots. However, modernizing trends, such as standardized and commercially produced markers with fewer epitaphs and more plastic flowers, are still commonplace.

### Historic Research Overview

To the best of our knowledge, no prior cemetery survey has been conducted at the property that now comprises the Olde Mill Trace Development. Electronic cemetery databases ([www.findagrave.com](http://www.findagrave.com), [www.cemeterycensus.com](http://www.cemeterycensus.com), and [www.interment.net](http://www.interment.net)) were checked for information on known and/or recorded cemeteries. None of these databases held information relevant to the Olde Mill Trace property. Other sources of information consulted during this investigation include historic maps and plats, Works Progress Administration (WPA) Cemetery Survey Reports, deeds, estate records, wills, military records, marriage bonds, Federal census data, birth and death certificates, and the NC Schedule of Mortality.

Table 1 outlines the chain of title for the property relevant to the location of the displaced and broken gravemarkers (Lot 9) and the abandoned cemetery (Lots 154 and 155). It follows the acquisition of the land in 1845 by Alsey H. Tucker, the division of land into Tracts 1 and 2 after his death in 1850, then traces the ownership of Tract 1 from 1850 to 1973, when the Tracts 1 and 2 were recombined, and continues to the present ownership by Caruso Homes in 2017. Table 2 follows the ownership of Tract 2 from 1900 to 1973 when the Tucker Land was recombined.



Historical and Archaeological Investigations at the Olde Mill Trace Development  
located at 1208 Barley Stone Way, Swift Creek Township, Wake County, North Carolina  
Wake County NC Parcel Identifier Number (PIN) 0791451498

Table 1. Chain of Title for the Tucker Land from 1845 to Division in 1850, following Tract 1 to Recombination (Tracts 1 and 2) in 1973, and ending with 2017.				
Grantor	Grantee	Date	Notes	Document
David Stephenson	Alsey H. Tucker	3/10/1845	Bought in conjunction with purchase from Jones - part of the property that eventually makes up the Tucker farm.	Wake County Deed Book 16, Page 423
Austin Jones	Alsey H. Tucker	3/13/1845	Bought in conjunction with purchase from Stephenson - part of the property that eventually makes up the Tucker farm.	Wake County Deed Book 16, Page 433
Alsey H. Tucker	Ann H. Tucker	10/30/1850	Ann H. Tucker inherits the land and property, including nine slaves. Tract 1.	Original will
Ann H. Tucker	W.H.H. (William) Tucker and R.S. (Rufus Sylvester) Tucker	9/28/1869	Nephews of Ann H. Tucker purchase the property. Tract 1.	Wake County Deed Book 28, Page 286
Florence P. Tucker, widow of R.S. Tucker	R.E. Buffaloe	12/30/1899	Tract 1.	Wake County Deed Book 158, Page 13
R.E. Buffaloe and wife (Mollie?)	Robert E. Lee (R.E.L.) Yates	01/30/1903	Robert inherits Yates Mill in 1902. Tract 1.	Wake County Deed Book 187, Page 137
Robert E. Lee (R.E.L.) Yates	Minnie John Yates	About 1937	Inherited by his wife.	Wake County Will Book "N" at page 156
Minnie John Yates	Mildred Yates Brown and husband, Frank B. Brown; Elizabeth Yates Hazlett and husband, E.E. Hazlett; Louise Yates Payne and husband, John Lewis Payne; Betty Fahrion Steele and husband, George Steele.	Unknown	Yates Mill is sold out of the family in 1947.	Wake County Will Book "U" at page 84
Mildred Yates Brown and husband, Frank B. Brown; Elizabeth Yates Hazlett and husband, E.E. Hazlett; Louise Yates Payne and husband, John Lewis Payne; Betty Fahrion Steele and husband, George Steele.	A.G. Kornegay and wife, Pearl C. Kornegay	8/15/1955	Yates heirs agree to sell off their share in Tract 1.	Wake County Deed Book 1206, Page 105
A.H. Kornegay and wife, Pearl C. Kornegay	John and Thelma Buffaloe	1/1/1973	Recombination of Tract 1 (134 acres) and Tract 2 (101.3 acres) from the 1850 division.	Wake County Deed Book 2138, Page 153
John Jr Buffaloe and wife, Thelma H. Buffaloe	John Jr Buffaloe, Thelma H. Buffaloe	5/21/1992	Equal division of property as Tenants in Common.	Wake County Deed Book 5458, Page 240
John Jr Buffaloe, Thelma H. Buffaloe	Buffaloe Land Limited Partnership	12/29/2009	Tracts 1 & 2.	Wake County Deed Book 8770, Page 2408
Buffaloe Land Limited Partnership	Caruso at Olde Mill Trace, LLC	1/31/2017	Parcel described as "Tucker land" in Wake County GIS.	Wake County Deed Book 16683, Page 1490

Table 2. Chain of Title for Tract 2 from 1900 to Recombination in 1973.				
Grantor	Grantee	Date	Notes	Document
B.K. Partin and his wife M.E.	Robert E. Buffaloe and wife, Mollie	10/4/1900	Tract 2.	Wake County Deed Book 162, Page 81
Robert E. Buffaloe and wife, Mollie	S.B. Sealey and wife	5/12/1905	Tract 2.	Wake County Deed Book 202, page 274
S.B. Sealey (husband)	S.B. Sealey (wife)	Unknown	Tract 2 – inherited from husband with same initials.	Wake County Will Book "M" Page 105
S.B. Sealey (wife)	Louise Price	6/11/1935	Tract 2.	Wake County Deed Book 700, Page 104
Louise Price Tharrington and husband, Clyde S.	Louise G. Smith	3/5/1936	Tract 2.	Wake County Deed Book 711, Page 555

Little is known about the property prior to 1845, when Alsey H. Tucker acquired it from David Stephenson and Austin Jones (Wake County Deed Book 16, Pages 423 and 433). Note: Alsey H. Tucker's name is also reported as Alsa H. Tucker, A. H. Tucker, and Alse Tucker. Deeds for David Stephenson and Austin Jones prior to 1845 do not contain sufficient information to connect with the present-day Olde Mill Creek Development property.

Alsey Tucker married Nancy (also appears as Nance) Reace in 1827 (North Carolina County Registers of Deeds. Microfilm. Record Group 048. North Carolina State Archives, Raleigh, NC); however, later records (census and deeds) identify his wife as "Ann." No death certificate for Nancy (Reace) Tucker has been located; and no later marriage between Alsey Tucker and Ann Reace has been located. It is likely that Nancy (Nance) Reace (Reece) was also known as "Ann."

Alsey Tucker is reported in the 1830s Federal Census along with one free white male, two free white women, four male slaves, and four female slaves (Fifth Census of the United States, 1830). The 1840 census for Alsey Tucker reported three free white persons and 10 slaves (Sixth Census of the United States, 1840).

Reverend Alsey H. Tucker purchased the property, now referred to as the Olde Mill Trace Development, in 1845 from David Stephenson and Austin Jones (Wake County Deed Book 16, Pages 423 and 433). It is not known where A. H. Tucker lived prior to this land conveyance. It is also not known how the property was used prior to 1845 when Alsey H. Tucker acquired it.

The 1850 census reports A.H. Tucker as a 43 year-old Methodist clergyman, living with A.H. Tucker, female age 42 (presumably his wife, Ann Tucker), S. Reace, age 40 (presumably Sarah Reace, Ann Tucker's sister), and M. P. Tucker, female, age 81 (likely related to A. H. Tucker) (Figure 3).

35	35	A. H. Tucker	43	M	Methodist	680			
		A. H. Tucker	42	F					
		M. P. Tucker	81	F					
		S. Reace	40	F					

Figure 3. Excerpt of the Alsa H. Tucker Household in 1850 (Seventh Census of the United States, 1850; (National Archives Microfilm Publication M432, 1009 rolls); Records of the Bureau of the Census, Record Group 29; National Archives, Washington, DC).

Alsey Tucker died in 1850 (Figure 4), according to his will the property was split into two parcels; one was sold off (Tract 2) and the other was deeded to Alsey Tucker's widow, Ann Tucker (Tract 1) (Figure 5).

**DIED,**

**On Monday, October 21st, at his residence in Wake county, Rev. Alsa H. Tucker, of the North Carolina Conference, in the 45th year of his age. He had been long laboring under a complication of diseases, which baffled medical skill; but he endured his sufferings with the patience and met his end with the triumph of the Christian.**

Figure 4. The Weekly Standard, Raleigh, North Carolina, 30 October 1850, page 3.

And whereas <sup>my</sup> wife Ann H. Tucker, has ever been affectionate and kind, has attended to my wants and comfort assiduously during a long season of ill health; and whereas I desire her to be as far as possible in a situation to live comfortably after my decease, I therefore hereby will and devise all my property that may remain after my debts shall be paid, including the land on which I now reside, the stock, provisions, produce, plantation tools, household and kitchen furniture, together with the following negroes (viz, Keeler, Betoy, Adelaide, Billy, Julia, Henry Lelay, Dotia, Virginia, Bascom, together with their increase - and also all other property of which I may be possessed at the time of my death, to my said wife Ann H. Tucker.

Figure 5. Excerpt of the Alsa H. Tucker Will (Wills and Estate Papers (Wake County), 1663-1978; Author: North Carolina. Division of Archives and History; Probate Place: Wake, North Carolina).

In 1869, Ann Tucker sold the property to her nephews, W.H.H. Tucker and R.S. Tucker (Wake County Deed Book 28, Page 286). She and her sister, Sarah Reece, continued to live together on the property until 1887. Sarah Reece died on July 28, 1887 (Figure 6). Less than two months later, The Weekly Star reported that "The funeral services of Mrs. Ann H. Tucker.... [were] conducted on yesterday morning at her old homestead near Raleigh" (Figure 7). Ann's obituary in The Raleigh Christian Advocate stated that "We laid her to rest by the side of her sainted husband and sister...." (Figure 8). Based on this information, it is likely that a small family cemetery plot was located somewhere on the "old homestead" property and contained at least three burials. It is also possible that it contains the grave of M.P. Tucker, who was reported as living with A. (Alsey) H. Tucker, A. (Ann) H. Tucker, and S. Reace in the 1850 census.

—In Swift Creek township, Wake county, July 21st, Mrs. Sarah Reece, at an advanced age.

Figure 6. The Weekly State Chronicle, Raleigh, North Carolina, 28 July 1887, page 3.

— **Raleigh News-Observer:** The funeral services of Mrs. Ann H. Tucker, relict of the late Rev. Alsa H. Tucker, was conducted on yesterday morning at her old homestead near Raleigh, by the Rev. W. O. Norman, pastor of the Eden Street Methodist Church. — *Fourteen*

Figure 7. The Weekly Star, Wilmington, North Carolina, 16 September 1887, page 2.

**TUCKER.**—Mrs. Ann H. Tucker was born Feb. 21st, 1807, and died at her home, near Raleigh, N. C., Sept. 9th, 1887, in the 81st year of her age. She was the relict of Rev. Alsa H. Tucker of blessed memory, a member of the N. C. Conference, who entered into rest nearly 37 years ago, having up to that time faithfully preached the gospel from the time of his admission into the Conference in the year 1838. In Raleigh the name of Rev. Alsa H. Tucker is still as ointment poured forth to all who remember his faithful labors and godly life during his ministry in this city, being one of the leaders in founding Person St. Methodist Church and serving as the first pastor to that congregation.

Now, after the lapse of so long a time, his dear saintly wife has gone up to meet him in the home above. She was a devotedly pious christian lady, cultured, cheerful and possessed of great personal magnetism, drawing to her a large circle of loving friends. For a number of years before her death she lived in Raleigh in her neat cottage home, kindly provided for by her nephew, Maj. R. S. Tucker, whom she tenderly loved, and who kindly cared for her. Just a few weeks before her death, her pious and devoted sister, Miss Sarah Reese, preceded her to the mansions above. Sister Tucker was the subject of bodily affliction a number of years before her death, but she always maintained a christian cheerfulness that was beautiful and inspiring.

We laid her to rest by the side of her sainted husband and sister, with whom, we feel sure, she will come forth in the first resurrection.

W. C. N.

Figure 8. The Raleigh Christian Advocate, Raleigh, North Carolina, 28 September 1887, page 5.

Tract 1 of the Alsey H. Tucker property was sold out of the Tucker family in 1899 to R.E. Buffaloe, who in turn sold it to Robert E. Lee Yates (Yates Mill Pond) in 1903 (Wake County Deed Book 187, Page 137). The parcel remained with the Yates family and descendants until 1955 when it was purchased by A.G. and Pearl C. Kornegay (Wake County Deed Book 1206, Page 105). The Kornegays purchased both Tract 1 and Tract 2 that had been divided in 1850 after the death of Alsey Tucker. In 1973, John and Thelma Buffaloe purchased both tracts from the Kornegays and combined them into the Buffaloe Land Limited Partnership in 2009 (Wake County Deed Book 8770, Page 2408). In 2017, Caruso at Olde Mill Trace, LLC purchased the recombined Tract 1 and Tract 2 parcels that were once known as the "Tucker Land" (Wake County Deed Book 16683, Page 1490).

### Abandoned Cemetery Survey (Lots 154 and 155)

The approved subdivision named Olde Mill Trace is located on the east side of Lake Wheeler Road (SR 1375). It comprises 214.79 acres and a proposed 155 lots. A final plat for 46.85 acres of the Olde Mill Trace subdivision was recorded on November 13, 2017. The abandoned cemetery is situated on proposed Lots 154 and 155 at 1208 Barley Stone Way. The parcel is owned by Caruso at Olde Mill Trace, LLC and is listed under the Wake County Property Identification Number (PIN) 0791451498.

The general condition of the cemetery and the lack of any evidence of upkeep places it well within the guidelines of an "abandoned cemetery" as per North Carolina General Statute (GS) 65-85, which defines an "abandoned cemetery" as one that has "ceased from maintenance or the use of the person with the legal right to the real property with the intent of not again maintaining the real property in the foreseeable future."

The cemetery is situated on a hill top directly west of a recently constructed Runner Stone Way, and approximately 1,000 feet due east from Lake Wheeler Road. The cemetery area covers an area that is 120 feet north-south by 80 feet east-west.

### Previous Investigations

Caruso Homes has indicated that they were not aware of there being any graves on this site during their preliminary field work and that no graves were identified during the preparation of their Phase 1 Environmental report. No graves were identified during the county's subdivision approval process, which included a review by Capital Area Preservation, which had no comments of historic value to the property.

### Methodology

Initial reconnaissance of the cemetery was conducted on 9 August 2017 by Nicholas Henderson of Legacy Research and Randy Sexton of Caruso Homes. John Mintz and Lindsey Flood Ferrante, representing the North Carolina Office of State Archaeology (NC OSA), also independently visited the property on 17 August 2017. Prior to the beginning of any fieldwork, on 22 August 2017, members from all three associated groups (Caruso Homes: Randy Sexton; NC OSA: Lindsay Flood Ferrante and Emily McDowell; and Legacy Research Associates: Deborah Joy, Nicholas Henderson, and Michael Davey) met on the property for planning purposes. No special guidelines or recommendations were suggested by the NC OSA and the fieldwork to conduct a cemetery survey was initiated that same day.

In August 2017, scrub vegetation covered much of the cemetery and obscured gravemarkers (Figure 9). Leaf, and some pine litter covered the ground surfaces and inhibited detection of grave shafts and identifying features of graves. Multiple fieldstone gravemarkers appeared to have been disturbed from their original location. No maintenance of the cemetery was observed.



Figure 9. Abandoned cemetery prior to clearing, view northeast.

The landscape of the cemetery was not defined by traditional cemetery vegetation. The area was wooded with hardwood and pine trees. While some scattered eastern cedar trees were present, they were new growth saplings and unassociated with the original cemetery landscape. Traditional cemetery vegetation such as flowering shrubs (e.g., roses, azaleas, or forsythia), other vegetation such as yucca, or groundcovers such as English ivy or periwinkle were absent from the cemetery.

Fieldwork consisted of identifying and recording marked and unmarked graves within the boundaries of the cemetery. Due to the overgrown state of the cemetery, it was necessary to clear some vegetation prior to beginning fieldwork. After clearing, the investigation consisted of a visual surface inspection and subsurface (probing) investigations to determine the cemetery boundaries based on grave distribution.

The visual surface inspection for graves consisted of identifying possible grave locations based on the presence of a grave marker - an upright or flat stone, a field stone marker, or wooden marker (typically oblong or rectangular) or a grave shaft - a rectangular shallow sunken area caused as the soil settles after a burial.

Subsurface inspection for graves consisted of soil density testing, also known as soil probing. This method employs a 5/8<sup>th</sup> inch metal or fiberglass T-bar that is pressed into the ground to gauge soil resistance. Disturbed soils are typically less likely to inhibit probing and are generally less compact, while undisturbed soils are more compact and provide more resistance. The entire cemetery area was tested, and locations that indicted potential disturbance associated with a possible grave were identified.

The locations of potential burials were recorded with a Nikon Total Station and the perimeter of the identified burial area was recorded with a Trimble GPS. Data collected with the total station is not survey-grade and is intended to be used for planning purposes only.

While the field methods used are a reasonable and prudent effort and meet or exceed both the present professional standards for cemetery studies, as well as the expected field methodologies of the North Carolina Office of State Archaeology, they are limited in scope. The only method to guarantee locating every burial in a cemetery requires complete excavation, which is beyond the scope of the present survey.

### Results

The investigation resulted in identifying 53 known or possible graves within the defined cemetery boundaries (Figure 10, Figure 11, and Table 3). The cemetery has attributes that are consistent with nineteenth-century burial areas.

Most of the burials in the cemetery follow a rough standard of east-west orientation along linear north-south lines (Figure 12 and Figure 13). Of the potential burials, 39 had a stone marker at one or both ends, while the other 14 had no visible stone markers. As can be seen on Figure 11, there are four main rows extant in the cemetery. In some areas, (i.e., between Graves 4 and 6) there are gaps between burials; this does not diminish the possibility of a grave in this area, but only signifies that during fieldwork no grave indicators (markers, grave depressions, or indications of soil disturbance) were observed. Figure 14 through Figure 19 are a selective sample of the types of graves identified at the cemetery.





Figure 10. Abandoned cemetery (Lots 154 and 155) on the Lake Wheeler, NC, USGS topographic quadrangle map. Note: arrow points to the general location of the abandoned cemetery.



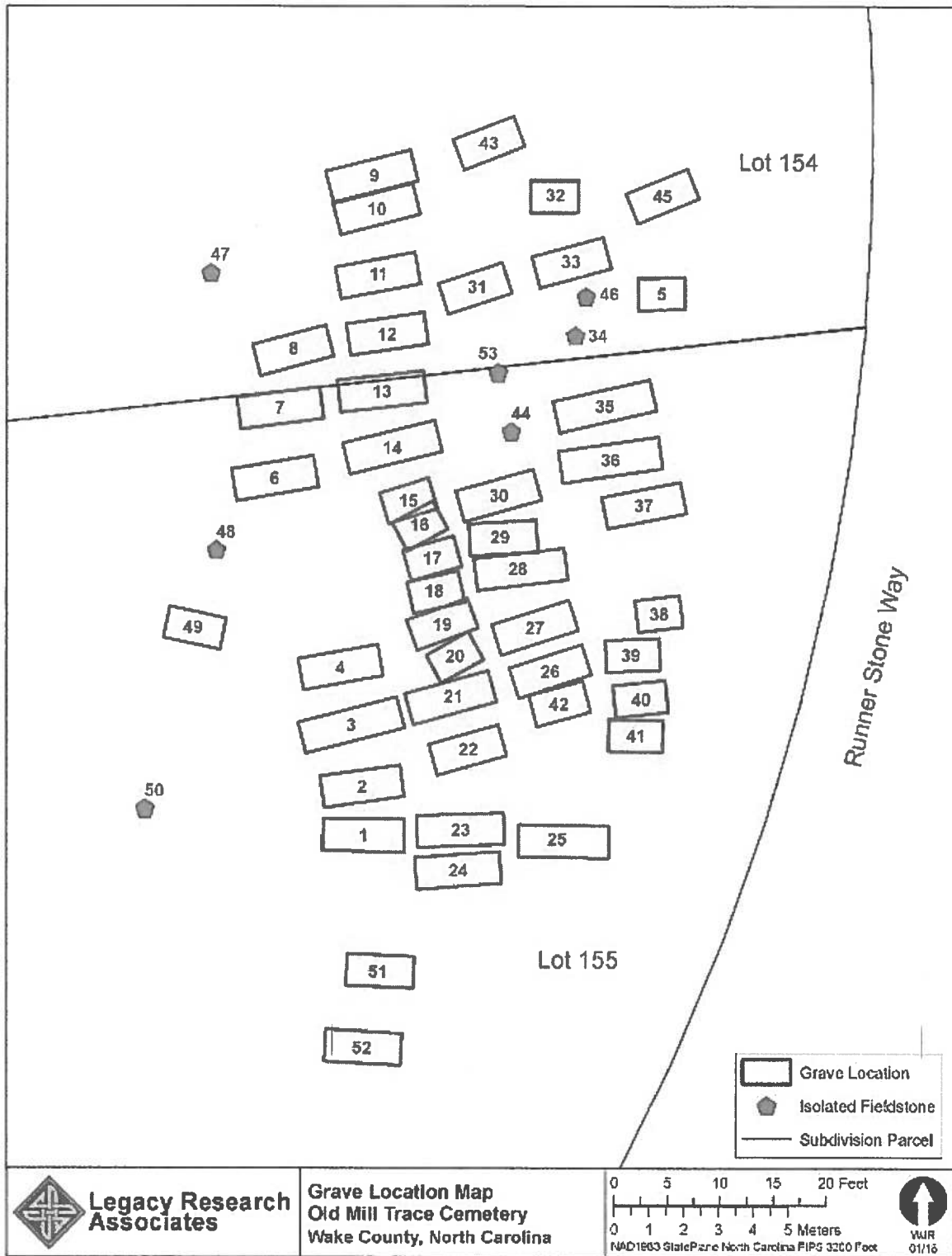


Figure 11. Abandoned cemetery (Lots 154 and 155) site plan.

Historical and Archaeological Investigations at the Olde Mill Trace Development  
located at 1208 Barley Stone Way, Swift Creek Township, Wake County, North Carolina  
Wake County NC Parcel Identifier Number (PIN) 0791451498

Table 3. Abandoned Cemetery Grave Descriptions.

Grave #	Headstone	Footstone	Length (in)	Width (in)	Orientation (degrees)	Depression	Comments
1	N	N	96	42	76	Yes	
2	N	N	93	36	80	Yes	
3	Y	Y	115	42	90	Yes	
4	Y	Y	91	42	90	Yes	
5	N	N	42	42	90	Yes	Push pile nearby
6	N	N	95	48	84	Yes	
7	N	Y	100	38	84	Yes	
8	N	N	88	44	82	Yes	
9	N	Y	NA	NA	NA		
10	N	Y	NA	NA	NA		
11	N	N	92	42	84	Yes	
12	Y	N	91	40	78	Yes	
13	Y	N	99	48	88	Yes	
14	N	N	102	44	86	Yes	
15	Y	Y	66	NA	100		
16	Y	Y	52	NA	106		
17	Y	Y	56	32	90	Yes	
18	Y	Y	64	NA	90		
19	N	Y	NA	NA	NA		
20	Y	Y	55	NA	105		
21	N	N	96	49	90	Yes	
22	Y	Y	82	38	82	Yes	
23	N	Y	101	44	80	Yes	
24	N	Y	102	40	78	Yes	
25	Y	Y	102	36	70	Yes	
26	Y	Y	86	38	104	Yes	
27	N	Y	91	40	102	Yes	
28	Y	Y	102	50	80	Yes	
29	Y	N	NA	NA	NA		
30	N	N	90	42	90	Yes	
31	N	N	74	36	90	Yes	
32	Y	Y	56	?	76		
33	N	N	85	40	90	Yes	
34	Y	N	NA	NA	NA		Isolated stone
35	Y	N	NA	NA	NA		
36	Y	N	116	54	82	Yes	
37	N	Y	NA	NA	NA		
38	Y	Y	51	?	84		
39	N	Y	62	38	78	Yes	
40	N	N	60	30	78	Yes	
41	Y	Y	61	28	78	Yes	
42	Y	N	NA	NA	NA		
43	Y	N	NA	NA	NA		
44	Y	N	NA	NA	NA		Isolated stone
45	Y	N	78	26	95	Yes	
46	N	N	NA	NA	NA		Isolated stone
47	N	Y	NA	NA	NA		Isolated stone
48	N	Y	NA	NA	NA		Isolated stone
49	Y	Y	68	NA	60		
50	Y	N	NA	NA	NA		Isolated stone
51	Y	N	NA	NA	NA		
52	Y	N	NA	NA	NA		
53	N	N	NA	NA	NA		Pile of stones no grave parameters



Figure 12. Abandoned cemetery, view north.



Figure 13. Abandoned cemetery, view west.



Figure 14. Grave depression example, view north.



Figure 15, Grave 38, view west showing fieldstone head and foot markers.



Figure 16. Grave 15, view west.



Figure 17. Grave 11, view west.



Figure 18. Grave 4, view west.



Figure 19. Grave 3, view west.

## Displaced Gravemarker Survey (Lot 9)

Also located within the Olde Mill Trace development are two gravemarkers of unknown provenance. These markers are situated on the north edge of Lot 9 on the top of a hill, due south of a recently constructed cul-de-sac (Spindle Court). The location is approximately 630 feet east of Lake Wheeler Road.

At the time of their discovery, the gravemarkers had a reddish appearance that is likely due to exposure to red clay. They were at the edge of woodland approximately 20 feet south of the cul-de-sac pavement. The larger of the two pieces, a stone base, was mostly complete but missing a large chunk from a top corner, it was uncertain as to how recent the damage had occurred. The second piece, a marble footstone, had only the top section. Both pieces were resting on vines that had been pressed down long enough to yellow, but not long enough to die, suggesting that the gravemarkers had been recently moved. It is not known who moved the gravestone fragments or exactly when they moved.

In August 2017, the area to the south, west, and east of the displaced gravemarkers was wooded with a mixture of tall hardwoods and a dense understory of wintergreen groundcover. The area around the displaced gravemarkers had undergone recent road (cul-de-sac) construction that altered the landform (Figure 20 and Figure 21). The survey area to the southwest of the displaced gravemarkers was densely wooded and had above-ground evidence of a collapsed structure on Lot 10 (Figure 22 and Figure 23).

A review of historic aerial imagery of the property identified two former structures and roads on the 1938 and 1959 United States Department of Agriculture (USDA) aerials (Figure 24 and Figure 25). No indication of a cemetery is apparent in the early to mid-twentieth-century aerials, though the resolution is limited.





Figure 20. Location of the displaced gravemarkers (Lot 9), view southeast. Note: Arrow points to the location of the displaced gravemarkers.



Figure 21. Displaced gravemarkers (Lot 9), view south view from cul-de-sac. Note: Arrow points to the location of the displaced gravemarkers.



Figure 22. Collapsed building (Lot 10), view west.



Figure 23. Collapsed building (Lot 10), view north.



Figure 24. Excerpt of the 1938 aerial photograph showing homesite location. Note: Arrow points to the location of the former homesite.



Figure 25. Location of two structures (Lots 2 and 10) and displaced gravemarkers (Lot 9) on the Olde Mill Trace site plan overlaid on the 1959 Wake County, NC, aerial photograph. Note: Arrows point to the locations of former structures on the property.

## Survey Methodology

Fieldwork to identify the possible cemetery associated with the displaced gravemarkers consisted of a pedestrian survey across Lots 2-4 and 8-12. Goals of the fieldwork were to canvas the area for cultural or natural cemetery indicators and to record the displaced gravemarkers.

Surface reconnaissance consisted of a field crew following the natural lay of the landforms and visually inspecting locations that fit within high-probability models for historic cemeteries. These areas consisted of hilltops and hillsides that were level or had slight slopes and avoided low-lying areas such as wetlands or areas with steep slopes. If a location demonstrated a high potential for a cemetery location and had surface features consistent with a cemetery (i.e., grave shaft depressions or loose fieldstones) it would be probed using the same methodology used at the abandoned cemetery.

## Survey Results

The pedestrian survey did not return any locations that displayed the characteristics associated with a cemetery or isolated burial. While the area around the displaced gravemarkers does have some wintergreen groundcover that can be associated with cemeteries, no other cemetery features were found. It is unknown what association the displaced gravemarkers have with the property or if their provenience is even tied to this area. With the recent construction on the property and the practice of using relatively flat raised landforms to build roads on, it is possible that the cemetery location was obscured and/or destroyed during road construction. The two displaced gravemarkers were recorded individually and are summarized below. They both appear to date from the late-nineteenth to early-twentieth century.

### Displaced Headstone Base

The grave marker is an upright stone headstone base with a slot in the bed where the headstone would rest (Figure 26). The marker is rough carved from an unknown stone type, with a rough sandy dull brown surface. The base measures 29"x13.5"x12" (length x width x height) with a 1.5-inch wash rising to a flat bed (see Appendix A for Gravemarker Contour and Moldings Terminology). The bed is marked by a headstone slot that is 21.5"x2"x3." The headstone slot is cleanly cut in the corners, but the midsection shows widening. This wear can be caused as the headstone shifts and grinds against the base if it is suddenly removed horizontally rather than vertically. Other wear on the headstone base can be seen on a corner where a large chunk has been knocked off. We are unable to make a determination as to when the damage occurred or how long the upright tombstone had been displaced from the base.



Figure 26. Displaced gravemarkers, view southeast. Note 1: the marble footstone fragments inscribed with "S.R." are on top of the headstone base. Note 2: recently sprayed hydroseed covers the vegetation and displaced gravestone markers.

### Displaced Footstone

The footstone is an upright white marble footstone with an oval top. It measures 5.25"x2"x4.5" on the edge rising to a total height of 6" at the crest (Figure 27). The footstone is inscribed with the initials "S.R." While the headstone is broken, marble gravemarkers are commonly found in a degraded condition. This is due to many weather effects such as seasonal heating and cooling cycles, and the acidity that naturally occurs in rainwater. Both can lead to degradation as the marble that progressively becomes more porous; once degraded, marble loses much of its structural integrity and tends to crumble. This footstone engraved with the initials "S.R." corresponds the initials of Sarah Reece, the unmarried sister of Ann H. Tucker. Sarah and Ann lived together, died only two months apart, and were buried side by side (see Figure 8). Both the style of the footstone, which matches the style popular at the time of Sarah's death, as well as matching initials that directly tie into the property history strongly suggest this footstone belonged at the gravesite of Sarah Reece. Given the size of the headstone base, it is unlikely that the marble footstone is associated with the headstone.





Figure 27. Close-up of marble footstone engraved "S.R." Note: the white substance is the result of recent hydroseeding.

## Project Results and Recommendations

The focus of the investigation was to (1) conduct a survey of the abandoned cemetery on Lots 154 and 155 and (2) conduct a survey of the areas surrounding the displaced gravemarkers on Lot 9 to identify a possible associated cemetery. Both actions were undertaken with the intent to advise Caruso Homes LLC on future development plans related to the relocation and/or preservation of cultural landscapes located on the Olde Mill Trace property.

### Abandoned Cemetery – Lots 154 and 155

Legacy's investigation on Lots 154 and 155 documented 53 known or possible graves within the defined cemetery boundaries. These graves are typical (grave orientation, presence of graves identified by unmarked fieldstones with and without grave depressions and unmarked graves with grave depressions, and a lack of cemetery vegetation) for abandoned cemeteries that date from the nineteenth century,

No graves were identified with an inscribed marker which prohibited the ability to tie the graves to a specific family. The cemetery has the attributes of both the Pioneer and Transitional models. It follows the Pioneer Model in that it is located on a hilltop, and graves were laid out in an east-west direction following specific rows and patterns. Attributes of the Transitional Model include the absence of creative markings, decorations, or grave shelters or the introduction of commercially produced markers with

epitaphs. There is no evidence of typical cemetery vegetation, such as magnolia and crape myrtle trees, flowering shrubs (e.g., roses, azaleas, and forsythia), or other cemetery vegetation (e.g., yucca, English ivy, and periwinkle).

The lack of inscribed markers, number of burials, and the presence of small- and large-sized burials (which could indicate child vs adult burials) suggests that the cemetery was likely used by several families. The orientation of the graves on an east-west axis in defined rows consistent with burial practices of the nineteenth century.

The recorded presence of slaves on the census information for this parcel of land, indicates the possibility that this cemetery could have been a slave cemetery associated with the Tucker farmstead. However, there is no direct evidence to corroborate this theory.

### Displaced Gravemarkers – Lot 9

The pedestrian survey on Lots 2-4 and 8-12 was unable to locate any evidence of a cemetery in the areas surrounding the displaced gravemarkers. If the gravemarkers were in situ on the property at one time, their original location might have become obscured through time or during the recent construction.

No cemetery was noted in any of the deeds listed in Table 1 and Table 2. For the displaced gravemarkers, the marble footstone has the initials "S.R.," which could be for Sarah Reece, who lived on the property with her sister, Ann Tucker, and her sister's husband, Alsey A. Tucker. Newspaper clippings from the late 1800s state that the three were buried together in a small family plot on the family farm three miles south of Raleigh. It is possible that the headstone base was also associated with this family cemetery, but without an inscription, little can be firmly established. It is also possible that M. P Tucker, Alsey A. Tucker's mother, may have been buried on the property.

Since it is possible that graves associated with Alsey H. Tucker, Ann Reese Tucker, and Sarah Reece may be present on the parcel, we recommend that during any ground-disturbing activities, the construction crew and homes builders be alert for evidence of graves. If graves are discovered, then construction activity around graves should be halted and the North Carolina State Historic Preservation Office (NC SHPO) should be contacted immediately for guidance. The NC SHPO is located at 109 E. Jones Street, Raleigh, NC 27601 and their phone number is 919-807-6552.

### Significance Evaluation

Four general significance criteria are used to determine eligibility of a property for inclusion in the National Register of Historic Places. Properties may be considered eligible for inclusion if they:

- a) are associated with events that have made a significant contribution to the broad pattern of our history;
- b) are associated with the lives of persons significant in our past;



- c) embody the distinctive characteristics of a type, period, or method of construction; or represent the work of a master, or possess high artistic values, or represent a significant and distinguishable entity whose components lack individual distinction; or
- d) have yielded or may be likely to yield information important to our understanding of prehistory or history.

The abandoned cemetery on the Olde Mill Trace property (Lots 154 and 155) is not eligible for inclusion in the National Register of Historic Places under Criterion a, as it is not associated with events that have made a significant contribution to the broad patterns of our history. There is no suggestion that it is associated with the lives of persons significant to our past; therefore, Criterion b does not apply. Criterion c evaluation finds that this cemetery does not represent the work of a master and it does not have high artistic values, nor does it embody the distinctive characteristics of a type, period, or method of construction. Under Criterion d, there is a small likelihood for bone preservation sufficient for physical analysis; therefore, the cemetery is unlikely to yield information important to our understanding of the history or prehistory of the region.

### Summary of Due-Diligence Efforts to Identify Next-of-Kin

A legal notice was published in the *Raleigh News & Observer* on September 6, 13, 20, and 27, 2017 (Figure 28). This notification was to comply with state law and to attempt to identify any possible next of kin or persons with interest in, or knowledge about, graves on this property. No response to the legal notification was received.

The lack of inscribed tombstones for the graves on Lots 154 and 155 precluded any genealogical research. Furthermore, no cemetery was noted in any of the deeds listed in Table 1.



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The News & Observer  
215 S. McDowell St  
Raleigh, NC 27601  
919-829-4500

## AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Cols	Lines
322391	0003261695	Removal & Reinterment of 52 unmarked graves		1	17

### Attention:

LEGACY RESEARCH ASSOCIATES  
125 WEST WOODRIDGE DRIVE  
DURHAM, NC 27707

#### LEGAL NOTICE

In the matter of the intention for the removal and reinterment of approximately 52 unmarked graves located in a wooded area of 4719 Lake Wheeler Road (PIN 0791452788) and 4721 Lake Wheeler Road (PIN 0791452527). This land is also known as the "Tucker Land." Anyone having information about these graves or the next of kin please contact Deborah Jay at 919-215-6449.

Legacy Research Associates  
3333 Durham-Chapel Hill Blvd.  
Suite A-100, Durham, NC 27707  
MT: September 6, 13, 20, 27, 2017

### STATE OF NORTH CAROLINA

#### COUNTY OF WAKE

Before the undersigned, a Notary Public of Johnston County, North Carolina, duly commissioned and authorized to administer oaths, affirmations, etc., personally appeared GENA HAMM, who being duly sworn or affirmed, according to law, doth depose and say that he or she is Accounts Receivable Specialist of the News & Observer Publishing Company, a corporation organized and doing business under the Laws of the State of North Carolina, and publishing a newspaper known as Midtown Raleigh News, Wake County and State aforesaid, the said newspaper in which such notice, paper, document, or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina, and that as such he or she makes this affidavit; and is familiar with the books, files and business of said corporation and by reference to the files of said publication the attached advertisement for LEGACY RESEARCH ASSOCIATES was inserted in the aforesaid newspaper on dates as follows:

4 Insertion(s)

#### Published On:

September 06, 2017, September  
13, 2017, September 20, 2017,  
September 27, 2017

GENA HAMM, Accounts Receivable Specialist

Sworn to and subscribed before me this  
27th day of September, 2017

My Commission Expires: 8/8/2021

Notary Signature

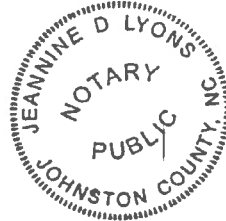


Figure 28. Affidavit of Publication.

### Proposed Relocation Area

Caruso Homes plans to relocate the approximate 53 graves associated with the abandoned cemetery on Lots 154 and 155 (1208 Barley Stone Way – PIN 0691451498) and the displaced headstone base at Lot 9 (2417 Spindle Court – PIN 0791358745) to Oakwood Cemetery that is located at 701 Oakwood Drive, Raleigh, NC (PIN 1714110503). An information marker will be established at the reinterment location (Figure 29).

## OLDE MILL TRACE PROPERTY ABANDONED CEMETERY AND DISPLACED GRAVEMARKER BASE

THIS BURIAL PLOT CONTAINS THE REINTERED  
REMAINS OF 53 UNKNOWN INDIVIDUALS  
THAT WERE RELOCATED FROM  
1208 BARLEY STONE WAY (LOTS 154 AND 155 – PIN 0791451498) AND  
ONE UNIDENTIFIED DISPLACED GRAVEMARKER BASE FROM  
2417 SPINDLE COURT (LOT 9 - PIN 0791358745),  
SWIFT CREEK TOWNSHIP, WAKE COUNTY, NORTH CAROLINA.

THE CEMETERY AND GRAVEMARKER WERE RELOCATED IN MAY 2018.

THE GRAVE REMOVAL CERTIFICATE IS AVAILABLE AT  
THE WAKE COUNTY REGISTER OF DEEDS OFFICE.

Figure 29. Proposed Informational Marker.

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- 1845 David Stephenson to Asley H. Tucker, DB 16:423.
- 1845 Austin Jones to Alsey H. Tucker, DB 16:433.
- 1850 Alsey H. Tucker to Ann H. Tucker, Will and Estate Papers, 1663-1978.
- 1869 Ann H. Tucker to W.H.H. Tucker and R.S. Tucker, DB 28:286.
- 1899 Florence P. Tucker to R.E. Buffaloe, DB 158:13.
- 1900 B.K. Partin and M.E. Partin to Robert E. Buffaloe and Wife Mollie, DB 162:81.
- 1903 R.E. Buffaloe and Wife to Robert E. Lee (R.E.L.) Yates, DB 187:137.
- 1905 Robert E. Buffaloe and wife Mollie to S.B. Sealey and wife, DB 202:274.
- 1935 S.B. Sealey to Louise Price, DB 700:104.
- 1936 Louise Price and Husband Clyde S. Tharrington to Louise G. Smith, DB 711:555.
- 1937 Robert E. Lee Yates to Minnie John Yates, Will and Probate Records, Book N:156.
- 1955 Mildred Yates Brown et al. to A.G. Kornegay and Pearl C. Kornegay, DB 1206:105.
- 1973 A.G. Kornegay and Pearl C. Kornegay to John and Thelma Buffaloe, DB 2138:153.
- 1992 John and Thelma Buffaloe to John and Thelma Buffaloe, DB 5458:240.
- 2009 John and Thelma Buffaloe to Buffaloe Land Limited Partnership, DB 8770:2408.
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- No date S.B. Sealey husband to S.B. Sealey wife, Will and Probate Records, Book M:105.
- No date Minnie John Yates to Mildred Yates Brown et al., Will and Probate Records, Book U:84.

W.C.N.

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## Appendix A – Gravemarker Contours and Moldings Reference

(<http://www.pattenmonument.com/finishes>).

