

Subject: Truby Proctor Jr Estate property
From: "Mary Ringle" <mary.ringle@ncmail.net>
Date: Tue, 3 Feb 2004 13:12:59 -0500
To: <law@bradshawrobinson.com>
CC: "Mary Ringle" <mary.ringle@ncmail.net>

February 3, 2004

To: Patrick Bradshaw, Attorney
From: Mary Ringle, Chatham County Mapping Tech.
Subject: Truby Proctor Jr property 0018726

Patrick, I received your letter dated Feb. 2, 2004 regarding our reference to a Carter Cemetery on the tax map 9776.02 of parcel 0018726. I've removed all mapping annotation in the GIS that located this cemetery within the bounds of parcel 0018726.

To give you a little background, the County's parcel workmaps were compiled in the early to mid 1990s. During that time, Mr. Will Heiser was actively compiling an inventory of cemeteries so we used his information to note the approximate locations of cemeteries as best as he knew them. We have received confirmations of many cemeteries' locations when surveying is done or by property owners.

Thank you for your surveyor's information regarding the absence of any physical evidence of the Carter Cemetery within the bounds of this tract of land. Let me know if you need any other information from me.

Mary Ringle

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February 2, 2004

Ms. Mary Ringle
Chatham Tax Mapping Office
Post Office Box 908
Pittsboro, North Carolina 27312

VIA HAND DELIVERY

RE: Property of the Estate of Truby G. Proctor, Jr.

Dear Mary:

We recently had a conversation about property owned by the Estate of Truby G. Proctor, Jr., near the boundary between Chatham and Orange Counties. The property has parcel identification number 18726.

The surveying firm Elinburg Land Survey Co., P.A. of Apex, North Carolina, recently produced a survey of the Proctor property which includes the following note, quoted here verbatim: "APPROXIMATE LOCATION OF CARTER CEMETERY PER CHATHAM COUNTY TAX MAP (NO SURFACE EVIDENCE FOUND)." Mr. Russell K. Elinburg told me that his firm searched for a cemetery in a large area around the approximate location of the supposed cemetery as indicated on the tax map and found no evidence of the existence of a cemetery. Furthermore, although they did not search the entire 62.807 acres that they surveyed specifically looking for a cemetery, Mr. Elinburg and his crew did walk the entire tract and did not find evidence of a cemetery.

When you and I spoke, you indicated that the Chatham County tax map of this property notes the location of a cemetery based upon the report of Will and Audrey Heiser in The Gravesites of Chatham County, North Carolina, An Inventory of Cemeteries and Grave Markers, Vol. I ("Heiser Inventory"). On pages 291 and 309, the Heiser Inventory says that there is a "Carter" cemetery located "0.2 mile east of US 15-501, 0.1 mile south of Orange County," and Map 5 on page 331 indicates the presence of the Carter cemetery in the vicinity of this property. In the alphabetical listing of cemeteries on page 309 of the Heiser Inventory, the name of the purported "Carter" cemetery is preceded by a "star" symbol. On page 307, at the beginning of the alphabetical listing, an introductory note says, "The starred sites are either not inventoried or have not been precisely located." As far as I can tell, the Heiser Inventory does not identify any specific graves that are located in the Carter cemetery, and the introductory note to the alphabetical listing indicates that the site has either not been inventoried or has not been precisely located.

Letter to Ms. Mary Ringle
February 2, 2004
Page Two

Also as far as I can tell, there is no indication of the evidence upon which the Heiser Inventory concludes that there ever was a cemetery on this property.

The owner of the property is unaware of the existence of a cemetery. Prior title insurance policies for the property make no mention of a cemetery. The recorded plat of the property, recorded in Plat Slide 97-42, Chatham County Registry, makes no mention of a cemetery. The surveyor Mr. Elinburg could find no evidence of a cemetery. The Heiser Inventory notes that the purported cemetery has either not been inventoried or has not been precisely located and offers no explanation of the basis upon which the existence of the cemetery is asserted.

In light of the scant evidence upon which the notation has been made, I would like to request on behalf of the owner that the notation on the county tax map indicating the presence of a cemetery on this property be removed. I would be happy to discuss this matter with you further. When the notation has been removed from the county tax map, I would appreciate your letting me know so that I can notify Mr. Elinburg who has indicated that he will remove the note from his survey map when it has been removed from the county tax map.

Thank you for your assistance.

Sincerely yours,



Patrick E. Bradshaw

PEB:jbs

c: Kirk J. Bradley
Bill Barnard
John E. Raper, Jr., Esquire