

1 10A NCAC 41H .1201 is proposed for readoption without substantive changes as follows:

2
3 **SECTION .1200 - REMOVAL OF GRAVES**

4
5 **10A NCAC 41H .1201 REGISTRATION OF GRAVES REMOVED**

6 (a) Removal of Graves Certificate and Filing. ~~Certificate.~~ ~~A Removal of Graves Certificate provided by the State~~
7 ~~Registrar shall be used to permanently record the facts pertaining to the relocation of graves.~~

8 ~~(b) Preparation and Filing.~~ ~~The party removing or causing effecting the removal of a grave shall:~~ shall, within 30
9 days of completion of the reinterment of the grave, submit to the Register of Deeds in the county of disinterment and
10 the counties of reinterment the following:

11 (1) a Removal of Graves Certificate containing the elements set out in G.S. 65-106 and provided by the
12 State Registrar. The Certificate shall be typed or completed in ~~complete the certificate form by~~
13 ~~typing or writing plainly with black ink with continuation sheets of the same format if necessary to~~
14 list all decedents; ~~ink;~~

15 (2) ~~list the name of each decedent if known; otherwise, enter as much identifying information as may~~
16 ~~be reasonably determined;~~

17 (3) ~~use continuation sheets of the same format as the list on the certificate to list additional names as~~
18 ~~necessary;~~

19 (2)(4) ~~file the certificate with maps as set forth in Paragraph (b) of this Rule; and continuation sheets~~
20 ~~attached with the register of deeds in the county of disinterment and also in the counties of~~
21 ~~reinterment within 30 days after completion of the reinterment; and~~

22 (3)(5) ~~pay the register of deeds a fee set out in G.S. 161-10. of one dollar (\$1.00) for each page or portion~~
23 ~~of a page recorded.~~

24 ~~(b)(e)~~ Maps. The party effecting removal shall prepare a map of both the disinterment and reinterment sites. The
25 map must precisely describe the disinterment and reinterment sites in such a manner that a layman can easily identify
26 the location of each site. The maps shall include county, nearest city or town, public road or intersection of roads in
27 the vicinity, and any other information which would be helpful in locating the sites. The graves must be noted and
28 numbered. The names must be listed on the certificate by number, which corresponds with the numbers on the map.
29 ~~The map shall be prepared on the same size paper as the certificate whenever possible.~~

30 ~~(c)(d)~~ Filing and Indexing. The register of deeds shall:

31 (1) ~~place the certificate with attachments in a loose leaf binder or other appropriate medium;~~

32 (1)(2) cross index the certificates by name of cemetery of disinterment and reinterment; This requirement
33 does not preclude additional cross indexing of the Removal of Graves Certificates by name of
34 decedent when known; provided, that such cross indexing shall be an option of the register of deeds
35 and imposes no extra charge to the party effecting removal; and

36 (2)(3) retain the certificates and attachments permanently. ~~permanently;~~ In counties using microfilm for
37 recording various documents such as deeds and deeds of trust, these certificates may be processed
38 as the other records.

1
2 *History Note:* Authority G.S. 65-106; 130A-92(7); 161-10;
3 *Eff. February 1, 1976;*
4 *Readopted Eff. November 15, 1977;*
5 *Amended Eff. September 1, 1990.*