

RESOLUTION

NO. 97- 06

RESOLUTION AUTHORIZING THE REMOVAL AND RELOCATION
OF GRAVES LOCATED ON REAL PROPERTY OWNED BY
HIGHLAND PARK PROPERTIES, INC., AND LOCATED
ON 1041 BEREAD ROAD, RICHMOND, MADISON COUNTY, KENTUCKY

WHEREAS, the Coroner of Madison County, Embry Curry, and Highland Park Properties, Inc., have petitioned the Madison Fiscal Court to relocate a cemetery containing approximately 5 graves located on the real property known as Highland Park Properties, Inc., 1041 Berea Road, Richmond in Madison County, Kentucky; and

WHEREAS, the Madison County Coroner and Highland Park Properties, Inc., have complied with KRS 381.750 and KRS 381.755 and no claims have been made within thirty (30) days after the last advertisement;

NOW, THEREFORE, BE IT RESOLVED THAT

1. Embry Curry, the Madison County Coroner, is hereby authorized at any time after September 18, 1997 to remove/relocate a cemetery containing approximately 5 graves located at 1041 Berea Road, referred above. Further the graves/cemetery and any right of access, if any, is hereby declared unattended and abandoned more than 10 years prior to this date and judgment is entered accordingly declaring vested fee simple title in said cemetery site in Highland Park Properties, Inc., pursuant to KRS. 381.750.

2. The Coroner is further ordered to remove all the graves in said cemetery to the Richmond Cemetery located on East Main Street, Richmond, Madison County, Kentucky.

3. All expenses for the removal and relocation of any graves shall be paid by Highland Park Properties, Inc.

4. Sixty (60) days will have passed prior to authorized date of relocation stated above of said graves after the first publication on July 17, 1997 in the Richmond Register of the intended action hereby pursuant to KRS. Chapter 424.

DATE ADOPTED: 9-9-97

MOTION BY: Forniss Park

SECONDED BY: Bill Strong

VOTE

Magistrate William Strong

Magistrate Peggy Rice

Magistrate Forniss Park

Magistrate Larry Combs

Judge Kent Clark

YES

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✓
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NO

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MADISON COUNTY JUDGE/EXECUTIVE

MADISON FISCAL COURT

In the matter of:

JAMES BOGGS CEMETERY
(1793-1858)

Petition to relocate abandoned grave sites

The Petitioners, EMBRY CURRY, Madison County Coroner and JAMES J. SHANNON, JR., Owner, Highland Park Properties, Inc. state as follows:

- 1) Said cemetery contains approximately 5 graves on the farm at 1041 Berea Road Richmond, Kentucky owned by the petitioner. A copy of the last record of the cemetery published in 1930 is attached which includes 2 adults and 3 minors known graves.
- 2) The cemetery is over one hundred and thirty years old and has not been maintained by the Boggs family since they sold the farm to petitioner's great uncle, Willis Hisle, in 1892 and there is no reference to reserving a cemetery in the old deeds or any reference to reserving the right of ingress and egress through the farm to said grave sites.
- 3) Petitioner has engaged a professional genealogist, David Green, to determine the living descendants of the deceased and it is believed there are 20 heirs and living descendants and they have all been contacted and all local heirs and others have signed approval forms for moving the graves to the Richmond Cemetery on East Main Street in Richmond, Kentucky. List of known descendants contacted attached.
- 4) Notice of intent was placed in the Richmond Daily Register starting on July 17, 1997 as required by law and KRS Chapter 381 and 424.
- 5) Petitioner plans to develop a residential and commercial subdivision around said grave sites and after moving the graves would provide perpetual care of said graves in the Richmond Cemetery.

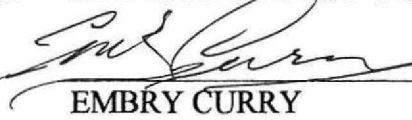
Wherefore, petitioner requests approval to remove and relocate said graves.

RESPECTFULLY SUBMITTED,

HIGHLAND PARK PROPERTIES, INC. MADISON COUNTY CORONER


JAMES J. SHANNON, JR.

Owner-Petitioner


EMBRY CURRY

Petitioner

Hon. Chittenden Lyon, d. Oct. 23, 1842, aged 56 yr.; wife, Frances F., d. Aug. 20, 1866, in her 63d yr.
 James O. (or G.) Lyon, d. Nov. 1, 1819, in his 21st yr., Mason
 John Ohara, Esq., d. Mar. 20, 1846, in his 64th yr.
 Col. Willis B. Machin, b. Apr. 1810, d. Sept. 29, 1893; wife, Margaret A., 2d dau. of Col. Chittenden & Nancy Lyon, d. May 12, 1852 in her 33d yr.
 Margaret Jane, dau. of Agatha & W. A. Bailey, d. 1810
 D. H. Caldwell, d. Oct. 12, 1838, aged 32 yr.
 Alex B. McQuie, lost by explosion of a boiler of Steamboat General Robertson, near here, b. July 13, 1792, d. Apr. 17, 1821
 Elzathan Smith, b. May 17, 1817, d. Feb. 7, 1854; wife, Aresba, b. Mar. 21, 1820, d. Feb. 1864—natives of Allen Co., Ky.
 John Colt, native of Wilksboro, Penna, d. Oct. 24, 1833, age 33 yr.

OLD RICE-BYRD CEMETERY, a little off the road between Eddyville and Marion (1935)

Sarah N. Rice, b. Mar. 21, 1791, d. Sept. 16, 1872
 Mary Rice, d. Sept. 8, 1835, age 16 yr, 8 mo, 10 da
 Robert H. Rice, d. June 16, 1840, age 18 yr, 1 mo
 Joseph G. Rice, d. July 25, 1840, aged 15 yr, 6 mo, 10 da
 Ben G. Rice, d. June 10, 1840, age (70?) yr, 7 mo, 25 da
 Nathan C. Byrd, b. Jan. 14, 1807, d. Sept. 17, 1872; wife, Sarah J., b. June 22, 1822, d. Mar. 1864
 Robert D. Byrd, b. Jan. 14, 1841, d. Sept. 10, 1872
 Virginia C., wife of C. N. Byrd, b. July 2, 1842, d. Aug. 25, 1892
 HOWARD GRAVE on Rufus Barnett farm, about ¼ mile from Confederate, Ky.
 Groves Howard, Sr., b. Apr. 25, 1769, in N. Car., d. Nov. 25, 1849

MADISON COUNTY

CORNELISON CEMETERY, on Lemuel Rowlette farm, 1½ miles from Richmond (1934)

Conrad Cornelison, b. May 28, 1763, d. Jan. 26, 1846; wife, Susan C., b. July 27, 1762, d. Sept. 26, 1843
 (Note: Mrs. Rowlette is great-granddaughter of Conrad Cornelison.)
 John Cornelison, b. Nov. 14, 1785, d. Aug. 5, 1843; wife, Patsey (dau. of John & Elizabeth [Cleveland] McWilliams), b. May 20, 1784, d. May 22, 1870; & children: Garland, Elizabeth, William, John, Franklin, Elias, Alexander, Martha, Mildred, Edward—large family stone in center of plot
 Alexander Cornelison, b. July 21, 1817, d. Apr. 14, 1894; wife, Mary Jones, b. Nov. 5, 1829, d. May 6, 1891; & children: John H., Jane, Mary, Sarah, Elizabeth C., Mildred, Alexander C., Mary A., Patsy McW.—same stone
 John Cornelison, b. Mar. 15, 1812, d. Sept. 11, 1848

William Cornelison, b. Dec. 12, 1810, d. July 28, 1843
 Elizabeth, dau. of John & Patsy Cornelison, b. Nov. 8, 1809, d. May 11, 1840
 Mary M., E. & Ann, infants, d. Oct. 8, 1848
 Mary, b. Feb. 1, 1858, d. Mar. 8, 1859, Millic, b. May 30, 1864, d. Feb. 2, 1866, & Jane, b. Mar. 3, 1856, d. Jan. 5, 1857, daus. of Alexander & Mary M. Cornelison
 William English, Jan. 12, 1868-Oct. 3, 1900
 John Cornelison, b. Nov. 14, 1785, d. Aug. 5, 1845, a member of Predestinarian Baptist Church, wife, Patsy, b. May 20, 1784, d. May 22, 1870, aged 86 yr, 2 da
 Patsy Cornelison, wife of Ben L. Banks, June 21, 1877-Nov. 8, 1913, Ben Lindsey, Jr., son of Ben L. & Patsy C. Banks, Nov. 16, 1902-Nov. 9, 1913—same stone
 Alexander Conrad Cornelison, Ky. Maj. 142 Eng., Nov. 21, 1913
 Franklin Cornelison, b. July 24, 1813, d. Apr. 9, 1871; wife, Angelina Willis, 1827-1916

BOGGS FAMILY CEMETERY, on Sam Hisle farm, 1½ miles from Richmond (1934)

James Boggs, b. Aug. 29, 1793, d. Dec. 25, 1858, consort, Phoebe, b. June 14, 1792, d. Mar. 10, 1847
 Robert B., son of P. & W. F. Rice, Apr. 17, 1863-July 17, 1864
 Phebe, 1st dau. of J. M. & Susan J. Cornelison, b. Apr. 9, 1845, d. July 19, 1857
 Owen B., 3d son of J. M. & Susan J. Cornelison, b. May 18, 1843, d. July 11, 1851

ELLISON GRAVEYARD, between Crooksville and Speedwell

Joseph Ellison, b. Jan. 11, 1758, d. May 17, 1830
 Mary Ellison, b. Feb. 16, 1747, d. Oct. 10, 1825

BALLARD BURYING GROUND at Big Hill

James B. Ballard, b. Nov. 4, 1778, d. Nov. 14, 1858, aged 80 yr, 10 da; wife, Frances (dau. of William Jarman, Ensign in Revolution, and his wife, Sarah Maupin), b. Dec. 5, 1781, d. Feb. 8, 1856
 Pleasant C. Jarman, b. Dec. 20, 1787, d. July 27, 1819 (Ensign in Revolution)
 Elizabeth Jarman, b. Aug. 27, 1791, d. Apr. 27, 1865

GREEN GRAVEYARD, on Dudley Turpen farm, 6 miles from Richmond on Irvine road (1934)

Elijah Hill, b. July 13, 1810, d. Sept. 21, 1824
 Nancy Montgomery, b. Oct. 28, 1806, d. Aug. 28, 1843
 Elihu Green, b. July 10, 1761, d. Apr. 11, 1846
 Elizabeth Green, b. Jan. 15, 1760, d. Sept. 5, 1834
 Rhoda Green, b. Aug. 6, 1803, d. June 20, 1834

KNOWN DESCENDANTS AND NEXT-OF-KIN OF JAMES BOGGS (1793-1858)
AND PHOEBE BOGGS (1792-1847)

1. Mr. Loren J. Adams
419 E. Spruce Sreet
P.O. Box 673
Iola, Kansas 66749-0673
Phone: (316) 365-7119
2. Mary Alice Boggs
1842 Logana Pike
Nicholasville, KY 40356-8322
3. Mrs. Emma Boggs Logan
1842 Logana Pike
Nicholasville, Ky 40356-8322
Phone: (606) 85-4968
4. Harry Auther Boggs
1248 Red Dandy Drive
Orlando, FL 32818
5. Mr. Harvey Kent Brock
820 3rd Street S.W.
Washington, D.C. 20024-3106
Phone: (202) 554-0579
6. Mrs. Laura B. (Oldham) Floyd
130 Pleasant Ridge Road
Richmond, KY 40475
Phone (606) 623-2871
7. Clinton Allen
P.O. Box 362
Richmond, KY 40476-0362
8. Leaann Allen
122 Virginia Avenue
Richmond, KY 40475
9. Laura Allen Weitkamp
371 Timberlake Drive
Richmond, KY 40475

10. Dr. Robert Leslie Rice
131 Elliott Ford Road
Richmond, KY 40475
Phone (606) 623-1474
11. Harry Ross Rice
Rt. 1, Box 190 WCNP
Hot Springs, S.D. 57747
12. Robert Leslie Rice, Jr.
8106 Greenwich Meridian
Austin, TX 75759
13. Mrs. Carolyn Rice Milkey
124 Crescent Drive
Punta Gorda, Fl 33950-5113
Phone: (941) 639-8447
14. William Hugh Mason, Jr.
2297 Monaco Lane #31
Clearwater, Fl 34622-2323
15. Mrs. Louis Noland Turley
303 Barnes Mill Road
Richmond, KY 40475
16. Miss Ede Francis Mason
303 Barnes Mill Road
Richmond, KY 40475
17. Mrs. Dale T. Anstine
4926 Harrison Street
Hollywood, Fl 33021-7209
Phone: (954) 987-9681
18. William H. Mason II
70 Tern Place
Palm Harbor, Fl 34684-5054

19. William Dale Anstine
325 Sylvan Lane
Lake Bluff, IL 60044-2562
Phone: (847) 295-3423

20. Larry Dean Anstine
1712 Ridgetree Way
San Jose, CA 95131