

IN THE CHANCERY COURT FOR PUTNAM COUNTY, TENNESSEE
AT COOKEVILLE, TENNESSEE

KAY McTASNEY & SUE NEAL

Plaintiffs

vs.

JOHN DOE

Unknown Defendants

FILED 7-15-22
TIME 5:33 pm
LINDA F. REEDER, CLERK & MASTER
BY Cynthia Fuller
DEPUTY CLERK & MASTER

Case No 2022-116

**PETITION FOR REMOVAL AND RE-INTERMENT OF BURIAL GROUND
PURSUANT TO T.C.A. § 46-1-101 ET SEQ.**

Comes now plaintiffs through counsel to state unto the Court as follows:

1. Plaintiffs file this action pursuant to T.C.A. § 46-1-101 et seq., seeking an Order for the removal and re-interment of six abandoned, neglected graves located on their real property, depicted as Parcel 34.03 on Tax Map 063.
2. Plaintiffs are residents of Fentress and Putnam Counties, Tennessee and are the legal owners of the 2.72 acres recorded in Book 275, Page 569 in the Register's Office of Putnam County, Tennessee.
3. Jurisdiction and venue are proper since the real property in question is located in Putnam County, Tennessee.
4. Plaintiffs desire to sell their real property and the abandoned cemetery is an encumbrance that prevents sale of the real property. No sale of the real property will occur until after the graves have been removed.
5. Despite diligent efforts by plaintiffs, no interested parties have been located regarding the 100+ year old graves with the names: Andrew Halfacre, Marggie Halfacre, James Halfacre, Savanna Halfacre, JA & Liz Halfacre, and JS Park.
6. Plaintiffs desire to proceed against all interested persons, and since they are unknown, notice by publication is proper.
7. Plaintiffs will bear all expenses for the disinterment and re-interment of the graves in the Odd Fellows Cemetery in Baxter, Tennessee.

Wherefore the plaintiffs pray for the following relief:

For a Notice by Publication to all unknown interested parties to be published in a newspaper of general circulation in Putnam County, Tennessee, pursuant T.C.A. § 21-1-204 and 46-4-103.

For the Court to hold a hearing 30 days after the publication has ran, along with notification to the Tennessee Historical Commission of the filing of the Complaint.

For the Court to find the graves abandoned and neglected, and that the development of the surrounding area renders the burial grounds inconsistent with the due and proper reverence or respect for the memory of the dead.

In accordance with T.C.A. § 68-3-508, proper application for authorization for disinterment and re-interment by Hooper & Huddleston Funeral Home or other licensed funeral personnel, for re-interment of said graves to the Odd Fellows Cemetery in Baxter, Tennessee.

That this Court terminate any and all use of the subject real property as a burial ground in its entirety, including all rights and easements related to said burial ground, and give plaintiffs full and unencumbered use of the area previously containing said human remains.

Respectfully submitted,
KAY McTASNEY & SUE NEAL


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COUNTY OF FENTRESS
STATE OF TENNESSEE

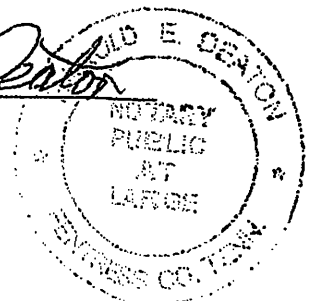
Plaintiff, KAY McTASNEY makes oath that the statements contained in the foregoing pleading are true and to the best of her knowledge, information, and in sincerity and truth for the causes mentioned in the pleading.


KAY McTASNEY

Sworn to and subscribed before me the undersigned authority in and for the State of Tennessee, this 15 day of July, 2022.

My Commission expires: 9-18-23


NOTARY PUBLIC



COUNTY OF PUTNAM
STATE OF TENNESSEE

Plaintiff, SUE NEAL makes oath that the statements contained in the foregoing pleading are true and to the best of her knowledge, information, and in sincerity and truth for the causes mentioned in the pleading.

Sue Neal
SUE NEAL

Sworn to and subscribed before me the undersigned authority in and for the State of Tennessee, this 5th day of July, 2022.

My Commission expires:

10-18-22

Amy Houston
NOTARY PUBLIC

