

Land swap clears cemetery confusion

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An 1800s-era cemetery snafu made an appearance at Montgomery City Council last week, but after a land swap between the city and the Roman Catholic Archdiocese of Mobile, any problems caused by the error are now buried.

The mix-up was discovered when the Archdiocese of Mobile, which oversees Catholic proceedings in the lower 28 counties of Alabama, was looking to build an addition to St. Margaret's Cemetery located right next to the city-owned Oakwood Cemetery.

Part of that entailed conducting a survey and making sure the grave sites of those buried on the church's land matched with records. When it examined St. Margaret's Cemetery in Montgomery, the mistake was found, said Rev. Monsignor Michael Farmer, vicar general for the Archdiocese.

"We had done a recent survey that indicated land that had been part of St. Margaret's was owned by Montgomery. We would have had burials that were on what was city property," Farmer said.

Farmer said that sometime around 1863, burials in St. Margaret's must have continued past the property line. The Archdiocese contacted the city after the mistake was found, city director of general services Steve Jones said.

"They wanted to do some kind of additions to the area they own at Oakwood," Jones said. "The routine thing is to get it surveyed, and in doing that, they found that somewhere around the 1850s when the deeds were drawn up, they had been burying some of the Catholic graves outside the property line."

More than a century later, the misplaced burial sites posed an unsavory problem of how to get those already buried onto Catholic land which Farmer said is blessed for interment.

Luckily Jones and city attorney Kim Fehl helped find an amenable solution.

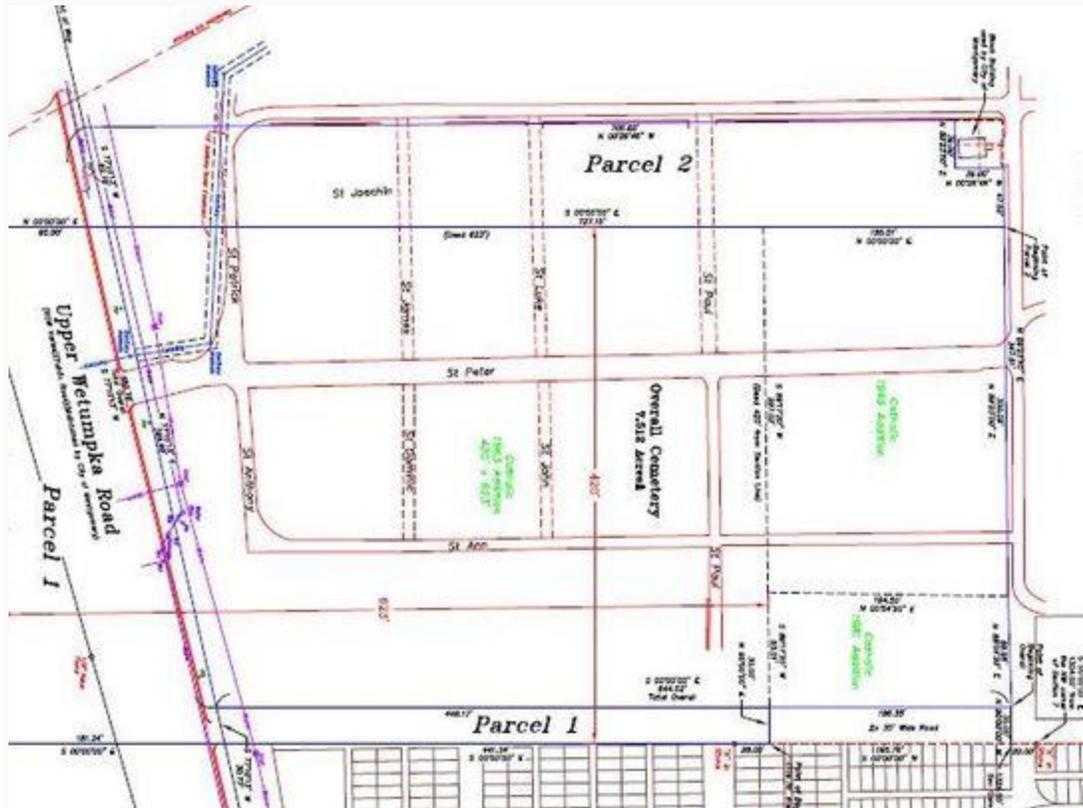
"We just deeded them over the property the graves were on, and we swapped that to a bit of land we were using on the other side for a road. It was an equitable swap," Jones said.

The city was already using the road and now owns it officially. The Archdiocese has its records in order and those buried are back on Catholic land where those who buried them meant them to be.

<https://www.montgomeryadvertiser.com/story/news/local/community/2017/02/11/land-swap-clears-cemetery-confusion/97760928/>

“The city corrected it basically so those burials could remain in St. Margaret’s Cemetery without having to relocate the graves into our property,” Farmer said.

The Archdiocese is receiving the front left portion of St. Margaret’s Cemetery and the city is receiving property south of Upper Wetumpka Road and a small road running into the cemetery near the Hank Williams Memorial.



A survey of the land and the land swap between the city and Archdiocese of Mobile. (Photo: Contributed by Pilgreen Engineering)