



GRAYER-WILLIS  
... paid taxes ...

Freedom Street B...



Sentinel Photo by Bill Ray

Charles M. Reeves Jr. built this A-frame on Cape Lookout.

## Law Used in Strange Way

# Title to N. C. Beach Property Cape 'Club' Can Be Shifting as the Sand Planned

## Exclusive

Continued from Page 1.

The original owner begins Torrens procedure by filing a petition in Superior Court, describing the boundaries of what he says to be his property. The petitioner notifies adjoining landowners and all others who may have claims within the boundaries of what he says is his land.

Examiners of titles are then appointed by the court to see whether the petitioner actually owns the property. If the examiners certify that the petitioner does own the property, and if none of the other claimants to the property answers the petition, the petitioner is given a registered certificate of title. The certificate takes precedence to legal deeds the other claimants may have.

Asked if the Torrens law were being abused in Carteret

County, Costin said there is always the "possibility of abuse inherent in any laws made by man. If the Torrens procedure is brought properly and handled properly, it is a good law."

There falls the shadow on the use of the Torrens law in Carteret County.

There are circumstances under which the law can be twisted to acquire land for which title is uncertain.

If there is vacant land whose owners live outside Carteret County, or whose owners live away from the beach and make only infrequent visits to their beach property, it is possible for someone familiar with the law to go to the beach, describe the boundaries of what he wants to be his land and notify the landowners of record. If none of them is

familiar enough with the law to answer his claim, he can get title to the land.

Ideally, the examiners of title would not certify the petitioner's claim if it were not valid, and that step of the Torrens procedure would seem to be the best point at which to stop the petitioner who would use the Torrens law to get free land. On the basis of information on record in the Carteret County Courthouse, it is impossible to tell whether this requirement of the law has been met in many cases.

James Willis, Carteret County register of deeds, said the records "are about as confusing here as anywhere in the world" because of gaps and frequent changes in ownership records.

In the clerk of court's office, for instance, a reporter counted at least five pages missing from record and index books, pages which could have recorded the history of previous Torrens proceedings. There was no explanation for the missing records.

The burden of proof often falls, then, on individual landowners like Grayer Willis of Marshallburg, who has a deed to a small tract (50 feet by 250 feet) of land on Core Banks near the Cape Lookout lighthouse. He pays taxes on the land, but is uncertain that the land is his.

"This house I have was built 30 years ago. I bought the house and land about 20 years ago, and I'm still paying taxes on it. I have a deed to the land in the county courthouse."

Tax records show that Willis has been paying taxes on the land. They also show that Reeves, who has a certificate of title for 200 acres around Cape Lookout lighthouse, does not pay taxes on Willis' land, although Reeves "torrensed" the land and appears to have the best title to it.

"I got a notice that they were going to take my land," Willis said, "so I went to my lawyer. He told me not to fight it, that it would cost more to fight it than the land was worth." And although Reeves now owns the land, he has allowed people like Willis to keep their homes there.

"My understanding of my property," Willis said, "is that it is not included in Reeves' land. It doesn't look right to me that anyone can just come in and take your land this way. Ever since I've been married I've been going over to Core Banks. I guess my attachment here is more sentimental than anything else. I would not sell it and I would not take anything for it."

CAPE LOOKOUT — A development more exclusive than that at Bald Head Island is planned for 220 acres of land Charles M. Reeves Jr. owns here.

The land, which is near the Cape Lookout Lighthouse, was excluded from federal legislation passed in 1956 creating a national seashore here.

"Our use would do very little to disturb the area," Reeves told the Sentinel. "We have been concerned with conservation there since we went in. We have planted 100,000 plants and have constructed dikes in some places."

Reeves' plans for developing Cape Lookout began circulating as early as 1970, when literature was distributed in the Beaufort area by the Cape Lookout Beach Club, Inc.

### Chosen Members

At that time, plans for the club included a limited membership of 500, chosen according to Reeves' literature, "from those people considered to be leaders in their home communities."

The club would be "located on the inland side of Cape Lookout, facing the protected waters of Barden's Cut (Barden's Inlet) allowing easy access to the ocean without crossing a bar or an inlet," according to Beach Club information.

"Cabanas of the club," it said, "will be of a rustic Caribbean design, reminiscent of southern waters ... Bermuda? The Canary Islands? None of those, but Cape Lookout, N. C. So near in time and space, yet a world away for those seeking to relax in the calm beauty of a truly unique vacation spot."

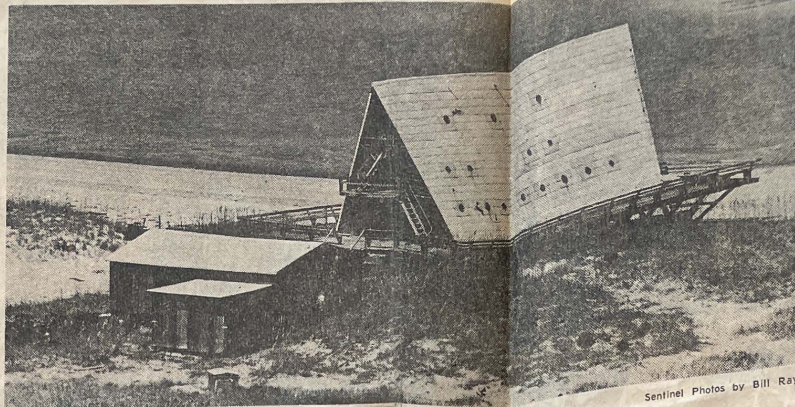
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