

GREENWOOD CEMETERY POLICIES OF SARON LUTHERAN CHURCH

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The word "cemetery" is derived from a Greek word meaning "sleeping chamber," an appropriate way to describe the final resting place of departed members of the Lutheran Christian communities who profess their confident belief in the promise of resurrection. From ancient times, bodies placed in Christian cemeteries have been situated so they face the east, the direction of the "rising sun."

May the souls of all our faithful departed brothers and sisters rest in the peace of the risen Lord.

This policy manual is subject to change at any time and without notice. To be certain you are looking at the most current policy manual, contact the GWC Committee Chairperson.

ARRANGEMENTS TO BE CONSIDERED FOR BURIALS - SUMMARY:

Before the funeral:

- Contact Saron Lutheran Church: 763-263-2209 to make all the necessary “church / pastoral related” arrangements and to obtain GWC Manual (or view online on Saron's websight) which provides all necessary related cemetery information; IE: processes for purchase, size, monuments, cleanup, acceptable practices, contact numbers, etc.
- Contact Funeral Home or Crematorium (agent). Give the agent Saron Lutheran and GWC contact information. The agent will contact GWC with all the necessary burial information. The agent will help with additional contact numbers for Monument Companies, Social Security Assistance, etc. They should also assist with applying for additional Death Certificates, submission of Obituaries, etc.

The agent will also contact the excavating company and give them the GWC contact information.

- Contact GWC Committee Member to determine burial site and to purchase plot (s) – check made out to “Greenwood Cemetery.”
- Excavating Company: The Excavating Company will contact a GWC Committee Member regarding the staking off of any plot before they are permitted to dig.
- Monument Companies: The Funeral Home will usually give the monument company the GWC contact information – if not, the buyer is required to provide it to them. The Monument Company will work with a GWC Committee Member regarding size, foundation, and placement of marker/monument. It is the buyer's responsibility to make sure the monument company installs the proper cement apron under and around the marker / monument and that the marker/monument is with the size of the plot purchased – NO OVERLAPPING PERMITTED. NO FOOT STONES PERMITTED.

After Burial:

- Survivor's family must add black dirt to the plot, up to grade level and seed with grass. There may be a pile of “black dirt” in the rear of the cemetery property for this purpose. If there isn't, the family needs to arrange to have some brought in for their use.
- Monument placement – The GWC Committee member must mark the monument site. This must be done within a reasonably short period of time after burial. Again, it is the family's responsibility to make sure the Monument Company installs the proper 4”- 6” cement apron for flat headstone/marker/monument and a 6” or larger cement apron for standing headstone/marker/monument under and around all headstones/markers/monuments and that the headstone/marker/monument is within the size of the plot purchased – NO OVERLAPPING PERMITTED. NO FOOT STONES PERMITTED. A staking/marketing fee will be assessed (See fee schedule).

COST OF PLOTS – FEE SCHEDULE

(1) All fees are to be paid to “Greenwood Cemetery” prior to any burial. Costs are per burial/per grave site. These prices are subject to change at any time. The below use of the term “Plot” is defined as a single grave site (not a family sized plot).

NOTE: The reduced cost for additional plots only applies when purchased in multiples (more than one). If purchased one at a time, the full price will apply.

MEMBER <u>PLOT</u>	MEMBER <u>ADD’L PLOT</u>	NON-MEMBER <u>PLOT</u>	NON-MEMBER <u>ADD’L PLOT</u>
\$700.00	\$650.00	\$1,500.00	\$1,400.00

Plot prices include the cost of one (1) plot marking (\$40), administration costs (\$50) and “Perpetual Care” (*which is ½ of the plot purchase minus marking and administration costs*).

Miscellaneous Costs

- ▶ Cement Apron Fee: \$200.00 - Should the monument company, arranged by the family, not install the cement apron as required and defined in this policy manual, a Cement Apron Fee will be assessed and an invoice sent to the family.
 - ▶ Disinterment: Administration costs will be assessed to the requester at the time of request. Prior to disinterment, related costs must be paid in full to GWC. A committee member must be present during disinterment.
 - ▶ Excavation: Costs are determined by the excavating company and / or the funeral home.
 - ▶ Transfer Deed: Administration costs will be assessed at the time of request and are to be paid to GWC prior to deed transfer.
- (2) Payment arrangements: Advance purchase of a plot by way of monthly payment arrangements can be arranged via the GWC Committee. However, a plot (s) must be paid for in full prior to a burial (s).
- (3) Upon full payment, the GWC Committee will issue to the purchaser, a Cemetery Deed for the appropriate plot(s).
- (4) Number of burials per plot: “1 coffin” OR
 “1 coffin + 1 cremation urn” OR
 “-0- coffins with 2 cremation urns maximum”

PLOT OWNERSHIP

Upon receipt of any request affecting a plot, the first obligation of GWC is to establish ownership of that plot.

Ownership of a plot may be established in several ways. A plot may be purchased from GWC. A plot may be inherited with proof given in writing and notarized. A plot ownership may be transferred with proof given in writing and notarized. Regardless of how ownership is established, title can be held by only one person.

Upon the death of the owner of a lot, it is very important that the descent of title be documented with GWC. A cemetery plot may be inherited pursuant to the terms of a will / trust per Minnesota Statute 306.29; however, we find this to be a rare occurrence. Otherwise, Minnesota Statute 525.14 is then applied based on the owner's date of death. Under current law, effective April 13, 1981, title to a cemetery plot descends free and clear of all debts as follows:

1. To the surviving spouse, a life estate, with right of interment, the remainder to the person who would be entitled to ownership if there were no spouse, noted as follows.
2. If there is no surviving spouse, then to the decedent's eldest surviving child.
3. If there is no surviving child, then to the decedent's youngest surviving sibling.
4. If there is no surviving spouse, child or sibling, and the plot is not sold during the administration of the decedent's estate, then title to the plot passes to the GWC in trust as a burial plot for the decedent and such of the decedent's relatives as the GWC shall deem proper.

Again, in all the above, a written and notarized document of transfer is to be provided to GWC confirming the individuals are who the transfer says they are and, if transferred due to death of decedent, a certificate of death must be provided.

Help will be provided to those taking on the task of tracing descent of ownership, but no actual research will be done by GWC beyond consulting cemetery records. In some circumstances, a fee may be charged.

If an owner desires to transfer title to a plot, the owner should contact GWC for information on how to proceed. The transfer must be done through GWC and cannot be done directly between the parties involved in the transfer. There may be a transfer fee.

TRANSFER OF PLOT(S)

- (1) The owner of a plot at GWC may transfer his / her plot back to GWC at the original purchase price paid.
- (2) A member of the family can transfer his / her plot(s) to any other person, by using the Transfer Deed provided by GWC or by using a personal Will/Trust, and they may transfer said plot(s) to any other person not related to them.
- (3) Any plot owner who wishes to transfer a plot or plots, must complete the Transfer Deed and have it witnessed and notarized. The Transfer Deed is provided by GWC upon request by the plot owner.
- (4) The Transfer Deed must be approved by the GWC Committee prior to any actual transfer of the plot(s). Once approved the GWC Committee will issue a new deed to the new owner. An administrative fee will be assessed for this service and it will be based upon the current fee schedule.
- (5) No plot will be permitted to be resold, disposed of, or otherwise used until the purchase price and all other unpaid charges have been paid in full to GWC.

- (10) **Ordinances, Rules, and Regulations:** No internment may be made unless all ordinances, rules and regulations regarding internments have been complied with, all necessary permits have been obtained, and payments to GWC have been paid in full.
- (11) **Liability:** Neither Saron Lutheran Church or GWC will be held liable in any way for any delay in the internment of a body for any reason.
- (12) **Multiple Stacking of Caskets:** Stacking of caskets will not be permitted in GWC.

NO FOOT STONES PERMITTED

MONUMENTS, MARKERS, AND FOUNDATIONS

- (1) Scheduling an Installation / Replacement: No marker will be installed or replaced without a GWC committee member being present to supervise the placement of all monuments, markers and foundations. The scheduling the installation or replacement must be arranged with a GWC committee member via Saron Lutheran Church – 763-263-2209.
- (2) It is HIGHLY recommended that a marker/monument/headstone include a metal flower urn/vase insert. This prevents the need for shepherd hooks or urn bases.
- (3) Setting / Placement: All markers will be set so that they are facing the east and will be placed at the head of the plot. No marker will extend beyond plot(s) width. No foot stones are allowed.
- (4) Plot Size: Total length of each grave site is 10' long x 5' wide. This includes 1' spacing on the side of each grave. There is also 2' of space at the head of each plot.
- (5) Number of Markers/Monument/Headstones Permitted: Only one (1) marker/monument/headstone is permitted for each burial/cremation - maximum 2 per plot. *(See page 6)*
- (6) Materials: Should be made of non-porous material such as granite. No plot marker or monument may be constructed from porous materials such as limestone or sandstone. Nor can they be constructed from artificial materials (exception: military headstones).
- (7) Concrete Foundations and Aprons: A 4" or more foundation of granite or concrete and a 4"-6" apron of granite or concrete is required for all monuments / markers. Monument Company installs the foundation. The larger the marker, the greater the foundation and apron. The headstone/marker/monument must be within the size of the plot purchased – NO OVERLAPPING PERMITTED.

NO FOOT STONES PERMITTED. There are exceptions due to preexisting circumstances.

A staking/marketing fee will be assessed (See fee schedule).

No "dumping" of leftover concrete is allowed.
- (8) Symbols / Iconography: The symbols and Iconography used on grave markers must be Christian in nature and be placed upon the grave by a qualified monument company.
- (9) Liability: Neither Saron Lutheran Church or GWC or will be held responsible for any damage, loss, or theft of any personal property. i.e., markers, monuments, and etc.

(7) Decorations Not Permitted:

ABSOLUTELY NO GLASS OF ANY KIND within GWC.

NO WIRE ORNAMENTS or WIRE HANGERS as they become dangerous projectiles when mowing and weed whipping.

No objects such as solar lights, pinwheels, shells, stones, toys, ceramic figurines etc. placed on the plot(s) or headstone without permission of the GWC Committee and -

- There should be no expectation that such non-permitted ornaments will be given special care during maintenance of GWC. However, efforts are made to re-station such ornaments if possible, so the family may retrieve them. Some margin is given the first season after a loved one passes.

No flower or decoration that can be blown out of their container or any container that can be blown away.

No grave blankets.

- (8) Planting: No trees, shrubs, or flowers will be planted in the ground at any time.
- (9) Anything that will limit the ability of GWC volunteers from being able to mow or weed whip in an effective, timely, and safe fashion, may also be denied and removed on a case by case basis.
- (10) Anything that affects winter snow removal or plotting of graves sites will also be denied on a case by case basis.

GWC Responsibilities:

- (1) Cutting of grass will be overseen by the GWC members and its volunteers at reasonable intervals along with tree trimming and the general preservation of roadways and boundaries of the cemetery.
- (2) Those decorations not removed in a timely fashion as described prior, will be removed by the GWC volunteers who care for the cemetery.
- (3) The GWC has the right to remove excessive decorations, unsightly decorations, flowers, damaged containers, and all items not permitted as stated above.
- (4) GWC has the right to remove or alter any tree, shrub, vine, or memorabilia that makes mowing or general maintenance difficult or unsafe.
- (5) Winter snow plowing for funerals can be subcontracted for all funerals.

MINNESOTA STATUTES / RULES

To see the actual language of the following statutes, see the Minnesota Statutes as published online. Here in this document, things have been rewritten in a language to fit a "private" cemetery which Greenwood Cemetery is as it is owned by Saron Lutheran Church.

UPKEEP OF PLOTS: ABANDONMENT OF PLOT

Subdivision 1. Lots conveyed and abandoned.

Minnesota Statute 306.21:

(a) plots that are conveyed and/or abandoned as provided below, and by resolution of GWC Committee, require that owners of plots or parties claiming through owners of plots within GWC either:

- 1) File with GWC a written notice of claim of their interest in a plot, supported by satisfactory evidence of their interest, within 60 days after service of a copy of the resolution; or
- 2) Keep the plots clear of weeds and in a condition in harmony with other adjoining lots.

A copy of the resolution must be served upon all parties in the same manner as a complaint in a civil action.

(b). Paragraph (a) "may" be applied here because Saron Lutheran Church has owned the site for more than 40 years and has sold plots and parcels for burial purposes, and has conveyed them by certificate of deed. (1) Sherburne County had a population of 12,861 in 1960 according to the federal decennial census. Therefore, GWC, being within Sherburne County, meets the 50 year threshold required for demonstrating abandonment of a plot, having not used parts of the plot or parcel for the purposes of burial and during that time, have not provided care for the plot or parcel beyond that provided uniformly to all lots with the cemetery, and during that time have not given to GWC a written notice of claim or interest in the lots or parcels, or (2) have not used parts of the plots or parcels for the purposes of burial and have not kept the plots or parcels free of weeds or brush but have allowed the plots to remain entirely unimproved for more than 20 years, and the plots or parcels are located in GWC adjacent to improved parts of GWC and by reason of their unimproved condition detract from the appearance of the cemetery and interfere with its harmonious improvement and furnish a place for the propagation of growth of weeds and brush.

Subdivision 2. Lots conveyed before 1925.

GWC has sold plots and parcels for burial purposes before 1925, with or without restriction, that have not been used for burial purposes and the owners have not maintained the plots or paid the fees required by the association for plot owners for care and upkeep for a period of a least 15 years, GWC "may" by resolution of its committee demand that the owners or holders of the plots pay the association the fees owed for care and upkeep in the period during which the fees were not paid. The resolution must state the amount of fees due for each plot, without interest, and declare that if that amount is not paid to the association by the persons claiming to be owners within 90 days that the described plots and all interest in them will be considered abandoned to GWC. The resolution must name all of the persons shown by the records of GWC to have a claim of ownership to the plots described and must be served in the manner required for service of a resolution by subdivision 1.

Minnesota Statute 306.22 ACTION TO QUIET TITLE

If, for 30 days after May 1 following service or publication, the party or parties fail to conform with the demands of the resolution authorized by section 306.21, the rights of the party or parties may be considered abandoned, and GWC "may," with the approval of its committee, bring an action in Sherburne County against all parties in default, uniting as many parties in default as it may desire in one action, to have their rights in the plots or parcels terminated and the property restored to GWC free of any right, title, or interest of the parties, their heirs or assigns. The action in all other respects must be brought and determined in the same manner as ordinary actions to determine title to real estate. However, that part of a tract in which a body lies buried must not be included in any of the proceedings. Sufficient ground must be left adjoining the grave or burial place to provide a proper approach. The excepted portions, if any, must be particularly and fully described.

blood or marriage. Every conveyance or alienation or attempt at conveyance or alienation of any right, title or interest in or to the plot contrary to the conditions and reservations of the section is void. GWC shall keep a record of all deeds, conveyances, judgements, decrees, or other documents affecting the title to plots in the cemetery. Certified copies of any of these documents shall be in received evidence by the courts. GWC may, instead of deeding the fee title to the plot, grant only the exclusive right of interment in the plot.

Minnesota Laws Chapter 25 – S.F.No. 171 525.14 DESCENT OF CEMETERY PLOT

Under current law, effective April 13, 1981, title to a cemetery plot descends free and clear of all debts as follows:

1. To the surviving spouse, a life estate, with right of interment, the remainder to the person who would be entitled to ownership if there were no spouse, noted as follows.
2. If there is no surviving spouse, then to the decedent's eldest surviving child.
3. If there is no surviving child, then to the decedent's youngest surviving sibling.
4. If there is no surviving spouse, child or sibling, and the plot is not sold during the administration of the decedent's estate, then title to the plot passes to the GWC in trust as a burial plot for the decedent and such of the decedent's relatives as the GWC shall deem proper.

The GWC committee, with its consent, any person to whom the lot shall descend may grant and convey the plot to any of the decedent's parents, siblings or descendants.