

LOT OWNERSHIP AND USE RULES

Lots are for interment only and subject to existing and future rules of the cemetery. The lot certificate in no way is a real estate title for the owner. Owner includes the owner's spouse^[1] unless explicitly stated to the contrary on the lot certificate.

Lots cannot be resold by the owner except to the cemetery in exchange for the original certificate at the original price. Restrictions^[2] and fees may apply.

Owner can exchange the lot certificate for a new one in a swap for a different lot. Owner can exchange the lot certificate for a new one that names someone else as the owner. Restrictions and fees may apply.

Owner can authorize anyone to be buried on their lot or give written instructions to that effect for later. The descendants of a deceased owner can be buried on unused portions of the lot on a first come first served basis. This may require possession of original lot certificate, proof of relationship, and written approval by the owner's remaining children.

Cremains burials must be scheduled with the sexton and done by workers the cemetery contracts with for such work.

Full body burials must be vaulted and only one is allowed per burial space. Cremains burials require no vault and multiple cremains are allowed per space. Caution: a couple buried together in a single space are restricted to a small headstone.

Monuments, including memorial benches, must be made of everlasting materials and installed by a monument company. They must be installed on a pre-mixed and poured cement foundation that is at least 3 feet deep to the frost line. They must be installed in the west 2 feet of a lot, in line with other headstones in the same row.

Headstone size is limited. No part of it or its foundation can be within 3" of the north or south border of the owned lot. Footstones and ledgers are not allowed. Permission is required for all plantings, and most are discouraged or restricted.

If part of a lot becomes unusable for reasons that the owner had no control over, such as encroachment by burials, roads, or erosion, the owner can request and be given a suitable replacement for the lost burial spaces.

Lamoni Rose Hill is a non-perpetual care cemetery. A percentage of lot sales goes to an investment fund and the income from that together with remaining sales, burial fees, grants and donations are all needed to cover ongoing maintenance.

[1] The intent of this clause addresses a common practice years ago when only the husband's name appeared on a lot certificate that was presumed to include the current wife. It is irrelevant when both names are on the certificate.

[2] Restrictions on selling back lots to the cemetery:

The cemetery will make every effort to repurchase a lot as soon as the original certificate is returned, but only if it has the funds to do so from other lot sales. If it does not have the funds it must do so no later than February of the next fiscal year.

The cemetery need not repurchase a lot or pay the original price if it was used for burials or monuments that were removed or for plantings with root structures that render the site undesirable for resale. A negotiated lower price may be possible.

Lot owners who want to sell back an unused portion of their lot will be considered case by case, based on how much their burials, monuments, and plantings encroach upon the unused portion and how desirable it would be for resale. Two adjacent unused spaces are considered sellable. One space may not be. A negotiated lower price may be possible.

The original owner has rights that do not extend to the descendants, but the cemetery can choose to buy back or transfer a deceased owner's lot at the written request of their remaining children and the return of the original lot certificate.