

KIRBY'S TUCKER MEMORIAL CEMETERY

Tucker Cemetery Road · P.O. Box 346
Mountain Home, AR 72654
Phone (870) 425-6978

To those who choose
KIRBY'S TUCKER MEMORIAL CEMETERY
As their Cemetery

The following information will be of interest to all persons who have chosen these grounds as the final resting place for a loved one.

This cemetery is operated as a Perpetual Care Cemetery. This means that there has been established (in conformity with the laws of the State of Arkansas) a Perpetual Care Fund for the protection and maintenance of these hallowed grounds. The Perpetual Care Fund is created by setting apart and investing a portion of the money received from the sale of lots.

This fund, and its investment, is regulated by an Agency of the State of Arkansas. The Arkansas law governing our Perpetual Care Fund requires that no less than 20% of the gross proceeds of each warranty conveyance for ground burial and no less than 5% of the gross proceeds for each warranty conveyance of mausoleum property shall be placed in said fund.

Investments and growth from the Perpetual Care Fund will provide the means by which the Cemetery grounds may, for all time, be maintained in a state befitting their sacred purpose. Because of the Perpetual Care Fund, those who choose this Cemetery as a final resting place—as well as their descendants—can be confident that the grounds will not suffer from neglect. Because of Perpetual Care, this Cemetery will grow more beautiful, with landscaping planned to present a picture of uniform neatness and dignified beauty at every season of the year.

These Rules and Regulations have been adopted to assure a high standard of dignity and efficiency in the operation of the Cemetery as well as the preservation of the lawns, trees, shrubs and the proper maintenance of the interment sites.

The Rules and Regulations have been formulated with the fixed purpose of making use of every safeguard which experience and the best thoughts of cemetery experts can devise to preserve these grounds, and the adoption of these regulations will help to make this the finest cemetery in the surrounding area.

Each of the rules has been instituted for the specific purpose of protecting the sacred use of which these grounds were dedicated and to insure the everlasting beauty, character and distinction for which the Cemetery was intended. The rules apply without exception and it is hoped that all persons will want to respect and abide by them.

RULES & REGULATIONS

1. Rules and Regulations are made for the benefit of warranty conveyance holders and are designed to limit the rights of the holders only insofar as such limitations are for the benefit of all. If Rules and Regulations were not made, the exercise by certain holders of what seems to them their proper rights would interfere with the rights and enjoyment of others.
2. Lots, niches and crypts shall be used for no other purpose than the burial of the human dead.
3. The Superintendent is hereby empowered to enforce all Rules and Regulations and to exclude from the Cemetery anyone violating them.
4. The Superintendent shall exercise his judgment to insure that no improprieties or unseemly conduct occur within the Cemetery—whether specifically defined in these rules or not.
5. Automobiles shall not be driven through the grounds at a speed greater than 10 miles per hour, and must always be kept on the right hand side of the Cemetery roadway. Automobiles are not allowed to park or come to a stop in front of an open grave unless such automobiles are in attendance at the funeral. Vehicles must not be turned around in the avenues. Funeral Directors not employed by this Cemetery or any affiliate will be held responsible for the action of all vehicle drivers or others employed by them while within the grounds of the Cemetery. Heavy trucks or vehicles with heavy loads shall not enter the grounds without first procuring the permission of the Cemetery Superintendent. No bicycles or motorcycles shall be admitted to the Cemetery except such as may be in attendance at funerals or on business.
6. Receptacles are conveniently located for the disposal of trash and other waste and leaving rubbish anywhere else in the Cemetery is prohibited.
7. The Cemetery will not be responsible for damage to any property which may be caused by the elements, thieves or vandals. Visitors to the grounds come on these premises at their own risk and they are solely responsible for their own safety while on these grounds.
8. All planting of trees and herbage, grading and landscaping shall be accomplished only by Cemetery employees under the direction of the Superintendent. The Cemetery, alone, shall have the authority to remove flowers, weeds, trees, grass or herbage of any kind.
9. No enclosure of any kind, such as fence, coping, hedge or ditch shall be permitted around any grave or lot.
10. Benches, settees, urns, shells, white gravel or ground covering other than grass on individual graves or lots are inconsistent with the concept of this Cemetery and will not be permitted.
11. The transfer or assignment of any Cemetery property is invalid unless approved and recorded at the Cemetery office. If the property has increased in value, the person receiving the property must contribute to the trust fund the applicable percentage times the difference between the current sales price and the original sales price. The prevailing recording fee must be paid at the time of the transfer.
12. Flower receptacles may not be placed on the property in such a manner as to create an obstruction during the mowing season. The size, materials and design of such receptacles must be approved by the Cemetery. The Cemetery shall not be liable for lost, misplaced or broken flower receptacles.
13. Decorations will be left only in approved flower receptacles until they begin to deteriorate. Decoration of grave spaces will be left until maintenance of the Cemetery necessitates removal.
14. Seasonal flowers will be removed at the end of their season. Artificial flowers will be disposed of when they begin to deteriorate.
15. The Cemetery shall not be liable for floral pieces, baskets, vases, frames, personal items or decorations to which floral pieces are attached.
16. Grave opening and closing may be accomplished only by Cemetery employees. Payment for this service at the prevailing rate must be made prior to burial.
17. When an interment is made, a permanent, rigid container that will not decay, rot or crumble must be provided for the casket or urn.
18. No interment will be permitted without permission of the site holder of record (See Rule 11) and an official Cemetery form, must be used for this purpose. Forty-eight (48) hours notice will be given to the Superintendent before interment.
19. Per an agreement made with the Catholic Bishop of Little Rock, interment in the Catholic Section of the Cemetery shall be exclusively for members of the Catholic faith. Such interest shall be subject to the approval of the appropriate parish or the Catholic Bishop of Little Rock.
20. All disinterments and removals shall be made by employees of the Cemetery under the direction of the Superintendent and in accordance with the laws of the State of Arkansas.
21. All markers will be memorial type bronze set flush with the ground and on approved granite bases, except for Blocks 1 and 2 where either flat bronze markers or upright granite markers will be allowed. Section 10 markers must be of appropriate size, materials and design in accordance with green burial guidelines.
22. All markers will be set in accordance with the Cemetery's quality and size specification guidelines and for foundation preparation and memorial placement. All markers will be set under the direction and supervision of the Cemetery to insure proper preparation and placement. The expenses for these services will be paid by the person or persons requesting the installation.
23. When a marker is set by the Cemetery, the expenses will include the charges for the supervision and labor for installation of the marker. When the marker is set by someone else, the expenses will include the charges for the supervision of installation of the marker.
24. All temporary markers of recent interments shall be furnished by the Cemetery only. Payment for this marker at the prevailing rate must be paid prior to burial. This marker will be allowed for one month.