

SUNSET MEMORIAL GARDENS RULES, REGULATIONS, BYLAWS

MAINTENANCE RULES AND REGULATIONS

We at Sunset Memorial Gardens have for years established and promulgated certain rules and regulations regarding the maintenance and general upkeep of the cemetery and the surrounding gardens.

In compiling these rules and regulations we have given great consideration to and feel that we have protected the rights of all individual lot owners, as well as the beauty and serenity of the grounds at Sunset Memorial Gardens. We trust that all of our families realize that these rules and regulations are in the best interest of all of the lot owners, and something that is necessary for the mutual protection of all of our families and loved ones here, as well as for an efficient maintenance program to preserve the beauty and serenity of the cemetery.

All persons whether they are visitors or lot owners are respectfully requested to conform to these regulations and rules so that we here at Sunset Memorial Gardens will not be required to enforce them.

Any lot owner who desires more attention to their lots, or has questions regarding our maintenance rules and regulations may make a necessary appointment and come by the office to discuss that or any other questions you may have.

For reference, all words used herein such as cemetery, interment, burial, and the like have that ordinary and reasonable meaning which they do when used in everyday life.

Finally, thank you for choosing Sunset Memorial Gardens and for the trust that you have placed in us to care for your loved ones final resting place. By keeping the cemetery in its best possible condition, we feel this is the highest level of dignity that we can show you and your loved ones. By all lot owners following these rules and regulations, we can keep the beauty of the cemetery to its highest standards.

Rule 1. All rights of interment held by a lot owner is an easement to interment in a specific location. These rights are conveyed but are subject to all applicable State and Federal laws and regulations as adopted by the cemetery both now and in the future.

Rule 2. The owner of the right of interment is that individual or individuals whose name is on the certificate of ownership as issued by Sunset Memorial Gardens.

Rule 3. When an interment of the owner or member of his/her family has been made and there are multiple lots, those lots shall be held as the family lot of the owner and no rights of interment therein may be transferred to a non-family member unless such is made by the owner in a will or by some specific device, or by written declaration filed and recorded with the cemetery prior to his/her death. Where there are disputes or ownership, transfers of titles, questions regarding title passing to heirs of a deceased, the cemetery will follow Georgia law and all of the applicable rules and regulations in determining proper interment, assignment of spaces, and whatever the issue may be.

Rule 4. All lot owners must notify the cemetery of any change of address or location, and the cemetery must at all time have on file their address or some other means of locating the lot owner. If the cemetery is unable to locate the lot owner of record, after thirty (30) years from date of purchase of said lot and after notifying said lot owner by certified mail, return receipt requested, at the last known address, and further after publication for three consecutive weeks of notice to that lot owner, at the expiration of such time, and provided that the lot owner and no legal representative of this has made that presence known to the cemetery, the cemetery may in its discretion deem null and void the certificate of interment and any other obligations to that absent lot owner, and may declare such obligations null and void within its sole discretion.

If after interment rights have reverted to the ownership of the cemetery and the lot owner applies to the cemetery for such rights, said lot owner shall be entitled to goods and services at the discretion of the cemetery.

Rule 5. All persons are encouraged to visit the cemetery during its hours that it is open. However, in order to insure the proper atmosphere that must be maintained on the grounds, children under 12 years of age should be accompanied at all times by adults, and if any activity in the sole discretion of the cemetery is interfering with the peace and serenity of the grounds, or is inappropriate behavior, those persons shall be asked to vacate the premises immediately.

Rule 6. Visitors and lot owners are prohibited from bringing into the cemetery grounds dogs not on a leash, liquor, alcohol of any kind, firearms, loud noise makers, loud radios or speakers of any type.

Rule 7. All persons are prohibited from removing all or any part of any flower or plant from the present location of the same, from scratching, marring, defacing, injuring, or any way of disturbing any monuments, memorial, vase, , office maintenance building, maintenance equipment, or any other materials or buildings on the grounds of the cemetery.

Rule 8. While motor vehicles are allowed in the cemetery, they must be operated within the limits of the grounds in a quiet, safe, and orderly manner, and must be driven not more than 20 miles per hour, and must be driven only on roads provided and parked only on roads. Driving on, near, or close to cemetery lots, used or unused, is strictly prohibited.

Rule 9. In the gardens of Christus, Devotion, Cross, and Honor, *all* memorials except as provided hereinafter, are restricted and limited to flat bronze tablets attached on a granite base or flat granite or marble markers, set level with the ground and of such dimensions, materials, designs, finish and construction as designated by the cemetery. In the garden of Good Shepherd, the above is permitted as well as markers that stand upright on or without a base. No slabs or ledgers of any kind are permitted in any garden. No markers will be set on a lot until each of the cemetery spaces have been paid in full. All markers must have a minimum of one (1) inch clearance from each edge of the cemetery lot. All markers must be approved by cemetery before placing in the cemetery. A drawing with the appearance and sizes must be submitted for approval. Any monument not getting approval and not meeting the requirements will be removed at the lot owner's expense. A 24 hour notice must be given to the cemetery before a placing a monument so that cemetery can layoff and prepare area to be used. Any monument can and may be removed at the lot owner's expense if any of the above is not followed.

Rule 10. The cemetery reserves the right at all time to prescribe the kind, size, symbolism, craftsmanship, quality, and materials of all memorials, inscriptions, or markers placed in the cemetery. All such memorials therefore are subject to approval by the cemetery.

Rule 11. The general care and maintenance of the cemetery is the obligation of the cemetery, and it is assumed by management which includes cutting of grass at reasonable intervals, raking and cleaning of the grounds when deemed necessary, pruning of shrubbery and trees, and all such other things which are normal and reasonable in maintaining the peace, serenity, and beauty of the surrounding gardens. Powered tools and equipment are restricted for use only by the cemetery staff.

Rule 12. The general care and maintenance assumed by the cemetery shall in no case mean the maintenance, repair, or replacement of any individual memorial, tomb, or mausoleum; it does not mean performing any kind of special or unusual work except as otherwise provided by our perpetual care agreement, unless expressly agreed by and between the cemetery and those individuals requesting; it does not mean the reconstruction of any marble or granite or any section of a plot, portions thereof caused by elements, an act of God, thieves, vandals, or any such unavoidable accidents, invasions, etc.

Rule 13. The cemetery reserves the exclusive right to do all grading, landscaping, planting, excavating, installing and removal of foundations, walks, and curbs and other such things of this nature. It is hereby expressly prohibited for any lot owner, family member or visitor to engage in or attempt to engage in any of the above maintenance activities. In addition, any interment or disinterment, or any activity normally performed by the cemetery, must be done under the cemetery supervision and control, and equal to or superior to the work and performance normally done by the cemetery staff.

Rule 14. Should any memorial, marker, or lot become so unsightly or dilapidated that it is a menace to visitors, or destroys the aesthetic beauty of the cemetery, or is not in compliance with there rules and regulations, the cemetery shall have the right to either correct the condition at the lot owner's expense or to remove the memorial at the expense of the lot owner after first notifying them of their intentions.

Rule 15. Unless otherwise provided, the cemetery must be notified at least twenty four (24) hours in advance before a funeral procession or interment is scheduled to arrive at the cemetery. A minimum of one (1) week notice must be given before any disinterment or removal of remains from or within cemetery. An Interment Authorization identifying the proper location of the grave must be signed by the next of kin before an interment or disinterment takes place. Due to the cemetery being perpetual care, all interments and dis-interments of graves will be done by a cemetery representative or by a contractor chosen by the cemetery. The use of any other company/persons to inter or disinter is strictly prohibited.

Rules 16. The cemetery does not assume or nor make any warranties that may be expressed or implied regarding the sale, or the manufacture of caskets, vaults, memorials, or any other funeral merchandise and supplies that are purchased and used at the cemetery.

Rule 17. A casket, vault, or urn is required for all interments and entombments in the cemetery, and is within the sole discretion of the cemetery to approve or disapprove the containers selected.

- A. Caskets: Must be made of wood, steel, copper, bronze.
- B. Vaults: Must be made of durable substance such as concrete, steel, stainless steel, or fiberglass.
- C. Urns: Must be placed in an urn vault made out of durable substance such as concrete, steel, or marble. Some urns are made of a durable material may be accepted, but must be approved by cemetery personnel.

Rule 18. The cemetery recognizes that people of all different faiths and persuasions may be interred within its grounds. However, the cemetery reserves the right to approve and/or restrict any ceremonial act that it determines may be embarrassing to the public or others or which otherwise constitutes undignified demeanor. It is the sole discretion of the cemetery and its staff to judge what and what is appropriate.

Rule 19. Regarding funeral flowers, flowers in general, potted plants, brackets, etc., the following should be noted:

- A. Funeral Flowers – Wreaths and containers which are left at the grave site at the time of burial are removed and disposed of by cemetery maintenance employees in ten (10) days. In the event the flowers should come apart from wreath/container that they were put together in and start to litter the cemetery, the cemetery personnel reserves the right to remove and dispose of the flowers before the end of ten (10) days.
- B. Flowers – Both fresh cut and artificial flowers are allowed in bronze or granite vases throughout the year. Please note: Under various weather conditions, certain dyes used in artificial flowers may cause discoloration, and permanent damage to bronze and granite memorials. Artificial arrangements are removed by cemetery personnel when they become unsightly and/or come out of vase and litter the cemetery. Placement of arrangements are limited to the vase on or in front of the marker. Flowers placed on any other part of the grave interfere with grounds maintenance and must be removed.
- C. Potted plants, Wreaths and Baskets: We ask that families limit the placement of these to two weeks preceding Easter, Christmas, Mother's Day, Father's Day and Memorial Day. These will be removed two weeks after the respective holiday.
- D. Rods and Brackets: The use of rods and brackets for installation of heavy pots and Containers disturb the turf and prevent proper and safe use of maintenance equipment. Therefore it is necessary to forbid their use. If placed on a grave, they will be removed. In addition, wood, glass, plastic, china, ceramic, is expressly prohibited and subject to immediate removal.
- E. Grass & Shrubbery: Only cemetery personnel may plant, trim or mow grass or shrubbery and flowers in the public areas.

Rule 20: Floral pieces, flowers, potted plants, wreaths, baskets, rods, and brackets, sticks, wood, cardboard, etc., placed in violation of these rules and regulations shall be subject to immediate removal without notification by the cemetery or its employees, and the cemetery shall not be liable for said materials, flowers, and other such items, nor shall it be required to keep such items, but rather shall immediately dispose of same in the sole discretion of the cemetery.

Rule 21. The cemetery reserves the right to correct any errors that may be made by either in the interments, dis-interments, or removals, or the description, transfer or conveyance of any interment property either by canceling such conveyance and substituting any conveying in lieu and location as far as possible as determined by the cemetery, or in the sole discretion of the cemetery be refunding the amount of money paid on account of said purchase. In the event if such error shall involve the interment of any person the cemetery reserves the right

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and shall have that right to remove or transfer such remains to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof. Said action by the cemetery is in lieu of any and all other claims which a lot owner has or may have.

Rule 22. The lot owners hereby agrees that the cemetery is empowered to enforce these rules and regulations and they exclude from the cemetery any person violating the same. The cemetery assumes and is give the affirmative duty to enforce these rules and regulations while at the same time taking into consideration the sensitive need and the individual concerns of all lot owners. The cemetery shall have exclusive charge of the grounds and the buildings thereon including but not limited to the conduct of all funerals, visitors, traffic, employees, plot owners, and others, at all times, and all persons in the cemetery premises are subject to these rules and regulations and amendments thereto as they may be made from time to time in the sole discretion of the company.

Rule 23. These rules and regulations are subject to injunctive relief in appropriate court for violation of same by lot owner as described above and said lot owner shall be responsible for all court costs and attorney fees.

Rule 24. Release of Liability – a violation of these rules by any person or any persons working on or around a grave site shall cause the Cemetery Authority no liability to third part for the actions of the person so violating the said rules and regulations or for the actions of the person doing non-approved maintenance.

Rule 25. These rules and regulations are enforceable upon all parties coming upon the grounds of the Cemetery Authority.

The above rules and regulations are subject to modification by Cemetery Authority and have been reviewed, understood, and approved by lot owner or designated representative of lot owner. These rules and regulations are enforceable upon receipt or notice of same to lot owner as described herein whether or not the rules and regulations are signed below or not.

Received and approved.

Date_____

Lot owner/Representative

Lot owner/Representative