

1 **MONTEAGLE SUNDAY SCHOOL ASSEMBLY CEMETERY**

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3 **CEMETERY RULES AND REGULATIONS**

4 **NAME AND LOCATION**

5 The MSSA Cemetery (Cemetery) is located on property owned by MSSA, outside the fenced area on the road to
6 Warren's Point. The principal office of the Assembly is located in Monteagle, Grundy County, Tennessee. The
7 Assembly may have such other offices at such other places as the Board of Trustees may specify from time to
8 time or as the activities of the Assembly may require.

9 **PURPOSE**

10 The MSSA Cemetery provides a place for burial and perpetual care of the Assembly's members and their
11 families, as defined by Rules and Regulations set forth herein.

12 **AUTHORITY**

13 These Rules and Regulations for the Cemetery, in compliance with Bylaws of MSSA and under laws and
14 regulations of the State of Tennessee, are intended to provide for and assure the continuation of these purposes.

15 **COMMITTEE PROCEDURES AND RESPONSIBILITIES**

16 **1. Cemetery Sub-Committees**

17 The Chairman of the Cemetery Committee, with the elected Committee Members' consent, shall establish and
18 make appointments to such special Cemetery sub-committees as is deemed appropriate. Appointments to the sub-
19 committee shall not be restricted only to elected Cemetery Committee members. The appointments may consist
20 also of non-MSSA members. All sub-committees shall report to the Cemetery Committee as a whole.

21 **2. Committee Duties**

22 The Cemetery Committee shall exercise general supervision and control over the Cemetery and is responsible for
23 enforcing these Rules and Regulations. The Committee's responsibilities are these:

- 24 a. Maintaining and keeping the records of the Cemetery
- 25 b. Approving and issuing Certificates of Interment Rights
- 26 c. Maintaining the MASTER PLAN and diagrams, as described in MASTER PLAN below
- 27 d. Assisting with and ensuring that all gravesite preparations, burials, grave markers, and memorials
28 comply with these Rules and Regulations
- 29 e. Providing perpetual care of gravesite, family plots, and all cemetery grounds
- 30 f. Having full fiscal responsibility for receiving and disbursing funds for Cemetery affairs
- 31 g. Approving and issuing Burial Permits
- 32 h. Regulating and controlling access to the Cemetery grounds
- 33 i. Employing such personnel, at Cemetery expense, as required to perform any of these duties and enforce
34 the Rules and Regulations.

35 **FINANCIAL POLICIES**

36 No less than twenty percent 20% of the gross sales of interment rights in cemetery lots shall be dedicated in trust
37 for perpetual care and the balance of sales for maintenance and improvements. Income from the trust shall be
38 applied first to reinvestment in order that trust growth will remain constant with inflation, and the balance then
39 made available for maintenance and improvements.

40 All contributions shall be set aside for maintenance and improvements unless otherwise designated by donors for
41 specific uses that have been approved by the committee.

PURCHASE OF INTERMENT RIGHTS

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1. Ownership:

Land title to all the properties of the Cemetery shall remain in the ownership and possession of the MSSA Assembly. Purchase of gravesites in the Cemetery is for the right of burial (interment) and is subject to these Rules and Regulations. All references heretofore and hereafter made to owners of Cemetery gravesites are understood to signify ownership of interment rights only. There shall be a separate and specific Certificate of Interment Rights (hereinafter "Rights") for every gravesite.

2. Eligibility and Transfers:

Any present or former MSSA members in good standing and their "immediate" family shall be entitled to purchase and own Rights for gravesites in the Cemetery and to transfer or bequest these Rights to other persons, subject to these Rules and Regulations. A subscription agreement for the purchase of interment rights is available from the MSSA office.

Ownership of Rights

- a) Ownership of Rights entitles the owner to direct who may be interred in their lot(s) in the cemetery;
- b) "Immediate" family members are defined herein as spouses, parents, and children of "Rights" owners;
- c) Less "immediate" family members of present or former MSSA members in good standing may purchase Rights with the express written consent of the Cemetery Committee unless such purchase is specifically opposed in writing by any "immediate" family members who are present members of MSSA;
- d) Owners of Rights or their representative designees (see l) and n) below) may not sell or barter any of their Rights to anyone at any price;

Family Plots

- e) One or more Certificate Holders may share the same Family Plot. An individual Certificate Holder possessing two or more Certificates may have or participate in more than one Family Plot.
- f) Certificate Holders or their designees must declare in writing when they elect to form a common "Family Plot" with other Certificate Holders and must designate specifically which lot numbers they are applying to the Plot and the name of a single individual or "Representative" who will serve as a spokesman for that plot.
- g) It is assumed that when a single Certificate Holder has title to four or more adjoining lots, then these constitute a Family Plot and may enjoy any additional flexibility that this designation implies.
- h) Certificate Holders or their designees shall retain all rights and responsibilities to their specific lots despite their assignment to a Family Plot. Any interment or dedicated use of a specified lot must first be approved by that Certificate Holder, his/her heirs, or whosoever they might designate.
- i) It is advisable that when any Family Plot is composed of jointly named Certificate Holders, that a separate legal document be prepared and executed by all the joint Certificate Holders that prescribes avenues of inheritance of the Certificate and that specifically takes precedence over the Certificate Holders' own wills.

Designees and Alternates

- j) Two or more individuals may share ownership of the same Rights to a specific gravesite, whether or not that site is in a Family Plot. One of these individuals must be registered with the Cemetery Committee as the "Designee" for all affairs regarding that specific gravesite.
- k) All Certificate Holders are strongly advised to appoint either a "Designee" or an "Alternate" with full responsibilities to exercise all rights of the Certificate Holder in the event of the owner's incapacity or death. (A pre-printed form is available from the Cemetery Committee for this.) A "Designee" would be directly responsible for all the affairs relating to the specific Certificate Holder's lots while an "Alternate" would be called on only when the Certificate Holder and the Designee are not available. These appointments must be registered in writing with the Cemetery Committee and must show the

- 89 specific lot numbers to which they apply. They may be rescinded or revised by the Certificate Holder at
- 90 any time.
- 91 l) Unless a current owner of Rights has provided the Cemetery Committee with the names of an Alternate
- 92 and a Designees for administering the owner's Rights when the owner becomes incapacitated, the
- 93 administration shall be assigned to the Executor of the Estate or legal Guardian. Ownership of Rights
- 94 shall pass on to beneficiaries of the estate.

95 Revision or Dissolution

- 96 m) If necessary, a Family Plot can be dissolved or subdivided by the common consent of all Certificate
- 97 Holders or their registered Designees. The Cemetery Committee will not acknowledge that a Family
- 98 Plot has been revised or dissolved until it receives complete instructions signed in common by all the
- 99 Certificate holders involved or their registered designees, and these instructions must conform to all
- 100 Cemetery Rules and Guidelines.

101 Transfers by Exchange or Gift

- 102 n) Certificates of Rights to Interment for specific lots may be exchanged or "gifted" to other family
- 103 members during the formation, revision, or dissolution of a Family Plot. Under no circumstances shall
- 104 such transfers involve an exchange for cash. All such transfers must be approved and fully recorded
- 105 with the Cemetery Committee.

106 **3. Making a Purchase:**

107 The Cemetery Committee shall issue individual Certificates of Interment Rights for each specific gravesite
108 purchased. No gravesite may be used for a burial until it has been paid for.

109 **4. Payment Schedule:**

110 With purchases of more than one Certificate of Interment Rights, no fewer than one lot must be paid for at time
111 of purchase and no fewer than one lot paid for each year thereafter, payable each July or at such time as agreed
112 upon at time of purchase.

113 **5. Perpetual Care:**

114 All interment rights shall be sold with perpetual care.

115 **COST OF INTERMENT RIGHTS**

116 The Cemetery Committee shall have the authority to establish the costs for interment rights, and may change such
117 costs at any time it deems proper. All Rights sold shall include the cost of perpetual care. The current cost per
118 gravesite is \$1,500.

119 **MASTER PLAN**

120 The Cemetery Committee shall maintain a Master Plan, a Diagram, for the Cemetery showing the status of all
121 gravesites. The Master Plan shall conform to the architect's original renderings and specifications for layout and
122 unique numerical designations of all 5' x 10' burial sites, trees, gardens, meditation areas, improvements,
123 roadways, walks, and landscaping. The Cemetery Committee shall prepare such Diagrams from the architect's
124 drawings that reflect the current status of the design with respect to tree removals, the resulting status of lots that
125 are designated as gravesites, those for which "Rights" have been acquired, and those that contain interments.

126 All burials in the Cemetery shall be subject to and must comply with the Master Plan. Current copies of the Plan
127 shall be made available by request in the Assembly office.

128 **1. Architect's Drawing.** The original architect's drawing:

- 129 a) Shows the Cemetery boundaries and is oriented with West at the top and the entrance on the East at the
- 130 bottom. The land gradually inclines from all sides as one approaches the top center of the drawing.
- 131 (MSSA holds title to all of the Cemetery land and to the land adjoining all sides of the Cemetery.)

- 132 b) Divides the Cemetery into Blocks. The first six (6) at the Western one-third (H) of the Cemetery,
- 133 Blocks A through F, contain varying numbers of rows of gravesites and specific gravesite ID numbers
- 134 and are designated. (The committee may specify additional Blocks as needed. On July 10, 2011, the
- 135 committee opened two additional Blocks G and H for purchases of “Rights.”) The architectural design
- 136 accommodates space for four (4) more Blocks. The distance between Blocks varies and not all Blocks
- 137 are aligned with one another;
- 138 c) Defines separate single or double rows of gravesites within each Block as Sections, and each Section has
- 139 a number designation (section 1, section 2, etc.). The boundaries of each Section are identified by six
- 140 (6) inch square flat stones set flush with the ground at each corner bearing the Block and Section
- 141 identification, such as A1, A2, etc. These Block/Section identifying markers in each corner are located
- 142 within the Section aisles; none is placed within a Family Plot or gravesite. An aisle five feet wide
- 143 separates each section within a Block.
- 144 d) Shows dimensions of lots: They are five feet wide by ten feet deep (5' x 10') and are laid in rows, side by
- 145 side. The number of lots in each row and the number of rows in each section varies. Most Sections
- 146 contain double rows of lots of various lengths with no aisle between them.
- 147 e) Provides a unique identifier for the location of every gravesite in the cemetery by recording the Block
- 148 letter, the Section number within that Block, then the lot number within that Section.

149 **2. Proposals for Modifications:**

150 Any expansion or major improvements in the Cemetery will be diagrammed for MSSA members' inspection
151 and comments before final Committee approval.

152 **BURIAL PROCEDURES**

153 The Cemetery Committee shall be responsible for overseeing all burials in the Cemetery, and may appoint a
154 caretaker for this purpose if it so chooses. All burials in the Cemetery shall require a Burial Permit from an
155 authorized agent of the Cemetery Committee. All interments shall be by casket or urn.

156 **GRAVESITES ARRANGEMENTS AND DESIGNS**

157 The Cemetery Committee encourages diversity in the design and arrangements of gravesites and monuments
158 while preserving the natural overall ambiance and wooded appearance of the surroundings. While there is no
159 regulation as to the direction each gravesite shall be oriented, the general design accommodates most East-West
160 gravesites having markers facing east, downhill. Gravesites established North-South would generally have
161 monuments that face the center of the Cemetery.

162 The 5' x 10' shape of every gravesite allows any pair of gravesites within a plot to be rotated 90-degrees in either
163 direction if that can be done without forcing a visitor to walk on another gravesite.

164 Any proposals that do not fully and unmistakably conform to these statements shall be addressed to the Cemetery
165 Committee for approval. The Cemetery Committee may approve any proposal that it considers to be in keeping
166 with the reverence, dignity, ambiance, and practical maintainability of the cemetery.

167 The Committee will assure that regular grounds care shall be provided to such extent as necessary to keep
168 gravesites and pathways clear of tall grass, leaves, and debris and protected from erosion.

169 **1. Identification of Gravesites:**

170 The Cemetery Committee must be informed about specific arrangements that are being made to identify the
171 name and essential dates of the deceased by not later than 60 days following the burial. A permanent marker
172 must be placed on a gravesite within one year of interment; if not, the committee will have one made and placed
173 there at the “Rights” owner's expense.

174 **2. Family Plots:**

175 A “family plot” may be established by common consent of any group of owners of adjoining gravesites through
176 written notice of intentions to and approval by the Cemetery Committee. The “family plot” will consist of at
177 least four (4) contiguous plots. Written approval is needed for placing copings and common monuments;

178 coping may be placed around a family plot of four contiguous lots or more. Each certificate owner shall
 179 continue to be responsible for his or her gravesites unless an exchange of gravesites is arranged with another
 180 certificate owner within the plot, and then the cemetery committee must be notified.

181 Located within a “family plot” may be potential gravesites that are not suitable for use as a burial site because
 182 of a tree or tree roots on or nearby. If in the future, for any reason, that site becomes available for interment, the
 183 owners of the family plot containing the gravesite will have the options of either planting a tree and maintaining
 184 the site as park land, or having first right of refusal to purchase the gravesite. Only if both of these options are
 185 refused can such a gravesite within a family plot be sold to another qualified buyer not in the family.

186 **Monuments, Markers, Vaults, Mausoleums, Dividers and Coping:**

187 The following are regulations for burials and gravesite arrangements. In the descriptions that follow:

- 188 a) A Family Plot, in general, is a group of four or more contiguous gravesites in the same section owned by a
 189 single Rights owner or more than one “Rights” owner in the same immediate family.
- 190 b) Monuments that extend above the ground may be erected to identify a family plot or individual gravesites.
 191 One only monument of any kind that extends above the ground is permitted on a single gravesite, with the
 192 single exception of when a single monument is erected for the family plot and headstones or pillows are
 193 erected over each gravesite. They may:
- 194 • identify the interred with names and dates, eliminating the necessity of foot stones; or
 - 195 • identify last names of a contiguous family cluster or plot, each with individual identifying head
 196 stones, pillows, or foot stones.
- 197 c) Head Stones and Pillows are smaller monuments extending above ground to identify individual gravesites
 198 within a family plot that has a common family name monument.
- 199 d) Footstones or "markers" likewise identify individual burials. They may be placed directly over the location
 200 of a burial urn when there are two urns within the same gravesite.
- 201 1) It is appropriate to have a single foot marker for each interred that provides the full name and
 202 dates of birth and death. It might also include the relation of the interred to adjoining graves
 203 or to any military or institutional associations. Foot markers are not required when this
 204 information is provided on a monument at the head of the gravesite.
 - 205 2) Markers shall be flush with the ground and do not require a pad. Pillows shall be no more than
 206 18-inches above ground and must be supported by a concrete slab flush with the ground that
 207 extends 6-inches from every side.
 - 208 3) Markers that exceed 10 square feet shall be counted as a flat monument and any aboveground
 209 mass shall be included in calculating the total family plot mass.
- 210 e) Footings for all above-ground markers: A concrete pad, flush with the ground and extending out from any
 211 monument or marker by not less than four (4) inches is required to protect the stone from damage by lawn
 212 care equipment.

213 Size and Design of Monuments

214 Only marble, granite, or natural stones shall be used. Bronze plaques or inlays may be added. No concrete or
 215 synthetic materials shall be used above ground level.

216 Mausoleums, columbariums, crypts, and aboveground buildings are not permitted.

- 217 a) To avoid obstruction of any plots by monuments on adjoining family plots, do not place an extraordinary
 218 height or mass of any monument in proportion to the number of gravesites it represents. Calculation of
 219 the allowable mass of monuments is based on the number of gravesites in a family plot, not the number
 220 burials therein, as one gravesite may contain more than one burial. The mass includes all portions of the
 221 monument, including the visible base
- 222 b) A single gravesite monument is limited to seven (7) cubic feet. (A monument with an overall height of 32
 223 inches, on a 4-inch high base, 44 inches wide, and 8 inches thick, is 7 cubic-feet). The total mass of all
 224 additional monuments on the same family plot is limited to 5 cubic feet per lot. Two family lots could
 225 share a 12-cubic-foot monument. A family plot with six lots could have a single monument of 32 cubic-
 226 feet or one monument of 20 cubic feet and two others of 6 cubic feet each.)

- 227 c) The placement of marble, granite, or natural stone, flat grave covers of 20 square feet and up to a 6-inch
 228 thickness over graves is acceptable and count only as 3 cubic feet in the calculations of allowable
 229 monument mass.
- 230 d) Monuments shall be supported by a concrete slab flush with the ground, not less than 4 inches thick, and
 231 extending 6 inches beyond all sides of the monument. The thickness of the slab shall increase 2 inches
 232 with every partial foot of height of the monument above three feet. Flat monuments also require a slab
 233 that extends 6 inches beyond all sides.
- 234 e) Inscriptions shall be dignified and devoid of any irreverence.
- 235 f) No pets or animals may be buried in this cemetery.

236 **Family Plot Dividers and Coping**

- 237 a) Any raised divider between family plots shall be placed to have clear access across from one section aisle
 238 to the next. The divider or coping shall be no higher than 2-inches for each lot enclosed and shall have a
 239 base extending not less than 6 inches to either side, flush with the ground. The width of any raised coping
 240 shall not exceed 8 inches. (A family plot with four (4) lots can have an 8-inch wide, 8-inch high coping
 241 down either or both sides, with a 20-inch wide base that is not less than four inches deep.)
- 242 b) The divider may be any width when flush with the ground.
- 243 c) The divider shall be entirely on the family plot except when otherwise agreed to in writing by the
 244 Certificate Holder(s) of the adjoining lot(s).
- 245 d) There shall be no modification to the slope or elevation of a family plot.

246 **Foliage and Other Developments Adjoining or Within Family Plots**

- 247 1. Gravesites within a Family Plot may, with approval of the Cemetery Committee, be dedicated for such
 248 other uses that are consistent with the prevailing ambiance and that will afford no extraordinary care and
 249 maintenance. These might include a family monument, trees, shrubbery, or a meditation area. The
 250 Cemetery Committee must be provided with complete and accurate details and lot numbers for such
 251 proposed changes.
- 252 2. Flowers, flags, or other decorations in a Family Plot shall be allowed only by consent of the Cemetery
 253 Committee, and such consent shall be provided only with a detailed description in writing of the proposed
 254 arrangements and the provisions that will be made for care and maintenance. The Committee is authorized
 255 to have any foliage or objects removed at the Certificate Holder's expense should the Certificate Holder fail
 256 to maintain it as promised.
- 257 3. In the event that a tree on an adjoining lot or within a Family Plot dies or must be removed, then the
 258 Cemetery Committee will normally plan to replace it with another tree. Upon member requests, however,
 259 the Cemetery Committee will entertain considerations to release any lots previously designated as "foliage"
 260 for purchase by adjoining Certificate Holders, or make an exchange of lots when such an exchange might
 261 better consolidate the adjoining Certificate Holder's plot.

262 **PERPETUAL CARE FUNDING**

263 A Perpetual Care Trust Fund for care of the Cemetery shall be maintained as required by Tennessee law. The
 264 Cemetery Committee shall be responsible for administering the trust, and the corpus of the trust fund shall be
 265 maintained at such levels that earnings are sufficient to sustain cemetery maintenance and essential operating
 266 costs and to add sufficient funds to corpus growth so that increased earnings can sustain rising costs of
 267 maintenance, growth, and operations.

268 **ACCESS TO CEMETERY**

269 The Cemetery Committee shall regulate all vehicular access into the Cemetery by establishing and directing a
 270 daytime schedule for entry. Access at night and at non-scheduled times shall be blocked by chain and padlock.
 271 The Cemetery Committee shall institute such additional measures as deemed appropriate to protect the Cemetery
 272 and burial sites.

- 273 Access will be scheduled for funerals and other special occasions or by pre-arrangement for the handicapped.
 274 Padlock keys to the chain will be available at the office for use by MSSA members, maintenance workers, or
 275 gravesite owners. No copies of these keys are permitted without Committee consent.
- 276 All wheeled vehicles of any type shall remain on the roadway, maintaining a counter-clockwise direction around
 277 the center circle, and continue around the circle again at such time as other vehicles need to pass.

278 **RECORDS**

279 **1. Office Records:**

280 The Cemetery Committee shall maintain documents and records for its exclusive use in fireproof cabinets in the
 281 office with a separate file folder for each Certificates owner's name. These folders shall contain copies of the
 282 certificates, a diagram showing gravesite locations, records of payments, names, and addresses of designees and
 283 alternates, any specific burial instructions and all other pertinent correspondence.

284 The Chairman shall maintain files and records in both the Assembly office and in a designated MSSA Archives
 285 file drawer. The Committee Treasurer shall have responsibility for maintenance and backup of "sensitive"
 286 financial data. All other relevant financial data can be scanned to Committee computer files and the originals so
 287 noted as "scanned" and then placed in the Archives.

288 **2. Publications:**

289 The Cemetery Committee shall assure that copies of current Rules and Regulations, gravesite diagrams,
 290 designee forms, and burial forms are all available for distribution to Assembly members by the office. Copies
 291 of each of these, as well as of the Minutes, shall be available for viewing in the Archives. The masters of each
 292 of these publications shall be maintained in the exclusive Committee access file in the office, as well as on the
 293 Chairman's computer.

294 **3. Records Retention and Preservation:**

295 The Cemetery Committee shall assure that all records involving its activities are preserved and maintained in a
 296 common digital access format, thereby providing the means for common reference by all Committee members
 297 as well as backup in the event of physical losses of the original documents. This would further permit any
 298 Committee member to respond to any MSSA member requests for any particular publication.

299 **4. Individual Committee Member Files:**

300 Each Committee officer and projects chairman shall be responsible for preservation of their current documents
 301 and records until their eventual release to the Chairman for appropriate storage in the Office and/or Archives.

302 **DISINTERMENT**

303 Any disinterment requires the written permission of the Cemetery Committee. The person(s) requesting
 304 disinterment are responsible for complying with all laws and Regulations related thereto, including, but not
 305 limited to, obtaining permits from the Grundy County Health Department. After disinterment, the owner of the
 306 lot shall be responsible for returning the lot to its prior appearance and condition, except that the headstone or
 307 monument may be removed.