

POLICIES & PROCEDURES FOR OPERATION AND MAINTENANCE OF ETERNAL REST CEMETERY

This revision includes price changes made during the March 24, 2015 Board Meeting.

1. Purpose: These policies and regulations are for the purpose of governing the operation and maintenance of ETERNAL REST Cemetery including rules for burials, establishment of prices for burial space sales, and for interment fees. (See footnote concerning Land Of Peace Cemetery.)
2. Effective Date: These policies and regulations become effective March 25, 1997, and are to remain in effect indefinitely until and unless amended by the Board of Trustees. They replace and supersede all previous editions.
3. Annual Review: These policies, regulations, price and fee schedules, are subject to annual review by the Board of Trustees at its march meeting of each year. No changes are to be made at any other time except in cases of emergency.
4. Cemetery Description; The ETERNAL REST Cemetery is owned by Temple Beth-Or (Congregation Kahl Montgomery). It consists of two sections: (1) the original, old section (hereafter MAIN) and (2) a newer section (hereafter ANNEX). The cemetery operates under the jurisdiction of the relevant City of Montgomery department and its cemetery Superintendent. All applicable City of Montgomery ordinances must be observed.
5. Burials. Only human remains may be buried in the cemetery and may be either non-cremated or cremated (ashes). All are subject to the public health laws of the City of Montgomery and of the State of Alabama. Burials are restricted to immediate members of the family of the owner of the burial space who are members of Temple Beth Or. Other burials can be made only after written permission of the burial space owner and after approval by the President of the Board. Non-cremated remains must be buried in a casket and caskets must be buried in a sealed vault. Cremated remains (ashes) must be buried in an urn or cremation vault. The container must be buried at least 2 feet underground. Gravestones and/or markers MUST comply with Section 9 of these policies and procedures.
6. Administration. The Board of Trustees is the sole administrator of cemetery operation and maintenance and its various responsibilities include, but are not limited to: (1) establishment of a system of Perpetual Care; (2) providing all personnel required; (3) the control of all common areas such as driveways, lanes, walks, etc.; (4) all funding; (5) sales of burial spaces and prices for such; (6) establishment of all interment fees; (7) upkeep, removal/replacement, repair of all

structures and permanently rooted trees, shrubs, and plants; and (8) maintenance of up-to-date records and plats of all burial spaces including identification of owners and interred remains.

7. Funeral Services. Services for funerals in the cemetery must be conducted by the incumbent Rabbi of Temple Beth-Or if available at no cost to the estate of the deceased; if not, then by any former Rabbi of Temple Beth-Or if available; if not, then by any visiting Reform Rabbi if available; if not, then by such qualified person as is approved by the President of the Board of Trustees.

8. Perpetual Care. Perpetual Care includes only keeping the grass cut and edged on burial spaces (lots and grave spaces) and the trimming of trees and shrubs. It also includes keeping common areas such as driveways and walks free of debris; the removal of plants or trees diseased or rotten especially where hazardous. No individual may remove rooted plants, shrubs, or trees without permission of the Board. Hedges, flower beds, or permanent plantings by individuals are not allowed. Cut flowers, in disintegrating vases, and wreaths are allowed. Only symbols relating to Judaism are allowed. No individual may alter any grades. Perpetual Care does not include watering at any time in the MAIN section or care of privately placed flowers or wreaths. The ANNEX section is equipped with an automatic sprinkler system which provides watering regularly over its entire area.

9. Gravestones. Monuments or family memorials are not allowed. Above ground burial vaults are not allowed. No change in established grades is permitted. There shall be no stone or other materials, nor hedge, trees, shrubs, or flower beds used to define lot boundaries. In the case of existing family monuments or gravestones, names of burials may be added.

Gravestones and/or markers are allowed in the MAIN section. Only markers are allowed in the ANNEX section.

Gravestones shall be of marble or granite sized to be 3' x 7' x 6" thick. Headstones on the gravestones not exceeding 3 feet in height with lettering on the headstones (rather than the gravestone) are permitted where consistent with existing conditions. Gravestones or markers shall not be set close than 6 inches from lot lines. Space between gravestones and markers shall not be less than 6 inches. Markers set in the MAIN section shall be not higher than 4 inches above grade. Markers in the ANNEX section shall be of marble, granite, or bronze. All markers in the ANNEX section shall be placed flush with the ground. (When initially set, a slight rise, not more than 1 ½ inches, is permitted to allow for settlement.) For both MAIN and ANNEX sections, markers shall be not less than 12" x 20" nr larger than 16" x 30" in size.

10. Lot Sales. Lots are sold by written contract only on forms provided by the Temple. Contracts are executed in duplicate, one copy for the purchaser, one copy for the Temple. Lot

sales convey interment rights only. Upon death of an owner, interment rights remain for the family in perpetuity. A copy of the current regulations governing the cemetery shall be given each purchaser of a lot at the time of purchase.

All sales are for cash, and lots must be paid for in full before any burials take place. The Board may allow lot payment to be made in two equal annual installments for purchasers under 35 years of age.

Should an owner of a lot in which no interments have been made wish to dispose of it, it can only be returned to the Temple for refund (not sold to others), receiving for it no more than the original purchase price (such refund may be paid from the Cemetery Fund) Transfer of a lot in which interments have been made to another member of the Temple may be made only with prior approval of the Board of Trustees, and a record of the transfer made in the Temple office with a new contract executed with the new owner.

Bodies cannot be moved from one lot to another or removed from the Cemetery without approval of the Board of Trustees, and only if a record of the action is made in the Temple office, and all pertinent ordinances and health regulations met.

A few lots remain available in the MAIN section. These average about 16' x 22'. No new copings, etc. can be constructed (see #8 above). Price for each is \$2,400, but effective May 1, 2000, the price for each is \$2,800; this increases to \$3,000 effective May 1, 2001. Price for half lots is \$1,200, but effective May 1, 2000, half lots (about 16' x 11') can be purchased at a price of \$1,400; increasing to \$1,500 effective May 1, 2001. Lots in the ANNEX are in two sizes (1) 7'6 x 10' lot, that is, a double width grave space. Price for each is \$1,400, but effective May 1, 2000, the price increases to \$1,600; increasing May 1, 2001 to \$900. (Note: Use of double vaults allow four burials in the larger lots and two in the smaller lots.) (All prices set at the March 20, 2000 Board meeting.)

11. Interment Fees. For those members (currently in good standing) of Temple Beth-Or who have been continuously members for the ten years immediately preceding the date of any burial, there shall be no interment fee. This applies to those members residing within a 20 mile radius from the Temple.

For those members (currently in good standing) of Temple Beth-Or who have been continuously members for newer than the ten years immediately preceding date of any burial, there shall be an interment fee of \$600. This applies to those members residing within a 20 mile radius from the Temple.

For those not members of the Temple at the time of burial who have not been members during the ten years immediately preceding the burial date, there shall be an interment fee of \$1,800. This applies to those non-members residing within a 20 mile radius from the Temple.

In cases of proven hardship, upon application in writing, the Board may set a reduced interment fee, but in no case less than one-half (1/2) the established fee.

For those members residing further than 20 miles from the Temple whose annual payment to the Temple (dues or contributions) are more than \$600 per annum, there is no interment fee. For those who annual payments have been less, there is an interment fee of \$600.

For those not members of the Temple at the time of burial who reside more than 20 miles from the Temple, there shall be an interment fee of \$1,200.00. (Added March 1999)

12. Funding. A special trust fund (the Cemetery Fund), has been established. Only the income derived from investing this fund, not the fund itself, is to cover the cost of perpetual Care. Except in case of extreme emergency declared by the Board of Trustees, the principal in this fund is not to be spent. The total income received each year (from investments, lot sales, and interment fees) is to provide for a 2 1/2% annual increase in the fund principal. In any year (fiscal) in which insufficient money is received for this and for the cost of Perpetual Care, the Board is to make up the short-fall from other sources (such as other funds and/or donations).

Footnote: Prior to establishment of ETERNAL REST Cemetery, many members were buried in a special section of the City of Montgomery cemetery, known as Oakwood Cemetery. This section was known to the Temple as Land Of Peace Cemetery. There have been no interments in this cemetery for many years. It is, as is all of Oakwood Cemetery, under the jurisdiction of and administration of the City of Montgomery. According to the cemetery Superintendent, it has been found there are numbers of scattered unmarked graves in this area where disintegrated caskets and skeletal human remains have been found. Therefore, there can be no further interments in this, the Land Of Peace Cemetery.