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2023 Rules and Regulations

Ivy Lawn Memorial Park is about life and the interwoven lives that have made our community what it is today. Nothing will change the draw people feel toward Ivy Lawn, because they receive comfort from a small plot of land or niche. The park is alive with activity — people come to the cemetery to spend time with their loved ones and friends, to remember, to walk, to pray and to play. It is our sacred honor to be the caretakers assuring that these grounds continue to be a place for those seeking solace and comfort. Those we bury have stories that live on beyond them. Grieving family members left behind continue to tell their stories and remember. That is why Ivy Lawn exists.

With mature eucalyptus and cypress trees, a shady pine grove and an ever-maintained landscape of more than 60 acres of lush lawns, Ivy Lawn Memorial Park & Funeral Home is both an escape from the city and a sacred garden of calm for family reflection. Founded in 1917 as the first lawn park cemetery in Ventura County, it thrives today because its founders planned for expansion to meet the needs of Ventura, Oxnard and neighboring communities, establishing “a place for all time.”

Ivy Lawn combines history and tradition with an ongoing commitment to provide comfort for families in their time of need. Unlike other cemeteries in our county that operate for profit or require family members to maintain graves, Ivy Lawn was envisioned by its founders as a public service rather than a business venture, to ensure its perpetual care.

~ Our History ~

In the spring of 1913, prominent community leaders gathered to bring a “modern, endowed, and perpetually cared for” cemetery to Ventura County that would welcome families of all races and denominations. In 1914, they acquired land and in 1917 created a corporation to operate and maintain the cemetery so families would be assured their loved ones would be forever respected and safeguarded.

Just as when it was founded, the current board and staff honor their promise to provide for and bring comfort to families in their times of need. Ivy Lawn is a microcosm of the region’s most important individuals, military veterans and families of the 19th- and 20th-century, and mirrors the changing styles of our community’s architecture and society. It is the final resting place for the largest percentage of historically significant individuals in all of Ventura County.

The park graphically illustrates more than 100 years of architecture, art, iconography and symbolism, including many monument stones that have been moved from 19th-century pioneer cemeteries and thus predate the founding of Ivy Lawn. In 2012, Ivy Lawn was honored to be designated the only historic district cemetery in Ventura County because of its rich heritage that “derives its primary significance

from graves of persons of transcendent importance, from age, from distinctive design features, and from association with historic events.” Ivy Lawn takes great pride in preserving that history for all to visit and appreciate.

~ Our Future ~

Improvements and expansion on the horizon will ensure that burial property is available as Ivy Lawn continues to carry out its mission. The current stability of Ivy Lawn rests upon the solid foundation conceived over 100 years ago. Today, a new master plan is being implemented to better serve the community through continued expansion and innovation.

Ivy Lawn is committed to offer new products and services in the evolving field of perpetual care.

Unlike other memorial parks, which began as nonprofit cemeteries only to be acquired by national conglomerates, Ivy Lawn’s long-term vision is continued preservation, improvement, responsible budgeting and perpetual public service, “for all time.”

It is our commitment to preserve and maintain Ivy Lawn as a place for the living to honor their past and our vision to continually prepare for the future.

“Our pledge is that the loved ones once held and loved by their families will forever be held by Ivy Lawn.”

PREAMBLE

The Board of Directors of Ivy Lawn Memorial Park & Funeral Home (hereinafter “Ivy Lawn”) hereby adopts the following “Rules and Regulations” for the mutual protection of every grave, crypt, and niche purchased in Ivy Lawn. These rules and regulations are intended to create and preserve an atmosphere of quiet and tranquility for the deceased, their family and friends.

All burial right owners and persons within the cemetery, and all graves, crypts and niches sold shall be further subject to such rules and regulation, amendments or alterations as shall be adopted by Ivy Lawn from time to time. The reference to these rules and regulations in the deed or certificate of ownership to graves, crypts, niches shall have the same force and effect as if set forth in full therein.

1. CEMETERY MAINTENANCE STANDARDS

Ivy Lawn Memorial Park is an Endowment Care Cemetery. Endowment care fees are required by California cemetery law. This law requires a dictated amount be collected. This law also requires cemeteries maintain “minimum” maintenance standards.

We collect endowment care fees on all burial property and grave markers at the time of purchase. We DO NOT spend endowment care funds for everyday maintenance of the cemetery. ALL funds are deposited into a trust fund and reserved for the *future care* of the cemetery.

The amount Ivy Lawn charges for endowment care is substantially higher than the minimal fees required by the state. This allows Ivy Lawn Memorial Park to provide a higher standard of care and maintenance.

As required under Health and Safety Code Section 8738, the amount Ivy Lawn collects for endowment care fees “shall be reconsidered annually by the cemetery based upon current and projected maintenance expenditures, and adjusted as necessary to ensure that sufficient funds are available to perform the maintenance required by our rules and regulations.”

~ Our Maintenance Commitment ~

Ivy Lawn Memorial Park is 100% responsible for the care of this park. It is our intention that every visitor and consumer, upon arrival, acknowledges and appreciates the differences in the appearance and the care of Ivy Lawn from other cemeteries. We are Ventura County’s ONLY Historic District Cemetery and we have the added responsibility and obligation of maintaining and preserving the historic features of our Park.

We strive to present and maintain a functional but highly attractive cemetery by offering lovely grounds with attractive embellishments, statues, sitting areas, buildings and facilities. We want all visitors to experience the life of the cemetery evidenced by constantly changing and improving flowers, gardens, and by adding interesting applications of landscaping, adornments and water features and the many species of birds, bunnies, butterflies and other signs of life that are attracted to the park because of these features.

Consumers want all aspects of cemetery maintenance to be important knowing all cemeteries have obvious needs, minimum needs. What makes us different at Ivy Lawn Memorial Park is we make the obvious and the “not so obvious needs” high priorities. Every need that we meet adds to the desirability of this cemetery.

We concentrate on what families and friends that have chosen this cemetery as a final place of rest for someone they love, want to see and experience. We consider it mandatory that Ivy Lawn be diligent about all of the needs of our customers in order to present a beautiful park.

Our cemetery maintenance standards are high because we strive to provide a “park like” setting. This means constant and ongoing daily attention to detail. We also ensure every visitor will enjoy a safe environment and one with beauty in mind. We want you to enjoy and admire our sites and we hope they are pleasing and attractive.

We consider the care of the park, as a whole, a matter of importance and significance. Our emphasis is placed on maintaining individual resting places. This means lawn care, crypt and niche maintenance, and garden maintenance are our highest priority. This starts with a guarantee that we will trim the lawns no less than once a week. All grounds are trimmed with attention to the detail of each specific area.

We will maintain an attractive and harmonious environment so every visitor can be confident their loved one rests in an area that is cared for.

We know our visitors want to see a green lawn. We make every effort to keep the park as green as possible. Ivy Lawn is conscious of drought conditions and maintains all sprinklers and valves so no drop of water is wasted. This requires constant attention by our grounds crew.

Trees are essential to Ivy Lawn Memorial Park. The care of our trees is taken very seriously. This includes daily care by our grounds crew, but in addition, we use professional tree experts to keep our trees groomed and healthy. We employ experts to help us keep disease away from the trees as well as insects and other dangers that threaten the life of our trees. We provide nutrient applications to help them survive and thrive! When we lose trees we replace them with new ones.

New flowers and plants are planted on a continual basis. We try to use varieties that will keep the cemetery colorful and beautiful all year long.

We strive to make the cemetery accessible and beautiful. Every section, garden and building will continue to be identified with proper signage to provide direction to visitors and provide ease of finding your way to your loved one. This includes easy and safe access to every road, building, burial area, garden, grave, niche or crypt.

Our streets, walkways, intersections, display areas, and roads are maintained by the grounds crew on a daily basis. To provide the cleanest and most respectful image we also contract for a professional street cleaning every week.

Grave stones known as “markers” are trimmed on a regular basis, both by hand and by machine. This is an ongoing daily task of our grounds crew. Every grave is trimmed so the grave markers, regardless of size and shape, is seen and is easy to read and easy to identify. It is common for the graves to “settle” and require re-leveling, re-seeding, cleaning or some type of repair. Attention by our grounds crew is given to the fine details of each grave and each marker.

Every building on the grounds is maintained to a high standard of care. This is a continual part of the grounds crew daily tasks. The chapel with crypts and niches is open to the public and our mausoleums as well, and are always prepared for visitors. Daily maintenance, both inside and outside, is handled on a daily basis, however, they require long term care including painting, repairs, lighting, cleaning. We have a small modern chapel with state of the art electronics. It is not open to the public and any use must be reserved. This chapel requires consistent technical upgrades as well as the everyday care for both inside and outside the chapel.

Our new on-site crematory is maintained to perfection as we are always ready for families that need our services. The surrounding fountains and grounds are beautifully maintained.

We pay particular attention to walkways, handrails and fences. We continue to add them for the comfort and safety of our visitors. Maintenance is mandatory including constant touch up and repair so they look and function perfectly all of the time.

Parking is provided throughout the park with priority given to funerals and their attendees. There are designated parking lots but parking is also available along the one way streets.

Ivy Lawn offers Memorial Accounts on our website. This makes it easy to locate a loved one's cemetery location. We provide a GPS location identified by each grave marker. You can view your loved ones grave marker on our website and/or find it on the map of our cemetery. Memorial Accounts enable family to add photos, messages, and memories to an on line account accessed via ivylawn.org. Memories are shared with access from posts.

Improvements are on-going. This includes maintaining what we have but also introducing new developments, new embellishments such as statues, flowers, trees, landscaping ideas, and re doing existing infrastructure. We have embraced automation with the new gates at the two entrances to the cemetery. These state of the art gates are self-opening and self-closing. As part of the gate project, we installed new energy efficient lighting and signs, created new gardens and added decorative touches. These upgrades make for a grand entrance and easier entrance and exit route for funerals and visitors.

We are constantly adding embellishments to the cemetery. We grow with the community and we try to meet its demands. Ivy Lawn wants to increase the beauty of the park and adding sculptures, statues, benches, and infrastructure is always a consideration.

Upon customers request the cemetery will provide for the consumer's retention a written copy of the standards of the cemetery.

2. PRIVACY POLICY

We collect personal information on individuals only as allowed by law. We limit the collection of personal information to what is relevant and necessary to accomplish a lawful purpose. Personal information, as defined in the Information Practices Act, is information that identifies or describes an individual including, name, social security number, home address, home telephone number, email address, and next of kin information and identification.

With each request for personal information, **we provide information only with written authority** when the request is made, and we provide information, when we are obligated, to other government agencies and to the public..

We use and release personal information only for the specified purposes, or purposes consistent with our purposes, unless we get the written consent of the subject of the information, or unless required by law or regulation. We maintain the privacy of individuals. In the event of a conflict between this policy and the Public Records Act, the Information Practices Act or other law governing the disclosure of records, the applicable law will control.

We use information security safeguards. We take reasonable precautions to protect the personal information on individuals collected or maintained by Ivy Lawn Memorial Park & Funeral Home against loss, unauthorized access, and illegal use or disclosure. Personal information is stored in a secure location.

Our staff is trained on procedures for the release of information, and access to personal information is limited to those staff whose work requires it. Confidential information is confidential unless written authorization to release or disclose information is on record.

3. GENERAL RULES OF CONDUCT

No person shall:

- Throw rubbish or debris in a roadway, on a walk, or any part of the cemetery. Rubbish or trash will be discarded into the proper receptacles;
- Pick or mutilate any flowers, wild or domestic, or disturb any tree, shrub or any other plant material;
- Consume refreshments or liquors in the cemetery or carry same upon the premises;
- Permit any dog or domestic animals to enter or remain in the cemetery;
- Use any form of advertising on cemetery property;
- Discharge a firearm in or adjacent to any cemetery. This prohibition shall not apply to authorized volleys at burial or memorial services;
- Decorate our trees, shrubs or plants, or feed or disturb birds or other animal life within the cemetery;
- Be permitted on cemetery grounds after dark, or when the gates have been closed;
- Be permitted to loiter on cemetery grounds. Any person found loitering in the cemetery will be considered a trespasser;
- Peddle flowers or plants, or solicit for the sale of any commodity within the confines of the cemetery;
- Play ball;
- Ride skateboards or scooters;
- Use hoses;
- Picnic on the grounds;
- Use sound systems.

The general manager shall have complete charge of the cemetery grounds and at all times shall have supervision of all persons within the cemetery, including the conduct of funerals, traffic, employees, lot owners and visitors. The manager is authorized to call upon the police department to assist him/her in carrying out enforcement duties.

Employees within the cemetery grounds shall conduct themselves with decorum at all times and with strict accordance with these rules and regulations. This applies to outside workers, stone masons, florists, etc. No employee shall receive any fee, gratuity or commission, except from the cemetery, either directly or indirectly, under penalty of immediate dismissal. All fees, payments or charges for any cemetery property or service shall be paid to the administration office.

4. EXCEPTIONS AND MODIFICATIONS

Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. Ivy Lawn reserves the right, without notice, to make exceptions, suspensions or modifications in any of these rules and regulations by resolution, when, in its judgment, the same appear advisable; and such temporary exceptions, suspensions or modifications shall in no way be construed as affecting the general application or enforcement of such rules or regulations.

Ivy Lawn may, and it hereby expressly reserves the right, at any time or times, to adopt new rules or regulations, to amend, alter and/or repeal any rule, regulation and/or article, section, paragraph and/or sentence in these rules or regulations. Such new or amended rules and regulations shall be binding on the owners of all lots or burial spaces regardless of the date such owner acquired title.

Any violation of these rules and regulations shall be punished as designated by the manager. The cemetery retains the right to recover all civil damages and penalties occasioned by a violation of these regulations.

5. PROPERTY DAMAGE

Ivy Lawn Memorial Park is not financially responsible for any damage to lots, structures or objects thereon, or for flowers or articles placed on, or removed from, a grave or lot.

If flowers or adornments go missing, including vases, Ivy Lawn is not responsible. We caution anyone from leaving anything of value, including emotional value, at a grave or anywhere on the grounds.

6. TREE PRESERVATION AND GROUNDS PRESERVATION

Tree preservation and grounds preservation at Ivy Lawn Memorial Park is regulated by the cemetery and is a primary tool to provide for orderly protection of all trees, bushes, topiaries, flowers, shrubs, statues and landscape. All rules and regulations are in place to preserve the natural beauty of these items and to protect property and avoid significant negative impacts.

Cemetery regulations will be enforced for maintenance including health of or removal of trees, decorations, statutes, flowers, bushes, pathways and more.

This translates into NO sitting on, no jumping on, no cutting or trimming, no decorating any statute or plant or tree that is part of the cemetery. NO EXCEPTIONS. They are here for the enjoyment of every visitor but as visual beauty only, not for any personal use or entertainment for children or pets. Flowers are here for their beauty and joy they bring and are not to be cut for personal use. NO EXCEPTIONS.

If you misuse any of the beautification in the cemetery you may be asked to pay for the item or the item may be moved to a more secure place that will ensure its preservation.

7. TRAFFIC REGULATIONS

All traffic laws of the City of Ventura are applicable to operation of vehicles in this cemetery. A person driving in the cemetery shall be responsible for any damage done by the vehicle in the driver's charge. You must obey our traffic rules which are posted in the roads and on signs. This is especially true for our one way roads.

NO person shall:

- Drive the wrong way on a one way road;
- Drive a vehicle in excess of 15 miles per hour on any cemetery road;
- Drive off the established roads;
- Use a cemetery road as a thoroughfare;
- Park adjacent to any red curb;
- Repair any vehicle on premises;
- Leave a vehicle on the property;
- Grounds employees will use space necessary to perform care or services in connection with the lot. Any person(s), while on any portion of the cemetery other than the roads, drives, or walks, are hereby declared to be trespassers and shall in no way hold the cemetery liable for any injury sustained;
- Trucks or commercial vehicles are not permitted within the cemetery grounds, except on business or in connection with cemetery work, and then only by permission of the cemetery manager.

8. CEMETERY RESTRICTIONS

- **HOLIDAYS:** No burials, cremations, disinterments, or removals shall be permitted on any of the following holidays: New Year's Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day or Christmas Day.
- **DELAYS:** In the event of inclement weather or other physical circumstances which precludes interment, Ivy Lawn reserves the right to refuse to perform burials.
- **TIMING:** Any burial or inurnment service must be scheduled. All services must be completed by 3:00 P.M. All visitors must leave the park no later than 4:00 P.M. Gates close at 4:00 P.M.

- **EQUIPMENT:** No outside equipment is allowed. Ivy Lawn will provide all equipment needed for services including canopy, chairs, podium, table, dirt tray, lowering devices and any mechanical equipment.
- **ERRORS:** Ivy Lawn reserves the right to correct any errors that may have been made by Ivy Lawn either in burials, disinterments, or removals. If the error is the interment in the wrong grave Ivy Lawn reserves the right to remove and re-inter in the correct grave at its own expense. Ivy Lawn also reserves the right to correct any error that may be made by Ivy Lawn in the description, transfer, or conveyance of any property, either by canceling such conveyance and substituting other property of equal or greater value and similar location or by refunding any monies paid. The owners and other involved parties will be notified, in writing, of any such change.
- **EMBELLISHMENTS, ADORNMENTS:** The cemetery will decide what adornments will be placed in the park and where they will be placed. There is no guarantee that they will remain in a location that you see them placed. We make changes as needed. Visitors are not allowed to move or decorate any adornment.

9. IVY LAWN IS AN ENDOWMENT CARE CEMETERY

At Ivy Lawn, a fee paid for at the time of purchase of property and/or marker is deposited into an endowment trust fund to maintain, improve, preserve and beautify the park in perpetuity. The fund is protected by law and only the interest is withdrawn to finance upkeep and maintenance of the park.

It was paramount to the founders of Ivy Lawn that the park remain a not-for-profit entity, since they believed the long-term interests of our community would be best served by acting as a public benefit corporation. The Board of Directors at Ivy Lawn maintain conservative investments to ensure every penny made it is invested back in the park. Perpetual care means families can feel assured that their loved ones will be cared for with the utmost respect “for all time.” The staff of Ivy Lawn is proud of the honor and respect we give to our community’s loved ones by how well the cemetery is maintained.

What does endowment care mean?

An endowment care fund is created as an additional fee paid for an interment and is deposited into an account that is used for the care of the cemetery in perpetuity. The funds are protected by law and are allowed to be invested very conservatively. Only income from the funds may be withdrawn to help defray the ongoing costs of cemetery upkeep and maintenance.

Why is endowment care important?

At Ivy Lawn Memorial Park we know the importance of a well maintained cemetery is crucial. We understand that grieving does not end on the day of interment. Your burial site is a kind of sanctuary, a place for family and friends to mourn, to remember and celebrate a loved one. We work together with you to ensure that the site continues to be beautifully maintained now and into the future.

Why is Ivy Lawn Memorial Park special?

Ivy Lawn Memorial Park endowment care charges are more than the minimum that the state statute requires as a minimum deposit into the endowment care fund. In addition, Ivy Lawn Memorial Park's Board of Directors protect the endowment care funds by strategically investing them to maximize the income generated from endowment care funds.

ENDOWMENT CARE FOR BURIAL PROPERTY:

There is a one-time charge for endowment care payable when you purchase your property. The amount is dependent on the property that you choose.

ENDOWMENT CARE FOR MONUMENTS AND MARKERS:

There is a one-time charge for endowment care payable when you purchase your marker and/or other memorialization. The amount is dependent on the memorial that you choose.

California Health & Safety Code Endowment Care Related Statutes:

8739.1. Any cemetery established, on or after September 7, 1955, or excluded from the exemption provided in subdivision (c) of Section 8250 by virtue of paragraph (2) of such subdivision, shall be an Endowment Care Cemetery.

8738.2. The endowment care fund under the provisions of this code shall be kept separate and apart from all other cemetery funds. Separate records and books shall be kept of the endowment care fund. The amount to be deposited in the endowment care fund shall be separately shown on the original purchase agreement and a copy delivered to the purchaser. In the sale of cemetery property, no commission shall be paid a broker or salesman on the amount deposited by the purchaser in the fund.

8725. Every cemetery authority which now or hereafter maintains a cemetery may place its cemetery under endowment care and establish, maintain, and operate an endowment care fund. Endowment care and special care funds consisting of trust funds created by irrevocable trust agreements may be commingled for investment and the income therefrom shall be divided between the endowment care and special care funds in the proportion that each fund contributed to the principal sum invested. Special care funds derived from trusts created by a revocable agreement shall not be commingled for investment and shall be accounted for separately from all other funds. The funds may be held in the name of the cemetery authority or its directors or in the name of the trustees appointed by the cemetery authority

8726. The principal of all funds for endowment care shall be invested and the income only may be used for the care, maintenance, and embellishment of the cemetery in accordance with the provisions of law and the resolutions, bylaws, rules and regulations or other actions or instruments of the cemetery authority and for no other purpose. Endowment and special care funds shall be maintained separate and distinct from all other funds and the trustees shall keep separate records thereof.

8728. The cemetery authority may from time to time adopt plans for the general care, maintenance, and embellishment of its cemetery, and charge and collect from all subsequent purchasers of plots such reasonable sum as, in the judgment of the cemetery authority, will aggregate a fund, the reasonable income from which will provide care, maintenance and embellishment.

8736. The endowment care fund and all payments or contributions to it are hereby expressly permitted as and for charitable and eleemosynary purposes. Endowment care is a provision for the discharge of a duty due from the persons contributing to the persons interred and to be interred in the cemetery and a provision for the benefit and protection of the public by preserving and keeping cemeteries from becoming unkempt and places of reproach and desolation in the communities in which they are situated.

10. MAINTENANCE AND CARE

Vases:

1. **Vase cleaning** is the responsibility of the customer. Ivy Lawn can attempt to assist, but only when time allows and at the discretion of management.
2. **In Ground Vases:** Fees for vase, installation, and endowment care must be paid prior to installation. One full grave may have a maximum of 3 vases. Cremation graves have 1 vase. Damaged or stolen vases must be the responsibility of the purchaser. Ivy Lawn does not guarantee any vase.
3. **Niche Vases and Crypt Vases:** These are small, measured receptacles. The space should not be overloaded or overfilled. If the size of flower arrangement is too big for the bases, the vase may be damaged. The customer will have to pay for repair and replacement.

The law requires specific cemetery maintenance standards to ensure the property is kept in a condition to prevent the cemetery’s offensive deterioration. Ivy Lawn standards of care are higher than what the state requires. Please refer to the “Cemetery Standards” of these “Rules and Regulations.”

11. FUNERAL SERVICES AND LOCATIONS

Cost is included in the burial fee.

Please note that timing is important. We promise to be prepared for your service within 30 minutes of your scheduled service time.

• **Graveside Services:**

Graveside services are most common. If family does not have a funeral director, Ivy Lawn will provide a director at an additional cost. Ivy Lawn will provide the canopy, chairs, podium, dirt tray, and table (if needed) for your service. Our grounds crew can help you with parking. **Let your funeral director know if you need assistance at the graveside.** Ivy Lawn staff will set the casket only when the family is present.

Funerals and services must be conducted under the direction of a funeral director, and shall be subject to all rules and regulations of Ivy Lawn. A funeral director must

be present for the entire service. If family does not have a funeral director, Ivy Lawn will provide a director at an additional cost.

• **Use of Other Cemetery Locations:**

Ivy Lawn offers indoor and outdoor cemetery locations for funeral services. We have 2 chapels, AND gazebo areas. All locations offer different settings so please ask any counselor for details. Several locations are used at an additional charge.

12. BURIAL AT IVY LAWN

• **Direct Burial Services**

Whether your plans are simple or elaborate, the staff at Ivy Lawn is ready to assist with service, merchandise and property selections, with dignity and respect.

Please visit the office for all of the details.

- All burials, disinterments, cremations, and removals are subject to the orders and laws of the property, constituted authorities of the state, county and city.
- The park does not permit the burial of momentos, regardless of size, outside of the casket or urn.
- Any burial property must be paid for in full prior to any burial taking place.
- If a grave or niche has been used for a prior burial or inurnment, and a disinterment has taken place, that grave or niche can be used for another burial or inurnment ONLY if the circumstances of the prior burial is disclosed to the person authorizing the burial after it has been used. There must be an agreement, in writing, stating the circumstances of the grave or niche and the acceptance of the “history” of the grave or niche by the party using it for current burial or inurnment.
- Please refer to “Cemetery Restrictions” for specific items that may be important for you to consider when scheduling a burial service.
- Full graves will accommodate a casket burial. You can buy a single grave or a double grave which will accommodate 2 full casket burials, one on top of the other.
- Cremation graves are for urn burials and can be used singly or for 2 urn burials.

• **Grave Maintenance:**

If the grave becomes uneven we will “re-level” the grave. It is common for a grave to sink or settle and the remedy is to level the soil and start growing new grass with the seed and amend process.

Grass will grow over a vase. The grass grows quickly and this is an ongoing maintenance issue. Prepare to uncover the vase when you visit.

• **Service Locations (specific limitations apply):**

INSIDE LOCATIONS:

Large Chapel: maximum 75 people full use of chapel environment with pews, podium, flowers stands, guest book pedestal (upon request).

Small Chapel: maximum 50 people. Extra charges apply for use of technology (including video screens, microphone, and music). Podium, easels, flower stands, and guest book table available.

Graveside: Traditional set up for those that want a service and see the casket be lowered. 15 chairs, canopy, podium, dirt tray all included.

Meadow Gazebo: Very limited space. Perfect for very small gathering.

Garden Gazebo: Limited space, limited seating. Standing will work perfectly. Close to Secret Garden. Will work for intimate arrangements only.

• **Special Accommodations**

You are asking Ivy Lawn Memorial Park to make special accommodations for a service you are preparing to have at the cemetery. It is the priority of Ivy Lawn that all rules and regulations be followed and equal respect is made for all services and all families. In order to regulate the requirements, we may have you agree to all terms and conditions and require a deposit as a guarantee to the cemetery.

In some instances, we may ask that you agree and understand to give the required deposit to Ivy Lawn Memorial Park's cemetery office within 24 hours of the service.

This deposit will be returned to the maker *after* service is complete and *parties have left the cemetery*.

There will be no deductions from the deposit if the area is left clean and tidy and all rules and regulations were followed.

If there were any circumstances that required cemetery staff to intervene or be involved with the special accommodations, the deposit will be forfeited and become the property of Ivy Lawn.

13. REQUIREMENTS FOR BURIAL

• **Caskets:**

There are minimum requirements on the quality of the casket. But any casket must fit in an approved outer burial container.

1. Caskets will not be opened on the grounds of Ivy Lawn except for witnessed cremations (only in the crematory or chapel).
2. The casket may be opened in case of a disinterment and remains must be transferred to a new casket, but a funeral director must be present.

• **Outer Burial Container – Also Known as a “VAULT”**

Ivy Lawn requires the use of an outer burial container for any full casket burial or urn burial (unless area specifically states that it is not a requirement). These are referred to as “vaults.”

You may choose any type of vault. Your choice of vault will determine certain equipment and procedures be taken by the cemetery which may interfere with your idea of what will happen at the burial/service. You should consult with an Ivy Lawn counselor for full explanations.

If you own a double depth grave you will be required to use a “concrete” vault. This will require heavy equipment be used at any graveside service.

Ivy Lawn Memorial Park sells vaults. Please refer to our “Outer Burial Container Price List” or ask any staff member for assistance.

You can purchase a vault from any vendor.

If you purchase an outer burial container from an outside source there are additional forms that need to be completed and provided to our staff. There are additional procedures that will need to be followed. Please ask counselors for the forms or procedures. We will provide all of the necessary forms and requirements to any vendor you choose to make sure your service is right.

Ivy Lawn is NOT responsible for the inspection of approval of the condition of any product including a vault if purchased from an outside source. Please refer to the company that you made the purchase from with any questions or concerns.

Vaults can be delivered only on the day of the service. Funeral home representative must be present.

CONSUMER NOTICE:

We know and understand that graves should be, and deserve to be, green, lush, and beautiful. However, when we have a new burial we start anew using our internal process to bring the grass back.

There are conditions that will affect the grave which are out of our control such as:

- May need re-seeding. This will set back growth.
- Drought has a major affect.
- Seasons, time of year, temperatures, wind conditions, and activity will create circumstances that do no help the process of growing grass.
- If flowers are laying on the grave this will prohibit grass from growing.
- If the grave “settles” and requires re-leveling, dirt is treated, grass seed will be added and the process starts from the beginning. This means more time is required.

WATER IS AN ISSUE

Please remember that California’s ongoing drought problem dictates a certain way we have to care for the graves.

Drought conditions create new requirements:

- No use of hoses is allowed
- No buckets are allowed
- No over-watering
- No abuse of cemetery water
- No pools or other water related products allowed
- No watering of individual graves

Water is provided for vases only.

14. RIGHTS OF PROPERTY HOLDERS KNOWN AS “DEEDHOLDERS”

Statutory Basis: Rights to the use and descent of property within a cemetery are governed by California law. The law is paraphrased below with citations to the codes involved. Statutory provisions may be altered by appropriate provision in a will or other writing.

Ivy Lawn recommends that property owners get legal advice to carry out their wishes regarding use and disposition of property at Ivy Lawn Memorial Park.

Burial rights are issued to the deedholder by a cemetery deed issued at the time of purchase. If deedholder signs and authorizes a burial, that authorization cannot be withdrawn by any other party.

15. PAYMENT AND PURCHASES

There are many types of burial property offered throughout out the cemetery. Please consult an Ivy Lawn counselor for assistance.

Ivy Lawn does not accept cash or personal checks.

Ivy Lawn will work with an insurance policy if funds are needed for a funeral or burial. An “assignment” is usually required. Please consult with an Ivy Lawn counselor for details.

16. PAYMENT OPTIONS

• Insurance Assignment(s):

Ivy Lawn will accept an assignment from an insurance policy if funds are needed for a funeral or burial. An “assignment” is usually required by the insurance company, signed by the beneficiary. Please consult with an Ivy Lawn counselor for details. There is a fee required if an assignment is used. Please refer to our price lists.

• Cancellation of Services:

If services are canceled within 3 days of making payment, there will be a full refund.

If notice to the cemetery is not adequate, and preparation for a service has begun, no refund is available.

Any cancellation must be made only during business hours, Monday through Friday, 8:00 A.M. to 4:00 P.M.

17. BURIAL CHOICES

A. Full Size Burial Plot/Grave or Crypt:

Full graves or crypts can be bought as a **single** depth or double.

In addition to casket burials, any full size grave will accommodate up to 4 (four) cremation/urn burials. You should be aware that there are fees involved for every additional burial. Refer to “conversion” fees. See price list.

Crypts are located inside and outside the chapel mausoleum and adjoining mausoleums. Some couch crypts are located at the waterfall area. They offer custom design features.

Unless directed by the customer, Ivy Lawn will dig every grave at a double depth level. This will allow for future use of the grave even if purchased as a “single grave.” There will be “conversion fees” due if a grave is used for multiple burials but was purchased as a single grave.

All double depth graves are required to use a concrete vault for the lower burial.

B. Oversized Casket Burials:

It is common for individuals to need accommodations for larger than “average” cases. You may need “oversized products” or oversized burial location. Caskets and vaults are made specifically to fill the need for these types of accommodations. Costs are minimally higher for these products. Consult price lists.

C. Burial in an existing “occupied” grave:

This is a complicated process. Ivy Lawn requires written authorization from ALL next of kin of the decedent buried in that grave. We will require the signed authorization of any and all “deedholders.”

All next of kin of the buried decedent and all next of kin of the newly deceased must sign and authorize for any change to the grave including burials, marker placement and or conversion of the grave.

In summary and without exception:

- a. The deedholder(s) must sign and authorize;
- b. All authorizing agents of the existing burial must authorize. This includes ALL surviving siblings, parents, etc.;
- c. ALL authorizing agents of the newly scheduled burial.

These same restrictions apply to the placement of a new marker on this grave or changes to an existing marker on the grave. Once an urn is buried, it will not be removed for any reason Any other burial will be in addition to existing burials.

D. Future burial by extended family who assume they have authority to use to the grave.

Unless the deceased had provided written direction to Ivy Lawn to allow future burials, **only the FIRST generation of the deceased** buried in the grave has the privilege to use the grave for additional burials.

1. SELLING, TRANSFERRING PROPERTY. Purchaser (“deedholder”) can sell or transfer burial property. Ivy Lawn will not get involved in any negotiations. Payment of endowment care fees will be required prior to transferring the interest in the property.

If the deedholder(s) has passed away, Ivy Lawn will require a copy of a will or trust, or court order that names the person(s) that have inherited the property. If legal documents are not available Ivy lawn will require identification of all heirs and a written agreement from all heirs to agree to the sale or transfer.

2. IVY LAWN WILL PURCHASE THE BURIAL PROPERTY BACK. Ivy Lawn will exchange/credit a property owner the value of their property if it is applied to a new property. If the price paid is lower than current value then we will credit 50% of the current value of the same type of property towards the new property. A return fee will be charged at the time of return. Call the Ivy Lawn office for policy and procedures.
3. ENDOWMENT CARE FEES WILL NOT BE REIMBURSED OR RETURNED.
4. MERCHANDISE COSTS WILL NOT BE REIMBURSED.

E. "Used" grave:

To use, buy, or sell a grave that was previously used for a prior burial, you must satisfy whoever is going to use the property with the facts of the prior burial. Do not rely upon Ivy Lawn for any information, any guarantees, any statement of facts related to the grave.

The deedholder(s) must disclose that the grave had been previously used to any user. There will be specific language added to any authorization for interment that discloses the prior use. A user knowingly accepts prior use of the grave and accepts that Ivy Lawn has no liability to this user in any way.

If a grave or niche has been used for a prior burial or inurnment, and a disinterment has taken place, that grave or niche can be used for another burial or inurnment ONLY if the circumstances of the prior burial is disclosed to the person authorizing the burial after it has been used. There must be an agreement, in writing, stating the circumstances of the grave or niche and the acceptance of the "history" of the grave or niche by the party using it for current burial or inurnment.

Please refer to "Cemetery Restrictions" for specific items that may be important for you to consider when scheduling a burial service.

F. Bury Urn with Casket:

You can bury urns with a casket. Conversion fees, if required, will be due prior to the service.

If you bury separate from the casket a cremation vault will be required. You should verify that the urn will fit into a cremation vault.

Once an urn is buried, it will not be removed for any reason. Any other burial will be in addition to existing burials.

In any full size grave, with required authorizations, you can bury up to 4 urns in a grave even if there are burials in this grave.

G. Family Plots:

Ivy Lawn Memorial Park offers family plots in select areas of the cemetery. Layouts include extra land for easements that accommodate upright monuments. Family plots are purchased at one time and may be in increments from 2 to 6 up to 12 contiguous graves. These plots are indivisible, as they are intended to provide families the opportunity to be together. These specific areas were designed to accommodate large, upright granite monuments.

Ivy Lawn encourages families to complete a “Family Plot Agreement” and signed authorizations. Ivy Lawn will ask for estate documents if applicable.

Because family plots involve multiple plots and multiple burials, considerable complications are created. Be aware that multiple graves lead to multiple issues. Important considerations should be made to future planning.

Family Plots and Planning:

A family plot is located in a section containing multiple graves and are located in designated “monument” areas. The plots may contain either single or double depth graves.

Family plots require planning for future burials. If the deedholder passes away without a will, and Ivy Lawn has no written instructions on what the plan was for the properties that are available then ALL children of the deedholder(s) must agree that no assignment, no transfer, no sale, and no donation of any unused portion of a family plot shall be made until all persons that are entitled to be buried in the family plot property are deceased or have expressly waived, in writing, the right to be interred in the family plot properties.

Planning is imperative when purchasing a family plot. The purchase of multiple plots signify that there is the intention for multiple family members to be buried within the family plot. If the plots can be designated to specific family members at the time of purchase, complications can be minimized. Be prepared to provide Ivy Lawn Memorial Park with the identity of who the graves are intended for, and their relationship to the deedholder. Pre-need files can be set up at the time of purchase for each recipient and authorizations can be signed immediately by the deedholder. This will eliminate the need for the deedholder’s signature at the time of need.

The ownership of all the burial rights is always with the deedholder. Circumstances can become extremely complicated when the deedholder passes away and there are graves that have not been reserved or designated with specific direction.

In order to reduce future complications, Ivy Lawn requests that the deedholder provide Ivy Lawn Memorial Park with a copy of their last will and testament. A copy will be made part of the records and the will can provide direction to the cemetery as to the wishes of the deedholder.

If the deedholder has signed an authorization for interment for an intended grave recipient, then Ivy Lawn has the proper direction to know which grave is reserved for which family member.

The deedholder can provide the cemetery with their wishes and intentions, in writing, for all graves. The cemetery will follow this direction from the deedholder.

If the deedholder has passed, and plots remain unoccupied, ALL heirs must sign and agree to any burial or agree to the reservation of any plot. If there is a transfer or assignment of a grave, the same limitations apply.

Ivy Lawn may hold any plot conveyed or devised to it by the plot owner so that it will be inalienable, and interments shall be restricted to the persons designated in the conveyance or devise.

If there is not a last will and testament, the cemetery will follow the law as dictated in Health and Safety Code Sections 8650-8651.

H. Individual Crypts:

Solid granite crypts will allow for full casket above ground burials. They are “structures” and are individually designed and placement is controlled by the cemetery.

They can be ordered through Ivy Lawn Memorial Park and placed within designated “upright monument” sections of the cemetery.

Requirements include the following: location approval prior to purchase, purchase of property, endowment care payment, purchase of structure of no more than 2 crypts high or 2 wide, along with foundation requirements and quality requirements of the crypt structure.

Inscriptions may be limited to the space designed.

Services maybe limited by the location meaning that the traditional graveside service equipment may not be used based on the limitations of the area. Other accommodations may need to be discussed.

The cemetery regulations and decoration limitations apply to these crypts without exception. No adornments on the crypt(s) is allowed. No decorations other than fresh flowers in the vase(s).

The cemetery is responsible for the grounds maintenance surrounding the crypt(s).

Design, location, parking, services, expenses, limitations, and planning are significant for upright crypts.

I. Family Estates:

Ivy lawn offers “family estates, described as individual burial areas located in the designated estate area. They allow for individual burial options within a “private” space separated from other estates.

When you buy a family estate you do not own the land itself. The cemetery retains ownership of the land, you are purchasing the right to use the land for a burial.

Estates are presented as garden style sites to allow freedom for creative use of monuments, pedestals, gardens, benches, and other personalization’s. Multiple burials are expected each located in the private estate within its own walls and gate.

A family might decide to buy an estate as they want members of future generations to have one convenient spot they can travel to when they want to visit family members.

The cemetery rules and regulations and additional specific rules that apply because they are more defined because of the individual nature of the space. Please refer to Ivy Lawn Memorial Park’s Rules & Regulations.

Prior to purchasing an estate, it's important to consider existing policies and become familiar with the rules, however, when purchasing a family estate, it is equally important to consider specific policies for the estates. Some estate policies include the following and more:

- Who makes the decision for all interments?
- How is the number of interments determined?
- Who has authority to make current and future decisions?
- What documents are required for burials?
- What fees are expected for any burial in the estate?
- What fees are required for burials current and future?
- What are the general rules, requirements, or restrictions of the cemetery and family estates?

Ivy Lawn Memorial Park requires the deedholder be responsible for providing the cemetery with written permission for every interment, placement, monument of any kind. The deedholder may allow for future interments without consent of any person claiming any interest in the plot as well by providing the cemetery with written instructions on how the estate will be controlled by future heirs.

You should expect that your family plot will serve as a burial space not only for yourself, your spouse, and your children but for your children's spouses as well in the future. Provide written direction to the cemetery and complete Authorizations to be kept on file. Ivy Lawn Memorial Park expects to allow any interment if the owner/deedholder provides written instruction, which will be kept on file.

A family estate is limited to space within the walls of the estate. The more interments you have in the family estate, the more land space you'll need or plan on monuments or memorialization's that will accommodate your plans.

Interments are limited by the land space. Above ground urn options will be determined by the space for the option chosen such as benches, pedestals, or niche designs. Monuments, markers, and other items may be used and placed according to space available and direction from the deedholder. All options are available IF the space will allow for it.

The cemetery highly recommends that the purchaser make a plan based on the space and all future interments will be planned for or anticipated and the "plan" or map may be used as a reference for the deedholders choices.

Every action taken within the estate must have signed Authorization by the deedholder. This extends to all future actions and any burial or interment that is authorized by the next of kin must also have deedholders authorization, without exception.

Deedholder may assign his authority to another party by providing a written document to the cemetery for future reference and will be made a permanent addition to the records.

All interments, authorized by deedholder, do not need the agreement of other parties and or next of kin, if interred in the estate space.

Ivy Lawn will charge an annual fee as a landscaping fee for the upkeep of the area outside the estates. This includes daily, weekly, and monthly maintenance of walkways, stairways, benches, walls, irrigation, trimming, mowing and weeding. The cemetery will maintain the family estate surrounding area including landscape and hardscape. Cemetery will maintain current flowers and hedges. When the family makes a different choice in their space the cemetery is not responsible for its maintenance.

Inside estate space (inside the walls of each family estate) is considered the actual estate. Its maintenance is the responsibility of the owner. You must maintain the area inside by providing care needed to maintain the appearance to the standard of the cemetery. The Deedholder is responsible for ensuring any maintenance will be handled. This includes maintaining anything you plant, not planted by cemetery staff. Also includes watering as well as keeping it tidy by pruning, removing dead flowers, and so on. If you can't be at the cemetery frequently to take care of flowers, you might want to choose a hardy variety of flowers that won't require constant maintenance .

Standards include maintaining a groomed look including cut grass, weeding, trimming, and removal of dead flowers. Maintenance within the private estate area includes the tasks requiring individual attention and must be completed on a consistent time schedule.

A burial fee is required for every interment. No exceptions. This fee is paid directly to the cemetery at the time the service is arranged.

Family estates are unique as they must follow the cemetery rules and regulations however, they are given specific liberties "within the walls of the family estate."

The family estate specific rules and regulations include specifics:

1. Restrictions regarding height and width of any gravestone or marker, including shapes, or content. These rules are limited to the area within the estate walls.
2. Height restrictions mean nothing can show above the wall and gate, for landscape or memorials and decorations.
3. Plantings are limited to the top of one wall to the right of the estate. If you plant there you are responsible for its maintenance including watering and or replacement.
4. There are restrictions on blocking the gate opening. No access is to be blocked for any use.
5. Burials are restricted to urn burial as directed by the size of the estate. This includes in ground burial and or monument placement. An above ground entombment will be allowed however it is subject to the height restrictions and the opening restriction.
6. Services can be held in the estate and the adjoining outside area but no seating or canopies or structures can be used in the walkways.

7. Restrictions on memorial types or sizes determined by the space square footage and height.
8. Deedholder is responsible for damage and maintenance;
9. Decorations are limited by the height restrictions and maintenance requirements. Site dictates limitations.
10. Entry and Authorizations are allowed only by deedholder;
11. Estate cannot be sold separately, only transferred for usage by writing.

Subject to landscaping plantings rules and requirements. You can plant a tree, bush, or flowers but only within your estate and only within the height regulations. The cemetery has guidelines or restrictions about what can be planted in a family estate. Check with these rules before planting anything. This is important and you should confirm limitations before you decide. Working within the cemetery's guidelines is required.

The cemetery's guidelines allow you to plant a tree but require you think carefully about placement to avoid encroaching on the neighbor's area. Consider how large the tree will eventually grow. As an older cemetery we know that large trees grow and topple a headstone or even grown around it so it's embedded in the wood. And just as tree roots can crack and buckle a sidewalk, they can disturb a headstone or grave.

Ivy Lawn will allow plantings by families within the family estate only.

Endowment Care charges are due at the time of purchase. It is a one-time fee that will be deposited into the trust account. The fee is 10% of the purchase price. If adornments are added, there may be endowment care fees due for their placement.

Refer to the following statutes that apply to family plots:

HEALTH AND SAFETY CODE - ARTICLE 3. Family Interment Plots [8650 - 8653] 8650.

- a. Whenever an interment of the remains of a member or of a relative of a member of the family of the record owner or of the remains of the record owner is made in a plot transferred by deed or certificate of ownership to an individual owner, the plot shall become the family plot of the owner.
- b. If the owner dies without making disposition of the plot either in his or her will by a specific devise, or by a written declaration filed and recorded in the office of the cemetery authority, any unoccupied portions of the plot shall pass according to the laws of intestate succession as set forth in Sections 6400 to 6413, inclusive, of the Probate Code.
- c. As of January 1, 2002, any unoccupied portions of a family plot that became inalienable pursuant to this section as it read on December 31, 2001, shall no longer be inalienable and shall pass according to the laws of intestate succession as set forth in Sections 6400 to 6413, inclusive, of the Probate Code. No sale, transfer, or donation of any unused portion of a family plot made alienable under this subdivision shall be made unless all persons en-

titled to interment in the family plot under Sections 8651 and 8652 are deceased or have expressly waived in writing the right to be interred in the family plot.

- d. The seller of a cemetery plot shall notify the buyer that unused portions of a family plot may pass through intestate succession unless written disposition is made by the buyer and may be sold, transferred, or donated by the buyer's heirs. The seller shall notify the buyer of the effect of a future transfer, sale, or donation of the unused portion of a family plot on any endowment for care or maintenance of the plot that the buyer may purchase in conjunction with the purchase of the cemetery plot.

8650.5.

An affidavit executed by a person who is the owner of the plot by virtue of the laws of intestate succession or by his or her attorney-in-fact, setting forth the fact of the death of the owner, the absence of a disposition of the plot by the owner in his or her will by a specific devise, the name of the person or persons who have rights to the plot under the intestate succession laws of the state, and the consent of that person or those persons to the sale of the plot by the cemetery authority, shall constitute complete authorization to the cemetery authority to permit any sale of the unoccupied portions of the plot.

8651.

In a family plot one grave, niche or crypt may be used for the owner's interment; one for the owner's surviving spouse, if any, who by law has a vested right of interment in it; and in those remaining, if any, the parents and children of the deceased owner in order of death may be interred without the consent of any person claiming any interest in the plot.

8652.

If no parent or child survives, the right of interment goes in the order of death first, to the spouse of any child of the record owner and second, in the order of death to the next heirs at law of the owner or the spouse of any heir at law.

8653.

Any surviving spouse, parent, child or heir who has a right of interment in a family plot may waive such right in favor of any other relative, or spouse of a relative of either the deceased owner or of his spouse, and upon such waiver the remains of the person in whose favor the waiver is made may be interred in the plot.

• Planning:

A grave located in a family plot probably means there are multiple signatures required for authorizing each burial. *The deedholder must authorize every burial that will take place in the designated family plot AND also statutes will dictate who is the authorizing agent (next of kin) and they too must sign for each decedent.*

1. If the deedholder has signed an authorization for interment for an intended grave recipient, then Ivy Lawn has the proper direction to know which grave is reserved for which family member. Only a deedholder can withdraw an authorization.

2. The deedholder can provide the cemetery with their wishes and intentions, in writing, for all graves. The cemetery will follow this direction from the deedholder.
3. If the deedholder has passed, and plots remain unoccupied, ALL heirs must sign and agree to any burial.
4. If the deedholder has passed, and plots remain unoccupied, ALL heirs must sign and agree to a reservation of a plot.
5. If there is a transfer or assignment of a grave, the same limitations apply.
6. If there is no last will and testament, the cemetery will follow the law as dictated in Health and Safety Code.

See the following statutes that apply to family plots:

“As of January 1, 2002, any unoccupied portions of a family plot that became inalienable pursuant to this section as it read on December 31, 2001, shall no longer be inalienable and shall pass according to the laws of intestate succession as set forth in Sections 6400 to 6413, inclusive, of the Probate Code. No sale, transfer, or donation of any unused portion of a family plot made alienable under this subdivision shall be made unless all persons entitled to interment in the family plot under Sections 8651 and 8652 are deceased or have expressly waived in writing the right to be interred in the family plot.”

In a family plot, one grave, niche or crypt may be used for the owner’s interment; one for the owner’s surviving spouse, if any, who by law has a vested right of interment in it; and in those remaining, if any, the parents and children of the deceased owner in order of death may be interred without the consent of any person claiming any interest in the plot. *(Per Health and Safety Code - Section 8650-8651)*

1. Ivy Lawn may hold any plot conveyed or devised to it by the plot owner so that it will be inalienable, and interments shall be restricted to the persons designated in the conveyance or devise.
2. One central or family upright monument shall be allowed and shall be set in the center of the plot, unless otherwise requested and approved by Ivy Lawn.
3. All upright monuments shall be granite and must be of dimensions approved by the Board of Directors of Ivy Lawn. All foundations will be constructed by Ivy Lawn at the expense of the deedholder, payable when the work is ordered.
4. Each full grave can have up to three (3) 28 x 16 markers. For costs please refer to the Ivy Lawn Memorial Park “Marker Price List.”
5. Each full grave can have up to three (3) vases.
6. An upright monument may be placed on the foundation by the producer. See “Rules and Regulations” 4.08 noted below.

“The producer of any monument must provide Ivy Lawn with a current Insurance Certificate PRIOR to scheduling placement of the monument.

Workmen employed in placing or erecting monuments and other structures, or bringing in materials, shall as to Ivy Lawn, operate as independent contractors, but must do so under permission from Ivy Lawn. Persons engaged in erecting monuments or mausoleums, are prohibited from attaching ropes to monuments, trees and shrubs, or from scattering their material over adjoining lots, or from blocking avenues or pathways, or from leaving their material on the grounds longer than absolutely necessary. They must do as little injury to the grass, trees and shrubs as possible, and must remove all debris and restore the ground and sod to its original condition. Damage done to lots, walks, drives, trees, shrubs or other property by dealers or contractors, or their agents, shall be repaired by Ivy Lawn and the cost of such repair shall be charges to the dealer or contractor, or its principal.

Ivy Lawn reserves the right to bar any producer or retail dealer who violates the rules of Ivy Lawn from the park for such periods of time as the Board of Directors deems appropriate.”

J. Above Ground Casket Burials – Crypts:

Ivy Lawn offers the option of above ground burial in its many crypts which can be found inside the mausoleums, the chapels or outside in multiple garden settings.

These accessible buildings were designed to capture both sunshine and shade each day and to accommodate either single or double above ground burial spaces with views of the chapel, mausoleum or scenic vistas across the park.

K. Cremation Burials, Urn Burials:

In Ground Urn Garden: Spaces for cremated remains are available in many gardens within Ivy Lawn. To meet the unique needs of families, Ivy Lawn provides many styles of gardens with various designs of markers.

Aboveground Urn Burial: Cremation niches are available for the placement of small cremation urns into specially designed structures. Niches of different heights are available, options of indoor and outdoor locations such as the columbarium, or memorial walls and garden settings. Niches with fronts of marble, bronze, granite and glass are available, along with various memorial plaques, markers or engraved plates.

• Burial of Casket and Urn:

You can bury urns with a casket. Conversion fees, if required, will be due prior to the service. It is your choice if you prefer to bury the urn inside the casket. If you bury separate from the casket a cremation vault will be required. You should verify that the urn will fit into a cremation vault.

L. Burial in an Existing “Occupied” Grave:

This is a complicated process. Ivy Lawn requires written authorization from ALL next of kin of the party buried in that grave. Also we will require the signed authorization of any and all “deedholders.”

In summary and without exception:

1. The deedholder(s) must sign and authorize every burial;
2. All authorizing agents of the existing burial must authorize. This includes ALL surviving siblings, parents, etc.;
3. ALL authorizing agents of the newly scheduled burial.
4. All double depth graves are required to use a concrete vault for the lower burial.

These same restrictions apply to the placement of a new marker on this grave or changes to an existing marker on the grave.

M. Future Burial by Extended Family Who Assume They Have Authority to Use to the Grave.

Unless the deceased had provided written direction to Ivy Lawn to allow future burials, **only the FIRST generation of the deceased** buried in the grave has the privilege to use the grave for additional burials.

N. Scattering Gardens:

Scattering has become a popular option for cremated remains. Ivy Lawn is pleased to offer multiple locations in the park. Services are limited in size and set ups. Ask staff for details.

As a simple and thoughtful act, scattering allows an individual to become part of a place of special meaning while creating a place for family members to go to remember and reflect. It can also symbolically help a family “let go,” thereby supporting the healing process.

Scattering is allowed in designated areas only. The cremated remains are poured into a vault that is set below the soil. It is not exposed. Only persons permitted to participate in the actual scattering are the deceased family or cemetery personnel.

California codes state that cremated remains must be removed from the container “urn” before scattering and must be distributed so that passersby will not be disturbed by the remains. The urn can be returned to the family or at their request Ivy Lawn can destroy the container.

Except with written permission of the person with the right to control the disposition, the law prohibits commingling cremated remains prior to scattering.

O. Multiple Burials in One Grave or Niche:

Ivy Lawn does cooperate with multiple burials on one burial location. Specific authorizations are required and fees for conversion will apply. Burial fees will be charged for every burial.

Ivy Lawn will charge a “conversion fee” equal to the price difference between a single grave and a double grave. Please consult our “price list” for an up to date cost.

Not more than one body, or the remains of more than one body, shall be interred in one grave UNLESS such grave has been purchased with the written agreement and intention that more than one body or remains of one body may be interred. If there is no prior written agreement any new burial where an existing burial exists, will

require the signature of the deedholder(s), and will also require the signatures of all family members to authorize the additional burial.

When a grave is designated for disposition of multiple remains the following limitations apply:

- a. In a single depth grave, no more than one casket and four cremated remains;
- b. In a double depth grave, no more than two casket burials and four cremated remains.

Crypts may contain no more than one casket and one cremated remains or not more than six cremated remains.

Cremation estates will allow for placement of multiple cremated remains. If space allows it is up to the family or deedholder(s) to decide the limit of remains that can be placed in the estate.

Niches commonly contain 1 or 2 urns.

Ivy Lawn will permit converting an existing grave for multiple use if:

- a. There is no written limitation by the purchaser of the property who has been buried in the property;
- b. The grave is reviewed by Ivy Lawn to determine the depth of existing burials and found suitable for multiple disposition;
- c. If it is necessary to disturb an existing burial we will require proper consent and authorizations be obtained to allow Ivy Lawn to disinter the existing burial, dig the grave to accommodate an additional burial and then re-inter.

Cremated remains MAY NOT BE added to a casket which has been previously buried.

• Fees:

Any burial property must be paid for in full prior to any burial taking place..

Burial fees are required for every burial.

Fees are required to be paid at least 48 hours prior to the service taking place.

• Authorizations:

Ivy Lawn will not take any action without all proper signed authorizations.

Ivy Lawn will open a grave for any purpose including interment and disinterment, **ONLY upon written authorization by every grave owner of record (“deedholder”) AND the legal next of kin of the deceased.**

Ivy Lawn will honor the written direction including or restricting future interment, disinterment, removal or addition of remains given to the office by the owner(s) prior to death.

Authorizations shall only be made on the forms of Ivy Lawn Memorial Park and they must be filed and received by the administration office.

Any change to a grave, including interments, marker placement, or conversions, will require written authorization from ALL next of kin of the party buried in that grave. We also require the signed authorization of any and all “deedholders.”

Please refer to “Cemetery Restrictions” for specific items that may be important for you to consider when scheduling a burial service.

• **Outer Burial Container:**

Ivy Lawn requires the use of an outer burial container for any urn burial (unless area specifically states that it is not a requirement). These are commonly referred to as “vaults.”

Ivy Lawn is NOT responsible for the inspection or approval of the condition of any product including a vault if purchased from an outside source. Please refer to the company that you made the purchase from with any questions or concerns.

• **Service Location Limitations:**

If your burial is located in a specific “garden” area, there may be limitations on what service options are available.

Small gardens dictate the type of service options you will be limited too such as limited number of chairs, use of a canopy, use of a podium, and type of table or equipment you may wish to have at your service.

The cemetery imposes limitations for many reasons and they likely are not related to your service but more associated with the area surrounding the burial location which sets limits on what we can offer.

The areas that the limitations apply to the following:

- Secret Garden
- Tribute Garden
- Garden of Heroes
- Garden of Miracles
- Garden of Tranquility
- Path of Life
- Inspiration Columbarium
- Garden House
- All Scattering Gardens

18. CREMATION

To answer increased interest in cremation, Ivy Lawn exclusively uses its own private state-of-the-art crematory located on our grounds. This ensures the utmost in service, privacy, respect and to allow more flexibility and freedom for families.

Ivy Lawn offers such service options as identification viewing, witnessed cremation and simple cremation services.

Cremation is not reversible. Every consideration must be given prior to the cremation taking place.

Ivy Lawn Crematory is not open to the public and provides cremation through Ivy Lawn Funeral Home only.

• **Cremation Requirements:**

Cremation will take place after all of the following conditions have been met:

- a. Authorizations have been signed by all lawful parties. If signed outside the presence of Ivy Lawn or a licensed funeral director, all authorizations must be signed in the presence of a notary public;
- b. Scheduled ceremonies or viewings have been completed;
- c. Verification of identity has been completed by matching tags with labels on the container;
- d. Civil and medical authorities have issued all required permits and certificates;
- e. All necessary authorizations have been signed and no objections have been raised or received by Ivy Lawn.

Many state environmental authorities do not allow the combustion of any plastic materials. Ivy Lawn, at its sole discretion, reserves the right to require the funeral director to remove these materials, whether combustible or not, and other refuse in a non-recoverable manner.

• **Sole Cremations:**

All cremations are performed individually. Ivy Lawn will only place the human remains of one individual in the cremation chamber at a time. Exceptions are only made when the express written permission of the person entitled to control disposition of all of the remains involved. (*See California Health and Safety Code Section 7054.7*)

• **Caskets/Containers:**

Ivy Lawn requires an approved container for cremation. Ivy Lawn will cremate if a casket has been used but we will not accept a metal casket for cremation.

Ivy Lawn will inspect every casket and or container. We will contact the funeral director directly for instructions in the event there are any questions.

Many caskets that are comprised of primarily combustible materials may also contain some exterior parts such as decorative handles or rails. These are not combustible and must be removed prior to cremation as they can cause damage to the cremation chamber. Many state environmental authorities do not allow the combustion of any plastic materials. Ivy Lawn, at its sole discretion, reserves the right to require the funeral director to remove these materials, whether combustible or not, and other refuse in a non-recoverable manner.

If using an “alternative container” there are standards that must be met. The container must:

- 1. Be composed of readily combustible materials suitable for cremation;
- 2. Be able to be closed to provide a complete covering of the human remains;
- 3. Be resistant to leakage or spillage;
- 4. Be sturdy for handling with ease;
- 5. Be able to provide protection for the health and safety of the crematory personnel.

- **Urns:**

When cremation is complete cremated remains are processed and placed in an urn or temporary container. Ivy Lawn provides a temporary container known as “plastic urn” at no extra cost.

Urns are numbered, labeled and permit is attached.

Ivy Lawn requires that all urns be resistant to deterioration and, in the case of an adult, the urn be a minimum size of 200 cubic inches. If the remains will not fit in one urn we will provide two urns at no charge.

Ivy Lawn will follow disposition instructions given to us in writing by the authorizing parties.

CREMATION PROCEDURES:

- **Identification Viewing:**

Ivy Lawn will accommodate an identification viewing if authorized. This will include a very brief verification of identity by seeing the decedent just prior to entering the cremation chamber.

- **Witness Cremations:**

Witnessing a cremation is a privilege given by the authorizing parties. Consent to witnessing a cremation may be withdrawn at any time. Written consent is required from all individuals who signed the Cremation Authorizations. Ivy Lawn must receive, review and approve all required documents prior to allowing the witness process.

Eligible witnesses will be named on the forms by all authorizing agents. No one under the age of 18 is allowed unless accompanied by their legal guardian and legal guardian has signed consent and provided paperwork to Ivy Lawn.

Our facility offers limited witnessing space. Ivy Lawn reserves the right to limit the number of witnesses to no more than 10 persons. Ivy Lawn must have advance notice if special requirements are needed. Maximum of 15 minutes in viewing area.

- **Conduct of Witness Cremation:**

The following rules will benefit and protect the witnesses to cremations and also Ivy Lawn Memorial Park and Crematory. These are intended to provide respect for every decedent in our care and any witness to the process. The following procedures are followed:

1. Follow the direction of Ivy Lawn staff with no deviation from statutory requirements permitted;
2. All attendees must remain in the designated area never going beyond behind the glass partition;
3. Proper decorum will be maintained during cremation. Ivy Lawn reserves the right to remove any individual that is disrespectful of the rules and the process;
4. When the crematory staff close the curtain the witness process is over.

UNCLAIMED REMAINS:

Ivy Lawn reserves the right to dispose of cremated remains by interment in an unmarked grave or by scattering after ninety (90) days if we have not been contacted by the family or funeral director with other acceptable instruction. Ivy Lawn will advise the family and funeral director by certified letter and ask for a returned receipt. The letter will be sent to the last known address at least fifteen (15) days prior to any burial or scattering.

19. DISINTERMENTS AND REMOVALS

Disinterments and removals are defined as taking out of the place of interment, exhume, unearth. This is a very serious process and requires authorizations from many involved parties. Ivy Lawn will not take any action until we have all signed documentation in our possession. If more than one burial is in the property we will be disturbing ALL parties of ALL burials will have to authorize and approve of the disinterment.

Ivy Lawn will not take any action without proper signed authorizations.

Ivy Lawn will open a grave for any purpose including interment and disinterment, **ONLY upon written authorization by the legal next of kin of the deceased or court order.**

Ivy Lawn will honor the written direction restricting future interment, disinterment, removal or addition of remains given to the office by the owner (s) prior to death.

Authorizations shall be made on the forms of Ivy Lawn Memorial Park and must be filed and received by the administration office.

Ivy Lawn will exercise due care when conducting a disinterment and removal but it shall assume no liability for damage to any casket or outer burial container or urn while completing the disinterment and removal. A funeral director of your choice as the authorizing agent must be present prior to beginning the process. They will be responsible for taking custody of the remains and repair or replacement of the casket.

There are certain things you should understand prior to deciding on disinterment. Ivy Lawn buries with the intent that the grave will never be disturbed unless an additional burial will take place. Disinterment and removal is not something Ivy Lawn prepares for.

Conditions will differ based on the date of the burial, the location of the burial property and the preparation of the decedent. You should expect damage to the outer burial container "vault." You will be responsible for the cost of removing and discarding the vault. Expect damage to the casket.

Because we require the use of vaults for any full casket burial or urn burial certain heavy equipment and procedures must be used to complete the process. You should consult with an Ivy Lawn counselor for full explanations.

No opening of the casket is permitted on the grounds of Ivy Lawn. Please make arrangements with your funeral director if this is an important issue for you.

For privacy and respect reasons, disinterments and removals are normally handled early in the morning hours prior to opening of the cemetery. When the vault is removed from the grave it will be opened. The casket is removed and the funeral director will immediately remove the casket from the cemetery.

20. RIGHTS OF DEEDHOLDER(S)

A “Deed to Cemetery Property” is issued when a purchase is complete. This deed will be issued by Ivy Lawn to identify the owner (known as the “deedholder(s)”) of the property, and also verifies the location of the property, and a description of the property. A deedholder disclosure is provided and must be completed by the purchaser(s) to provide Ivy Lawn with the necessary information including vesting information which is required.

The ownership of all burial rights is always with the deedholder. Circumstances can become extremely complicated when the deedholder passes away and there are graves that have not been reserved or designated with specific direction. All property conveyed to individuals, if not designated at the time of purchase, may be presumed to be the sole and separate property of the owner named in the instrument of conveyance per *California Health and Safety Code Section 8600*. Exceptions may be made if last will and testament documents are provided.

If a will or trust documents are provided to Ivy Lawn the deed can include the instructions of the will or the name of trustee of the trust or Ivy Lawn can use the language from the document to know how to proceed. If Ivy Lawn Memorial Park has a copy of their last will and testament it will be made part of the records and provide direction to the cemetery as to the wishes of the deedholder.

The spouse of an owner of any property permitting more than one disposition has a vested right of burial of his or her remains in the property. Any person becoming the spouse of the owner after purchase of any property has a vested right of burial of his or her remains in the property if more than one disposition is permitted at the time the person becomes the spouse of the owner. (*Per California Health and Safety Code Section 8602*)

No conveyance or other action of the owner, without written consent of the spouse of the owner, divests the spouse of a vested right of burial. A final decree of divorce terminates the vested right of a burial of a non-titled spouse unless otherwise provided in the decree. (*Per California Health and Safety Code Section 8602*)

Ivy Lawn may rely upon a notarized affidavit by any person having knowledge of the facts to determine the person(s) entitled to the use of the unoccupied portion of a property unless it has actual knowledge of the falsity of the affidavit. (*California Health and Safety Code Section 8605*)

In a conveyance to two or more person, as joint tenants, each joint tenant has a vested right of burial in the property. Upon death of a joint tenant, the title to the property held in joint tenancy immediately vests in the survivor(s), subject to the vested right of burial of the remains of the deceased joint tenant. An affidavit by any person having knowledge of the facts setting forth the fact of death of one

joint tenant, and establishing the identity of the surviving joint tenant named in the deed, to any property, when filed with Ivy Lawn, is complete authorization to Ivy Lawn to permit the use if the unoccupied portion of the property in accordance with the directions of the surviving joint tenant(s) or their successor(s) in interest. (*California Health and Safety Code Section 8625-8628*)

When there are several owners of a property, or rights of burial in it, they may designate one or more persons to represent the owners and file written notice of designation of such authority with Ivy Lawn. In the absence of such notice, Ivy Lawn is not liable to any owner for burying or permitting a burial in the property upon the request or direction of any co-owner of the property. (*California Health and Safety Code Section 8629*)

Once a property is occupied there is no right to further burial in that property unless:

- a. The property was purchased for multiple burials as permitted and these rules;
- b. The property is converted to multiple burials as permitted by these rules;
- c. A proper disinterment results in the property being available BUT authorizing agent must disclose to agents of any new burial that grave had been previously used for burial;
- d. All authorizations have been signed as required by statute and these rules.

No one shall be buried in any property not having an interest therein, except by written consent of Ivy Lawn and all parties that have an interest in such property.

If the deedholder has signed an authorization for interment for an intended grave recipient, then Ivy Lawn has the proper direction to know which grave is reserved for which family member.

The deedholder can provide the cemetery with their wishes and intentions, in writing for all graves. The cemetery will follow this direction from the deedholder.

If the deedholder has passed, and plots remain unoccupied, ALL heirs must sign and agree to any burial or agree to the reservation of any plot. If there is a transfer or assignment of a grave, the same limitations apply.

Ivy Lawn may hold any plot conveyed or devised to it by the plot owner so that it will be inalienable, and interments shall be restricted to the persons designated in the conveyance or devise.

If there is not a last will and testament, the cemetery will follow the law as dictated in *Health and Safety Code Sections 8650-8651*.

21. DESCENT OF PROPERTY RIGHTS

If no burial is made in a property which has been transferred by deed or certificate of ownership to an individual owner, or if all remains previously interred are lawfully removed upon the death of the owner, unless noted in a will or trust, the property descends to the heirs at law of the owner but is subject to the rights of burial of the decedent and the surviving spouse.

The foregoing descent may be modified if the owner has disposed of the property either by will by a specific devise or by a written declaration filed and recorded in the office of Ivy Lawn. *(See Health and Safety Code Section 8603.)*

If the owner dies without a will, the plot shall pass according to the laws of intestate succession. The foregoing descent may be modified if the owner has disposed of the grave either by will by a specific devise, or by a written declaration filed and recorded with Ivy Lawn. *(See Health and Safety Code Section 8650.)*

In a plot permitting multiple dispositions, one may be used for the owner's burial and one for the owner's surviving spouse if any who by law has a vested right of burial. And in those remaining, if any, the parents and the children of the deceased owner in order of death, may be buried without the consent of any person claiming any interest in the property. *(See Health and Safety Code Section 8651.)*

If no parent or child survives then the right of burial goes in the order of death, first to the spouse of any child of the record owner or his spouse, and upon such waiver the remains of the person in whose favor the waiver is made may be interred in the plot. *(See Health and Safety Code Section 8652.)*

Any surviving spouse, parent, child or heir who has a right of burial in a family plot may waive such right in favor of any other relative, or spouse of a relative, of either the deceased owner or his spouse, and upon such waiver the remains of the person in whose favor the waiver is made, may be interred in the plot. *(See Health and Safety Code Section 8653.)*

Ivy Lawn may take and hold any property conveyed or devised to it by the property owner so that it will be inalienable, and burials shall be restricted to the persons designated in the conveyance or devise. *(See Health and Safety Code Section 8680.)*

Subdivision:

The subdivision of property other than by Ivy Lawn is not allowed.

22. CONSUMER ALTERNATIVES FOR UNUSED BURIAL PROPERTY

Ivy Lawn Memorial Park offers specific alternatives to customers that are wondering what options exist with burial property they own and may not use. Please note that specific requirements apply to any alternative.

Prior to taking action you are hereby informed that:

- a. No information will be released or shared with third parties;
- b. All arrangements are subject to the laws of inheritance and may require legal documentation;
- c. All arrangements are subject to confirmation by the cemetery prior to any actions taken;
- d. The customer is required to provide the cemetery with documentation that will verify the identity of a party that has the rights to the burial property.

• **Return Property:**

A “return” to Ivy Lawn Memorial Park means the cemetery agrees to buy “back” a burial property.

Ivy Lawn Memorial Park will process a return of a burial property to the cemetery with the following stipulations:

- a. Ivy Lawn Memorial Park agrees to pay back the price paid at the time of purchase less any return fees that must be paid;
- b. Ivy Lawn Memorial Park will NOT refund any endowment care fees that were paid;
- c. Ivy Lawn Memorial Park will NOT refund the costs of any merchandise paid at time of purchase.

If you purchased the property at a lower price than the cemetery’s current price for the same type of property, Ivy Lawn Memorial Park will pay the purchaser 50% of the current price. The same stipulations listed above will apply.

A RETURN FEE will be charged or deducted from the proceeds of any return. Refer to Price List.

• **Exchange for Other Property:**

Ivy Lawn Memorial Park will exchange Ivy Lawn burial property for another choice of Ivy Lawn burial property.

- a. The original price paid for the property will be applied towards the current price of the new choice of property.
- b. If the original price is less than today’s current price for the same property Ivy Lawn will credit up to 50% of the current price towards the price of the new property.

• **Transfer Burial Rights:**

Deedholder can authorize a burial to any party by signing the required cemetery documents. This is considered a transfer of their burial rights to the party designated in the documents.

- a. A transfer of burial rights is complete only by executing an Ivy Lawn Memorial Park “Authorization for Interment or Inurnment” or an affidavit as noted below. All authorizations or affidavits must be received, approved and recorded with the cemetery administration office to be effective.
- b. An affidavit by a person having knowledge of the facts setting forth the fact of the death of the owner and the name of the person or persons entitled to the use of the plot pursuant to this code, is complete authorization to the cemetery authority to permit the use of the unoccupied portions of the plot by the person entitled to the use of it.

• **Change of Ownership:**

Ivy Lawn cannot participate in the process and offers NO service to an outside purchaser. No fees are transferable, no products are transferable, and a deed is not transferable.

- a. No guarantee or verification of any terms in a private sale will be made or verified by Ivy Lawn Memorial Park.
- b. As part of an outside “sale or transfer” a new deed **will not be issued by the cemetery.**

• **Merchandise:**

Pre-paid or pre-set merchandise has NO compensated value therefore no credit or reimbursement will be made to the purchaser.

Refer to California codes that apply to burial property and cemetery property rights. Please review prior to contacting the cemetery. Codes will determine what actions are allowable.

23. CHANGE OF ADDRESS

It is the responsibility of the property owner to notify Ivy lawn, in writing, of any change in mailing address or contact information. Notices sent to the property owner at the last address on file with the Ivy lawn office shall be considered sufficient and proper legal notification.

24. WRITTEN AGREEMENT

The certification of ownership and these “Rules and Regulations,” and any amendments thereto, shall be the sole agreement between Ivy Lawn and the owner.

25. NO RIGHT GRANTED IN ROADWAY

No easement or right of burial is granted to any property owner in any road, drive, alley, or walk within the cemetery. Roads, drives, alleys, and walks may be used as a means of access to the cemetery or buildings as soon as Ivy Lawn devotes it to that purpose.

26. DEVELOPMENT OF PROPERTY BY OWNER

NO coping, curbing, fencing, hedging, grave mounts, borders, or enclosures of any kind shall be allowed around any grave or plot; and no walks of brick, cinders, tile, stone, marble, terracotta, sand, cement, gravel or wood shall be allowed on any grave or plot. Ivy Lawn reserves the right to remove the same if erected, planted, or placed.

NO mowing, no edging, no custom grass, no custom designing of any kind by anyone other than Ivy Lawn staff is allowed on any grave or plot anywhere in this cemetery.

27. GENERAL SUPERVISION OF THE CEMETERY

Admission: Ivy Lawn is open to the general public every day with hours posted at our gates. Anyone on the premises at other hours, without permission, is trespassing.

Conduct: Ivy Lawn reserves the right to remove persons engaged in inappropriate conduct or behavior or any threatening language used including but not limited to the following:

- a. Boisterous or unseemly conduct. This shall include conduct which is disruptive or disrespectful to the deceased or visitors;
- b. Smoking within any of our buildings;
- c. Refusal to follow instruction from Ivy Lawn staff;
- d. Handling of any property in the cemetery;
- e. Placing decorations on any of our trees, landscape or statues;
- f. Cutting flowers from our grounds;
- g. Throwing rubbish on the roads or paths, or any part of the grounds or in the buildings;
- h. Driving at speeds higher than the limits posted;
- i. Driving the wrong way down the one way streets;
- j. Peddling of flowers or any merchandise unless authorized by Ivy Lawn;
- k. Solicitation of any kind within the park is not permitted including memorial business;
- l. Possession of firearm within the park except with special permission from Ivy Lawn;
- m. Posting of any signs or notices or advertisements of any kind;
- n. Failure to keep pets in vehicles;
- o. Urinating in public;
- p. Consuming alcoholic beverages or using drugs of any kind;
- q. Loitering;
- r. Skateboarding or bike riding on cemetery roads;
- s. Cutting or trimming grass on graves;
- t. Using hoses;
- u. Picnicking;
- v. Ball playing.

Children under the age of 18 ARE NOT be permitted in the park or its buildings unless accompanied by a supervising adult.

All persons are prohibited from gatherings flowers, either wild or cultivated, or harming trees, shrubs or plants, or disturbing animal life.

No person shall be allowed to cook or prepare food within the park.

Ivy Lawn reserves the right to prohibit photography in the park under circumstances that could reflect a lack of respect for any decedents or their families or loved ones.

28. FACILITIES

Ivy Lawn has many facilities. All requests are subject to the priority of the schedule of the cemetery and the schedule of funerals. All requests must be made in writing to the administration office. Advance arrangements will be necessary.

29. DECORATIONS

Decorations can be a huge source of problems at the cemetery. You should understand that the following apply without exception:

NO flower vases or any kind, temporary or permanent, may be placed on any grave, crypt, or niche. Ivy Lawn will sell a customer the exact vases we require for each specific burial location. Ivy Lawn has the authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind. If they become unsightly, judged by the management, they will be removed.

ONLY fresh flowers that fit into a vase are allowed on any grave or niche.

Ivy Lawn is not responsible or liable for floral pieces, baskets, frames, pictures, or any decoration left in any burial space. Please remove all plastic wrapping from flower arrangements left at graves or any vase.

The placing of boxes, shells, toys, balloons, metal designs, ornaments, clothing, food, money, chairs, settees, vases, glass, wood or iron, and similar items, upon any grave is *NOT* permitted. Photographs, souvenirs, wreaths or flags or other emblems, are prohibited with the exception of items placed inside a niche. Ivy Lawn will remove and dispose of any item that violates the policies contained herein. Ivy Lawn WILL NOT store any items.

Ivy Lawn has nothing to do with any decoration placed anywhere in the cemetery and we are not responsible in any way for any item.

• **Military Holidays:**

It is common for Veterans graves to be decorated with cemetery sized flags and/or wreaths placed on the graves or in the vases. The most common days are Memorial Day and Veterans Day.

It is a family responsibility to arrange for flags on a grave. Please contact a local veteran's group if you are unable to do this on your own.

Ivy Lawn DOES NOT place flags on any graves nor for any occasion. Ivy Lawn does allow veteran groups, families, military organizations and various volunteers to place the flags on the graves. They do this at their own expense of the flags and their time. We do not participate in the placing of the flags or removing and storing the flags. This is the responsibility of the ones that set the flags on the graves. Please do not ask Ivy Lawn to place any flag or wreath on a grave.

• **Non-Responsibility for Items:**

Ivy Lawn is not responsible for any broken or missing vase or insert. Vases are required if you want to place any floral arrangements or decorative items on a grave or a niche. You are allowed to place up to three (3) vases on a full size grave and one (1) vase on a cremation grave. Vases or vase inserts are NOT guaranteed to last for an indefinite amount of time. They are exposed to the elements and with age they will need to be replaced. Please consult with the office for current costs.

Any item placed anywhere in the cemetery is placed knowing the risk of loss, damage, stolen or misplaced. Ivy Lawn will not be responsible to monitor any

items left anywhere in the cemetery. DO NOT leave valuables of any kind on a grave and expect it to be there when you return.

Ivy Lawn shall not be liable for damages caused by the elements, thieves, vandals or by other causes beyond its control. Ivy Lawn reserves the right to prevent the removal of any flowers, designs, trees, shrubs or plants of any kind.

It is the customer's responsibility to clean their vase.

30. MERCHANDISE

Ivy Lawn Memorial Park serves customers interested in our cemetery or our on-site crematory services.

As professionals we are prepared to help any consumer with the purchase of any product whether desired by the customer, is a requirement of the cemetery or crematory, or which may be required by law. Most common items purchased are grave markers, caskets, urns, vaults, and cremation jewelry.

Customers choose where they buy a product. Ivy Lawn Memorial Park will accommodate and cooperate with any company that a customer decides to purchase from. The customer must be aware and accept that they will need to consult with the company where the purchase was made for any assistance with that product. It is the consumer's responsibility, from the time of purchase, to seek assistance with the product they purchased. Fees apply no matter where purchased.

When a purchase is made by the customer directly or with an outside agent, Ivy Lawn is limited in its involvement. Ivy Lawn believes in providing exceptional service but we are limited when a purchase is made that we are not a part of.

You agree and accept that Ivy Lawn staff cannot assist a purchaser with product issues, now or in the future, if associated with the product they purchased. The purchaser must deal directly with the company that the purchase was made from.

We only accept and/or receive a product on behalf of the customer if it meets our requirements.

Ivy lawn WILL NOT be responsible for inspection of any item, we will not sign for or guarantee any product is correct, we will not accept responsibility for the condition of an item, and we will not verify that it is an item you ordered.

When a customer purchases merchandise from Ivy Lawn Memorial Park we are directly involved. This makes us accountable. We are able to directly assist every customer with the purchase of merchandise. This includes offering an explanation of costs, procedures involved, and specifics associated with each product. We will help you understand your options and choices and limitations. We can assist you with decisions, explain quality, uses, warranties, and care of the purchases you make presently and in the future.

We will provide assistance, now or in the future, ONLY when a product is purchased through Ivy Lawn Memorial Park.

If purchased from a company other than Ivy Lawn, customers must be aware and accept that they will need to consult with the company where the purchase was

made for any assistance with that product. It is the consumer's responsibility, from the time of purchase, to seek assistance with the product they purchased.

When a purchase is made by the customer directly or with an outside agent, Ivy Lawn is limited in its involvement. Ivy Lawn believes in providing exceptional service but we are limited when a purchase is made that we are not a part of.

We can only accept and/or receive a product for a customer but it must meet our requirements. Please refer to our "Rules and Regulations" for specific requirements.

Ivy Lawn staff cannot assist a purchaser with product issues, now or in the future, if the issue is with a product they purchased from an outside company. The purchaser must deal directly with the company that the purchase was made from.

Ivy lawn WILL NOT be responsible for inspection of any item, we will not sign for or guarantee any product is correct, we will not accept responsibility for the condition of an item, and we will not verify that it is an item you ordered.

ONLY when a customer purchases merchandise from Ivy Lawn Memorial Park will we be directly involved. We are able to directly assist our customer with the purchase of merchandise including offering an explanation of costs, procedures involved, and specifics associated with each product. We will help you with decisions, explain quality, uses, warranties, and help with follow up or care for the purchase you make now and in the future.

Remember, we will provide assistance, now or in the future, with any product purchased through Ivy Lawn Memorial Park & Funeral Home.

Ivy Lawn sells vases, markers, urns, pedestals, benches, and burial or cremation products. Please visit the office if you are interested in products.

VAULTS:

1. Delivery only on the day of the service
2. Funeral home (as seller) must be present to receive
3. Family is responsible for inspection
4. Acceptance of any product is at the responsibility of the purchaser.

MARKERS:

When purchased from an outside company, specific requirements apply. Please refer to "Outside Marker Purchase" flyer.

Purchaser handles all aspects of the purchase.

Ivy Lawn will accept delivery of the marker from the customer only. They must:

1. Sign a release
2. Make an appointment
3. Pay fees
4. Provide authorization
5. Provide proof of meeting requirements

Any future care is between the purchaser and the company.

DELIVERY:

Ivy Lawn will accept delivery only from the cemetery customer after inspection by the customer.

Customer will sign “release” at the time of delivery.

Customer has received Ivy Lawn approval of size, border requirements and sketch.

Deliveries are only by appointment on Tuesday after 1:00 P.M.

VASES:

You can purchase a vase in the administration office. A full grave can have up to three (3) vases on a grave. A niche or cremation grave or infant/child grave can have only one (1) vase. All vases are installed by the Ivy Lawn grounds staff. No exceptions. Temporary or homemade vases will be removed and discarded. No exceptions. Vases will require cleaning or “digging” out as the grass in the cemetery will grow over them. Be prepared to clean the vase or contact the office for prices if Ivy Lawn grounds crew can assist. See Vase Policy brochure.

**31. MEMORIALIZATION INCLUDING MEMORIALS,
MAUSOLEUMS AND MARKERS****• General Rules:**

No changes shall be made, no marker placed, no replacements set, except upon request of the all of the proper parties and written permission by Ivy Lawn.

No more than three (3) markers will be allowed to be placed on a full grave. Not more than one marker will be allowed on a half grave or “cremation grave” or infant/child grave.

No more than one marker can be set on an infant grave.

Choices of all markers, of any kind, are restricted by location, size, and material. Design must be submitted to Ivy Lawn. Ivy Lawn reserves the right to approve every marker delivered for setting.

All fees must be paid prior to placement, no matter where purchased.

Ivy Lawn does not provide cleaning and highlighting of markers. Experts are used for this service. Care and maintenance of granite markers requires expertise and craftsmanship and we outsource this work to a company that specializes in granite. They send experts to the grounds of Ivy Lawn Memorial Park and complete highlighting and cleaning on site.

We are confident the granite company will make every effort to do the best quality of work, but we make no guarantees about the finished work.

We feel obligated to inform you that perfection is usually not possible when working on an existing marker. You may see some differences in the lettering, or a different brightness, or you may notice lettering or colors may not match.

Commonly, paint will transfer into crevices because of the surface of the marker. It is common for families to “not like” the work because it does not match. High-lighting and or cleaning may not bring the marker back to the condition of when it was purchased.

• **Approval:**

No owners shall erect or place, or cause to be erected or placed, on any property, any memorial, until it is first approved by Ivy Lawn. Ivy Lawn reserves the right to reject any plan or design for any memorial which is, in its opinion, unsuited to the property on which it is to be placed or to the cemetery. The completed work is subject to the approval of Ivy lawn, and, if unsatisfactory, it may be removed by Ivy Lawn at the expense of the purchaser. Upon request, a memorial dealer shall furnish Ivy lawn with a blue print or sketch or proof of the proposed memorial or marker, specifying size, inscription, quality of stone and the name of the producer finishing the stone. Ivy lawn reserves the right to stop all work of any nature whenever:

- a. Proper preparations have not been made;
- b. Tools and machinery are insufficient or defective;
- c. Work is being executed in such a manner as to threaten life or property;
- d. The monument dealer has been guilty of misrepresentation;
- e. Any reasonable request on the part of Ivy Lawn is disregarded;
- f. Work is not being executed according to specifications;
- g. Any person employed on the work violates any rules of Ivy Lawn.

All markers, including grave and niche markers, are a huge investment both emotionally and financially. Please consult with Ivy Lawn staff and review costs, procedures, and requirements prior to making any decisions.

Prior to purchasing you should be aware that all markers, attachments, adornments, inscriptions, and name plates are subject to approval and installation by Ivy Lawn staff.

• **Polished Borders:**

Polished borders are not allowed. There must be a sanded border for the safety and care of the marker.

• **Final Dates:**

Ivy Lawn can assist with final dates ONLY if the marker or plate was ordered and purchased through Ivy Lawn. Purchaser should refer to the company where the marker was purchased for final dates and/or changes.

• **Photography:**

Photography of a memorial shall not be allowed except with the permission of the owner and Ivy Lawn.

• **Corrections:**

Ivy Lawn reserves the right to correct any error that may be made by its employees, or by any person or persons in the location or placement of a memorial.

TYPES OF MEMORIALIZATION:

• Flat Markers:

Only flat markers set flush with the grass, of approved dimensions and materials, are allowed on the graves. Each cemetery area has a distinct marker size allowable for that area. Please consult with the administration office PRIOR to ordering any marker to ensure you are aware of the size allowed.

1. Generally, casket burial plots referred to as “full graves” allow only 28” x 16” markers.
2. If there are 2 graves, and they are side by side, a 42” x 16” “companion” marker is allowed and will be set between both of the graves.
3. ONLY solid granite, bronze or marble markers are allowed.
4. VA markers are supplied by the U.S government. They are specific with choices and sizes. Ivy Lawn will accept only a flat VA marker. The customer will choose the material and inscription.
5. If you choose **bronze**, you will be required to purchase a granite base at an additional cost. Please consult our “Marker Price List.”
6. If you choose **granite**, you are NOT required to have a base. If you choose **marble**, you WILL not have to add a base. BUT marble is *very fragile* and will not stay in good condition for long due to the nature of marble.

• Materials:

Memorials must be made of granite or bronze. Only a veteran’s grave may use a government issued marble monument. The use of bronze is approved for statuary and attachments to monuments and markers made of granite.

Producers of monument materials produce memorials, and manufacturers of memorials not quarries, or retail dealers, in order to secure the approval of Ivy Lawn must agree to sell only first grade granite for memorial purposes, and must be willing to guarantee that such stone is free from defect, and agree that should defects develop within fifteen years from the date of setting, the memorial will be replaced without costs to Ivy Lawn or owner. The bottom beds of all bases and markers must be cut level and true.

Persons or firms who engage in the business of cleaning monuments and all others must procure written permission from Ivy Lawn before any work is commenced. In order to secure such permission it shall be necessary for the person or firm to submit satisfactory evidence of their ability to properly perform the work for which they have been engaged or the deedholder or authorized agent must agree to provide a written release to Ivy Lawn releasing Ivy Lawn from any liability, if they choose a company to do work for them. All required documents must be signed and accepted by Ivy Lawn prior to a marker being released and/or removed from the cemetery grounds.

GRAVE MARKER PURCHASED THROUGH AN OUTSIDE COMPANY

The purchaser and deedholder of any grave must agree to accept and follow the current “Rules and Regulations” *without exception*.

All purchasers are to understand and accept that some existing memorials may be exceptions to the current “Rules and Regulations” as these memorials were made by prior arrangements. These “exceptions” do not imply that any exceptions to the current “Rules and Regulations” can or may be made in the future.

Purchasers must understand that Ivy Lawn staff must be involved in any marker setting to ensure conformity to our rules and standards.

• Policy:

- a. Ivy Lawn will not contact the producing company to confirm Ivy Lawn’s requirements.
- b. The setting fee and endowment care fee must be paid prior to acceptance of a marker. These fees are to be paid directly to Ivy Lawn Memorial Park. No marker will be accepted by Ivy Lawn until Ivy Lawn receives full payment of the required fees.
- c. Ivy Lawn requires customer to provide, in writing, size specification, inscription, and confirmation of the quality of the stone, prior to delivery.
- d. The completed work is subject to the approval of Ivy Lawn.
- e. Only Ivy Lawn will set an approved marker with authorization from all next of kin.

Customer to be aware that Ivy Lawn reserves the right to charge a professional fee if the producing company requires Ivy Lawn’s assistance with designing, matching, or producing their sketch, blueprint or product. Refer to Price List for fees.

You may be responsible for a consultation fee.

• Requirements:

- a. Deedholder must execute a Marker Authorization allowing Ivy Lawn to place the marker.
- b. Setting fee and endowment care fee **MUST** be paid. Refer to Ivy Lawn “Marker Price Sheet.”
- c. At delivery, Ivy Lawn staff must receive written approval of the proposed memorial or marker, specifying size, inscription, quality of stone to the producer finishing the stone. *Ivy Lawn reserves the right to reject any plan or design of any memorial which is, in its opinion, unsuited for the property on which it is to be placed or to the cemetery.*

• Delivery:

- a. Delivery must be arranged by the customer and Ivy Lawn.
- b. There are **NO** weekend deliveries.
- c. Ivy Lawn will not inspect the marker upon delivery. It is the customer’s responsibility.
- d. Ivy Lawn will accept the marker from customer upon signed release.

Ivy Lawn “General Rules”

Rights to use and descent of property within a cemetery are governed by California law. Statutory provisions may be altered by appropriate provisions in a will or other legal documents. Ivy Lawn recommends that the deedholder get legal advice to carry out their wishes regarding use and disposition of property at Ivy Lawn.

The name or inscription on each memorial must be of the person buried there with the exception of a memorial purchased in memoriam. No changes shall be made thereon except upon request of the proper parties and by permission of Ivy Lawn.

No person shall erect or place, or cause to be erected or placed, on any property, any memorial until it is first approved by Ivy Lawn. Ivy Lawn reserves the right to reject any plan or design of any memorial which is, in its opinion, unsuited for the property on which it is to be placed or to the cemetery. The completed work is subject to the approval of Ivy Lawn, and if unsatisfactory, it may be removed by Ivy Lawn at the expense of the purchaser. **Upon request, memorial dealers shall furnish Ivy Lawn with a blue print or sketch of the proposed memorial or marker, specifying size, inscription, quality of stone and the name of the producer finishing the stone.**

Ivy Lawn reserves the right to stop all work of any nature whenever:

- a. Proper preparations have not been made;
- b. Tools and machinery are insufficient or defective;
- c. Work is being executed in such a manner as to threaten life or property;
- d. The monument dealer has been guilty of misrepresentation;
- e. Any reasonable request on the part of Ivy Lawn is disregarded;
- f. Work is not being executed according to specifications;
- g. Any person employed on the work violates any rules of Ivy Lawn.

• Marker Purchase Responsibility Agreement

Markers are high maintenance. Common marker issues are related to condition, upkeep and/or maintenance, design, highlighting, and cleaning.

When purchasing a grave marker of any kind, the purchaser, understands and agrees that the company purchased from is the company to contact if there are any issues with the grave marker.

This policy also applies to “final dates” and/or future inscriptions if needed. These types of services ***must be made by you*** as the purchaser and made ***directly to the company with whom you made the purchase***. Please ask for the fees that will apply due to removal and re-setting of the marker (which is required).

Ivy Lawn Memorial Park will be responsible for follow up of any kind only for a marker that was purchased through Ivy Lawn Memorial Park.

Ivy Lawn Memorial Park will always be responsible for the condition of the grave. If re-leveling or adjusting of the marker is necessary for the appearance of the grave we will be responsible for correcting that issue.

- **Marker Placement:**

Markers are set only by Ivy Lawn staff. As a matter of practice the cemetery will try and set a marker within the week of delivery however services will dictate the setting schedule.

Markers will be exposed to the elements and will get dirty, may have water build up on them and may be disturbed by use of heavy equipment. The grounds crew will maintain edging around the marker, removing flowers and or decorations, watering the grave and maintaining trees and other landscape in the area. It is the purchaser/families' responsibility to maintain and/or clean the marker.

- **Upright Monuments:**

Upright monuments are allowed ONLY in designated areas established by the Board of Directors. Upright monuments are not permitted in any other part of the cemetery.

A "family plot" is defined as a section of graves containing graves that are purchased in multiple numbers for up to twelve (12) graves. They are purchased at one time as one purchase. The grave layout accommodates an upright monument so the design of the family plot area contains an easement that other sections of the cemetery do not have. The approved upright monument shall be set in the center of the plot known as the "easement." The individual graves may also have up to 3 individual flat 28x16 markers set in addition to the upright. There are very specific limitations and specifications involved when purchasing an upright monument. Please consult with the administration office prior to making any purchase or plan for an upright.

ALL upright monuments shall be of dimensions approved by Ivy Lawn. Size, height, width, and placement MUST BE approved by Ivy Lawn PRIOR to ordering or designing the monument.

Only ONE central or family upright memorial shall be allowed on an easement and the size, etc., will be determined by the number of graves in that "family plot."

The following requirements exist for every upright monument.

- Both sub-base and die must be granite.
- Must pay all additional charges to Ivy Lawn prior to final approval of delivery.
- Pay all additional charges for a concrete foundation which is required for every upright.
- There may be different endowment care fees due on an upright monument.
- All upright monuments must be of dimensions that are approved by Ivy Lawn.
- Size, design, dimensions, must be submitted to Ivy Lawn prior to ordering any monument.
- Ivy Lawn reserves the right to allow time to review and approve design and details.

- **Markers for Cremation Graves:**

Markers for Cremation graves have their own specifications for markers. Please consult with the administration office PRIOR to purchasing a marker.

• **Foundations:**

All foundations must be constructed by Ivy Lawn at the expense of the owner. All fees are payable when the work is ordered.

NO WORK ON MARKERS BY OUTSIDE COMPANIES IS ALLOWED TO BE COMPLETED ON CEMETERY PROPERTY.

• **Mausoleums:**

Strict rules apply to the mausoleums and chapels.

No glass containers may be left on the ground or floor areas, nor are they to be used to hold flowers. You must use the vases approved by the cemetery.

All plates must be approved by the Ivy Lawn office and all of the rules and regulations for “markers” applies to the crypt and niche plates. Only bronze markers/plates, of the same style and size of the surrounding crypts, is allowed. This is very regulated.

Services are conducted in and around the buildings so please be mindful if this is happening while you are visiting.

No candles, incense, or burning of anything is allowed.

Decorations or adornments are not allowed on the face of the crypt or niche except flowers.

• **Other Structures:**

Cremation benches, pedestals, and cremation estate monuments are custom designed and offer burial options that offer memorialization and urn burial. They are considered “structures” and are be designed to accommodate urn burials. Placement of any structure is subject to the written approval of Ivy Lawn. Locating a space to set a structure is at the sole discretion of the cemetery administration.

• **Niches:**

No adornments are allowed on the face of the niches.

Opening and closing of a niche requires that Ivy Lawn follow specific rules that apply only to niches and especially glass front niches. Some to consider, but not limited to only this list, are the following:

- Requires written authorization by all next of kin or authorized parties;
- Requires family members be present;
- Requires at least 2 Ivy Lawn staff present;
- Requires photos be taken for our records;
- Require specific documentation be supplied to the cemetery;
- Require all fees be paid prior to opening the niche;
- Ivy Lawn will accommodate by appointment only, between 9 A.M. and 2 P.M.;

- No valuables are allowed to be placed in a niche;
- No one is allowed to stand on a ladder or stool to place items in a niche;
- Only Ivy Lawn staff will have direct access to any niche.

• **Scattering Gardens:**

The granite panels or pedestals are close to the gardens and are available for memorializing the decedent with name, year of birth, and year of death. All fonts, formats and sizes of lettering must be the same.

• **Installation:**

All markers will be set by cemetery employees with the exception of an upright monument which may be placed on the foundation by the producer.

Workmen employed in placing or erecting monuments and other structures, or bringing in materials, shall, as to Ivy Lawn, operate as independent contractors, but must do so under permission from Ivy Lawn. Persons engaged in erecting monuments, or mausoleums, are prohibited from attaching ropes to monuments, trees, and shrubs, or from scattering their material over adjoining lots, or from blocking avenues or pathways, or from leaving their material on the grounds longer than is necessary. They must cause no injury to grass, trees, shrubs, and must remove all debris and restore the area to its original condition. Damage done to lots, walks, drives, trees, shrubs, and other property, by dealers or contractors, or their agents, shall be repaired by Ivy Lawn and the cost of such repair shall be charged to the dealer or contractor, or his principal.

No material, machinery, or other things for the construction of vaults, mausoleums, monuments, or such structures themselves, may be brought into the cemetery until ready for immediate use. Material shall not be placed on lots adjoining the one on which such as structure is to be erected without prior written permission from Ivy Lawn.

Ivy Lawn reserves the right to bar any producer or retail dealer who violates the rules of Ivy Lawn from the Park for such period of time the Board of Directors deems appropriate.

MEMORIALIZATION DISCLAIMERS:

• **Removal of Memorials:**

No memorial shall be removed from the cemetery, except by Ivy Lawn, and the written order of the property owner and/or all authorizing agents, be presented to the administration office of the cemetery. The cemetery will provide written order upon receipt of the signed documents from the agents.

If inscriptions are needed or work needs to be done on an existing marker that is set at a grave it will have to be removed and a resetting fee will be due to reset the marker. The signed authorization to remove and release to an outside party will include Release of Liability language. Ivy Lawn is not responsible for the condition of the marker or the work that was done.

- **Non-Responsibility of Damage:**

Ivy Lawn will exercise reasonable care to protect any memorial or other structure on any property, it disclaims responsibility for any damage or injury from causes beyond its reasonable control, and especially from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral.

- **Private Mausoleums:**

Private mausoleums shall be constructed only in areas in the park so designated. They shall be built of approved first grade material and shall meet the requirements of the California Health and Safety Code. The design of the mausoleum must have approval of the Board of Directors of Ivy Lawn. Private mausoleums shall be constructed by a licensed contractor engaged and paid for by the owner and approved in advance by Ivy Lawn.

Prior to any structure or memorial is built or installed a Maintenance Agreements must be signed by the owner and the Board of Directors. Endowment care fees will be due and must be paid prior to completion.

32. ENDOWMENT CARE

To help consumers understand we provide the following Frequently Asked Questions.

What does this mean?

An endowment care fund is created in addition to the price paid for an interment and is deposited into an account that is used for the care of the cemetery in perpetuity.

The funds are protected by law and are allowed to be invested very conservatively. Only income from the funds may be withdrawn to help defray the ongoing costs of cemetery upkeep and maintenance.

Why is endowment care important?

At Ivy Lawn Memorial Park we know the importance of a well maintained cemetery is crucial. We understand that grieving does not end on the day of interment. Your burial site is a kind of sanctuary, a place for family and friends to mourn, to remember and celebrate a loved one. We work together with you to ensure that the site continues to be beautifully maintained now and into the future.

Why is Ivy Lawn Memorial Park special?

Ivy Lawn Memorial Park endowment care charges are more than the minimum that the state statute requires as a minimum deposit into the endowment care fund. In addition, Ivy Lawn Memorial Park's Board of Directors protect the endowment care funds by strategically investing them to maximize the income generated from endowment care funds.

Why is endowment care important?

We must plan for the time that we are not here any longer which translates into planning for the future care of the cemetery. Planning prevents letting things slide!

Families perceive the amount of honor and respect given to their loved ones by how well the cemetery is maintained.

Ivy Lawn Memorial Park is responsible for the maintenance of ground cover, trees, landscaping, roads, and maintenance of cemetery property and buildings.

The crypts, headstones, niches, statuary and other architectural features of a grave site or lot require significant care. Ivy Lawn is responsible for the care and maintenance of every memorialization in the Park.

• **Endowment Care for Burial Property:**

There is a one-time charge for endowment care payable when you purchase burial property from Ivy Lawn. The amount is dependent on the property that you choose. See price list for current endowment care charges.

If you purchase burial property directly from a deedholder you are responsible for paying any difference between the current endowment care charges and the charges that were initially paid at time of the initial purchase.

• **Endowment Care for Markers and Memorialization:**

There is a one-time charge for endowment care payable when you purchase your marker and/or other memorialization. The amount is dependent on the memorial that you choose. See price list for current marker/memorialization endowment care charges.

• **Special Care Not Included:**

The term “endowment care” shall not be construed as meaning:

- a. The maintenance, repair, replacement of any memorials, any special or unusual work in the cemetery;
- b. The reconstruction of any marble, granite, bronze or concrete work on any section or plot, or any portion or portions thereof in the cemetery, or other buildings or structures damaged by causes beyond Ivy Lawn’s control;
- c. Notwithstanding the forgoing, to the extent income from the endowment funds permit, Ivy Lawn reserves the right to use a portion of the income from such fund for such general care, maintenance, repairs, and embellishment as it in its sole discretion shall deem to be for the best interests of the entire park to the end that the facilities are generally to be kept in the best condition possible within the limits of such income.

• **AMOUNT OF DEPOSIT:**

The amount to be collected from each purchaser at the time of purchase is based on the price of the burial property. It is deposited in the endowment care fund. The amount shall be a sum not less than the legal requirement as set forth in Section 8738 of the California Health & Safety Code or any amendment thereto.

If a private sale of property is conducted the new purchaser is responsible to pay the difference between the original amount of endowment care paid and the current endowment care fee. It will be collected by Ivy Lawn when the paperwork is processed.

- **Deposit Required for Certain Memorials:**

Before any private mausoleum or memorial of any kind is erected, the proprietor must deposit in the endowment care fund a sum of money estimated by Ivy Lawn to be sufficient to yield an income for the special care of such structure.

- **Record of Deposits:**

A record shall be kept by Ivy Lawn showing the amounts deposited with the endowment care fund.

- **Investment of Endowment Care and Special Care Funds:**

The money received for endowment care and special care shall be held in trust and invested as provided by law. Ivy Lawn reserves the right to either handle all investments itself or deposit the funds with any person, company or corporation qualified to act as trustee for such funds, provided that any such trust shall be revocable at the discretion of Ivy Lawn.

- **Funds May Be Deposited with Others of Like Character:**

It is understood and agreed between the purchaser and Ivy Lawn that endowment care funds and special care funds may be deposited with others of like character and intent, to the end that the income from such accumulated funds shall be used for care as provided in the rules and regulations.

In no case shall the deposit of endowment care funds by purchaser be construed as a contract to care for any individual property or space in any way other than as defined in these rules and regulations.

Ivy Lawn reserves the right to establish special care funds, which shall be represented by a distinct agreement with purchaser, and shall be limited to the net income received from the investment of such funds.

- **Expenditure Limited to Income:**

Endowment care and special care shall be limited absolutely to the net income received from the investment of the care funds. In calculating net income, Ivy Lawn shall make reasonable provision for principal losses and major maintenance reserves as provided by California law.

- **Direction of Expenditure:**

The net income from the endowment care fund shall be expended by Ivy Lawn in such a manner as will, in its judgment, be most advantageous to the property owners as a whole, and in accordance with the purposes and provisions of the laws of the state applicable to the expenditure of such funds. Ivy Lawn reserves the full power and authority to determine for what purpose and in what manner the net income from the fund shall be expended, and it shall expend the net income in such a manner as, in its sole judgment, it may deem advisable pursuant to the

“Rules and Regulations.” Ivy Lawn may also expend the income from attorney’s fees and others costs necessary to the preservation of the legal rights of Ivy Lawn.

• **Amendments:**

Ivy Lawn expressly reserves the right, at any time or times, to adopt new rules and regulations, or to amend, alter, or repeal any rule, regulation, article, section, paragraph or sentence in these “Rules and Regulations.”

• **Exceptions and Modifications:**

Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. Ivy Lawn, therefore, reserves the right, without notice, to make exceptions, suspensions or modifications in any of these rules and regulations when, in its judgment, the same appear advisable. Such temporary exception, suspension, or modification shall in no way be construed as affecting the general application of such rule.

33. FEES, GRATUITIES AND COMMISSIONS

Ivy Lawn is a not for profit corporation. We do not pay commissions. No person employed by Ivy Lawn may receive any fee, gratuity or commission. Exceptions can be made when beliefs or wishes of the decedent so require.

34. SECURITY

Ivy Lawn reserves the right to maintain security if in its discretion it deems necessary. Ivy Lawn is under no legal obligation to provide security to owners or anyone else.

35. WORK DONE AT IVY LAWN

Only Ivy Lawn staff and equipment are used on cemetery grounds. This includes all used for burial services, cemetery functions, and included but not limited to the following:

- a. Opening and closing of graves;
- b. Building maintenance;
- c. Burials, disinterments, and removals;
- d. Basic care of graves and lawn;
- e. Planting, trimming, cutting or removals, tree care, shrub, lawn and herbage care;
- f. Landscape work and improvements of any kind.

• **Roadways and Re-Platting:**

Ivy Lawn reserves the right and privilege, at any time, and from time to time to:

- a. Re-survey, enlarge, diminish, re-plat, alter in any shape or size, or otherwise to change all or part, portion or subdivision of the property hereby mapped and platted. This shall include the right to lay out, establish, close, eliminate or otherwise modify or change the location of roads, walks, or drives together with easements and rights of way over and through the premises;

- b. File amended maps and plats;
- c. Erect buildings for any cemetery purpose;
- d. Install, maintain and operate pipelines, conduits or drains for sprinklers, drainage, electric or communication lines, or for any other purpose.

No such actions shall involve changing the boundaries of property which has been sold and deeded.

• **Non-Responsibility for Damages and Notice for Repair:**

Ivy Lawn shall not be responsible for any damage or injury from causes beyond its reasonable control, and especially from damage caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral. If a memorial, crypt or niche in the cemetery, or any portion thereof, or the contents thereof, has been damaged by causes beyond Ivy Lawn's control, Ivy Lawn may give a 10 day written notice of the necessity for repair to the owner of record. The notice shall be given by depositing the same in the U.S. mail addressed to the owner of records at their address stated on the books of Ivy Lawn. In the event the owner fails to repair damage within a reasonable amount of time Ivy Lawn may direct that the repairs be made and charge the expense to the owner of record.

RECEIPT
of
Ivy Lawn Memorial Park
“Rules & Regulations”

I (we) understand and agree that I (we) am bound by the “Rules & Regulations” of Ivy Lawn Memorial Park.

Signature(s) below indicate that I (we) have received a copy of the “Rules and Regulations.”

Signature

Date

Signature

Date