



RULES AND REGULATIONS

Revised and Adopted by Ivy Lawn Board of Directors

Revised 01/01/2014

IVY LAWN MEMORIAL PARK & FUNERAL HOME

A California Non Profit Public Benefit Corporation

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ABOUT IVY LAWN

Ivy Lawn Memorial Park offers 60 acres of burial options which translates into a final resting place with choices for every family! Whether you prefer a traditional burial plot or a garden

plot, a niche or a crypt, you will find Ivy Lawn offers pastoral settings, meadow areas, and secluded gardens with tree lined roads, flowers and shrubs of all kinds and colors. The large expansive grassy areas, the circulation patterns of winding roads, the landscape, the monuments and family mausoleums are elements of the character of the cemetery.

Ivy Lawn Memorial Park is the ONLY Historic District Cemetery in Ventura County! We are proud to be selected for this honor as the criterion states “A cemetery is eligible if it derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events”. Ivy Lawn Memorial Park is the final resting place for the largest percentage of historically significant individuals in all of Ventura County. Today there are over 50,000 individuals interred at Ivy Lawn.

Ivy Lawn Memorial Park contains cemetery sections, pathways, roadways, mausoleums, tombstones, monuments, columbarium and crypts and all have retained their original design. The Park is a concentrated collection and microcosm of 19th and 20th century individuals, military veterans, architecture, art iconography and symbolism. The cemetery evolved over the decades and reflects the changing times in both architecture and societal culture. Along with new interments, cemetery records reveal that many people were moved from other cemeteries to Ivy Lawn. From 1917 through 1960's hundreds of individuals were relocated from the Ventura Cemetery, and nearly all of the occupants of the Springville Cemetery. Often original monuments made the move with the people.

Today the majority of cemeteries are owned and operated by large for-profit corporations. Not Ivy Lawn Memorial Park! Ivy Lawn was established in 1917 by a group of public-spirited citizens who saw the need for the community to have a burial site available to people of all colors and all creeds. It was incorporated as a California non-profit public benefit corporation to serve the community.

Every penny gets invested back into the cemetery. Ivy Lawn is operated and maintained solely from the revenue produced by the services it provides, the sales it makes, and the income it receives from the careful investment of available funds. It receives no public funds. As a non-profit corporation, Ivy Lawn issues no stock and there are no shareholders.

It is notable that at Ivy Lawn the astute business practices and financial guidance of the Board of Directors has enabled the cemetery to remain an independent non-profit corporation directed by community leaders. The current Board of Director's are guided by the same spirit of the founding members. This makes Ivy Lawn Memorial Park unique.

Ivy Lawn is here for the living, those left behind after the death or those in pursuit of connecting with the past. Far from dead, Ivy Lawn Memorial Park is alive with activity and people.

We know that people come to the cemetery to spend time with their loved ones. They get comfort from a small plot of land or niche. People once held and loved by their families are now held and loved by the cemetery. Each person we bury has a story that is buried along with them and grieving family members are left behind to continue to tell their tales. That is why Ivy Lawn Memorial Park exists!

Nothing will change the pull that people feel towards Ivy Lawn. It is truly a place to come and remember, to walk, and to pray. It is our sacred honor to be the caretakers of these grounds so that we can continue to be a place for those seeking solace and comfort.

The Rules & Regulations of Ivy Lawn Memorial Park are based upon California State Law and the cumulative experience of Ivy Lawn officers and staff drawing upon their continuous cemetery management and operation commencing in 1917.

PREAMBLE

The Board of Directors of Ivy Lawn Memorial Park (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 or niches sold, shall be further subject to such other rules and regulations, 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 and niches shall have the same force and effect as if set forth in full therein.

Ivy Lawn Memorial Park Cemetery Maintenance Standards

Ivy Lawn Memorial Park is an endowment care cemetery and has maintenance standards to ensure the property is kept in a condition so as to prevent the cemetery’s offensive deterioration.

The cemetery property includes its lots, graves, grounds, landscaping, roads, paths, parking lots, fences, mausoleums, columbaria, vaults, crypts, utilities, and other improvements, structures, and embellishments.

At a minimum, the following maintenance standards are in effect for our cemetery property:

- (1) Trim or mow grass and prune shrubs and trees in and around the cemetery. Grass shall be trimmed or mowed to a level where flat markers of individual graves can be seen, on a daily basis.
- (2) Suppress or remove weeds on the developed cemetery property as needed.
- (3) Provide a sufficient supply of water to keep cemetery grass and plants as green as seasonally possible in accordance with natural terrain, availability of water, and local or county ordinances regarding water use.
- (4) Repair or restore improvements, structures and fences on the property which are owned by the cemetery as needed.
- (5) Keep cemetery roads seasonally accessible and repair surfacing which presents a hazard at all times.
- (6) Keep all occupied crypts and niches properly sealed or closed all of the time.
- (7) Refill or reset settled graves and markers within 10 days of the cemetery office becoming aware of the issue.
- (8) Repair any grave marker, monument, or burial vault that is damaged by the negligence of the cemetery or its employees or contractors within 30 days.
- (9) Supply and empty trash receptacles when filled, and keep public areas of the cemetery grounds and water features clear of trash and debris at all times.
- (10) Provide clear delineation of undeveloped cemetery property with the use of signage.
- (11) Control vermin and insect problems.

The care and maintenance of each cemetery may vary depending upon the cemetery size, location, topography and type of interments.

Nothing shall be construed to require specific topography, structures or other cemetery-related items on the property. Cemeteries, including sections within a cemetery that are specifically established and intended to be maintained in a natural condition are not subject to the requirements of subdivision.

Privacy Policy

Ivy Lawn has a privacy policy and will only release information with written consent from the deedholder. The policy states “ *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 for our cemetery, funeral home and crematory. For example, we need to know personal information (for purchaser, authorizing agent or decedent) such as someone's address, telephone number and social security number, among other things, to properly process and identify the person(s) who have passed or have authority to

make decisions and person(s) that have ownership of burial property and rights. 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.

We do not collect home, business or e-mail addresses, or account information from persons who simply browse our Internet Web site. We do not use cookies to collect or store personal information. We collect personal information about you through our Web site only if you provide it to us voluntarily through e-mail, forms, or requests.

We tell people who provide personal information to us the purpose for which the information is collected. We tell persons who are asked to provide personal information about the general uses that we will make of that information. We do this at the time of purchase. 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 tell people who provide personal information about their opportunity to review that information. Ivy Lawn memorial Park & Funeral Home allows individuals who provide personal information to review the information and contest its accuracy or completeness.

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. Management conducts periodic audits to ensure that proper information management policies and procedures are being followed.

1. BURIALS, CREMATIONS, DISINTERMENTS AND REMOVALS

1.01 HUMAN BURIAL SUBJECT TO LAWS

Only human remains may be buried at Ivy Lawn. The Park does not permit the burial of mementos, regardless of size, outside of caskets, urns or other remains containers. All burials, disinterments, cremations and removals are subject to the orders and laws of the properly constituted authorities of the state, county and city. When these rules and regulations are based directly upon a statute, parenthetical reference will be given to the pertinent code.

1.02 AUTHORIZATIONS

Ivy Lawn may open a grave for any purpose, including interment and disinterment, only upon proper written authorization by any grave owner of record and the legal next of kin of the deceased. Ivy Lawn may open a crypt or niche for any purpose, including disposition and removal, upon proper written authorization by the owner of record and the legal next of kin of the deceased, or pursuant to court order. Authorizations shall be made on forms approved by Ivy Lawn and filed in the office.

Ivy Lawn will honor the written direction restricting future interment, disinterment, removal or addition of remains given by the decedent prior to death.

If there is an existing burial in a grave, Ivy Lawn requires **all** next of kin of the decedent to sign and approve ANY changes to that grave including interments, marker placement, or conversion to the grave.

If arranging a burial (whether full casket or urn burial) that is to be placed in an occupied grave, there are required Authorizations that must be signed **prior** to scheduling the burial.

The following are required. There are NO exceptions:

- 1) The Deedholder(s) **MUST** sign and authorize for every burial in **any** grave that they own the rights to;
- 2) All authorizing agent(s) of the **existing** interment must authorize every additional burial in this grave. This includes All surviving siblings, parents, etc. ALL **MUST** sign and authorize an additional burial if there is a disturbance to any existing burial. No exceptions;
- 3) All authorizing agent (s) of the newly scheduled burial must sign an Authorization;
- 4) These same restrictions apply to the placement of a new marker or any change to an existing marker.

1.03 CASKET

Human remains which are to be interred or entombed shall be placed in a casket prior to delivery to Ivy Lawn. There are minimum requirements on the quality of the casket however it must fit in an approved outer burial container.

Caskets shall not be opened on the premises of Ivy Lawn except as provided below:

1. The casket may be opened by the funeral director for witnessed cremations (see 1.10).
2. The casket may be opened in case of a disinterment where remains must be transferred to a new casket.

1.04 CONDUCT OF FUNERALS AND SERVICES

Funerals and services shall be conducted under the direct supervision of the funeral director, but shall be subject to all rules and regulations of Ivy Lawn. Funeral Director must be present for the entire funeral service. If the service is “self

directed”, Ivy Lawn will request written agreement from the family or purchaser of the funeral services.

1.05 CONTAINERS FOR CREMATED REMAINS

Ivy Lawn will not accept for interment or inurnment cremated remains in a cardboard container.

1.06 OUTER BURIAL CONTAINER

The casket in every interment or entombment shall be enclosed in an approved outer burial container, with the exception of infant burials in the infant section. The urn in every interment of cremated remains shall be enclosed in an approved outer burial container with the exception of infant urn burials in the infant section.

If the outer burial container is ordered from an outside source there are specific forms and policies of Ivy Lawn that must be completed and followed. Ivy Lawn is not responsible for the inspection or approval of condition of any product ordered from an outside source. Ivy Lawn will NOT sign for delivery of any product including a vault when purchased from an outside source.

1.07 LOCATION OF GRAVE WITHIN A PLOT

The owner (deedholder) of a plot shall designate which grave within the plot shall be used for burial. The next of kin of decedent will also have to sign an Authorization.

1.08 SCATTERING GARDENS

Scattering is only allowed in designated areas. The remains will be poured into a vault that is set below the soil so they are not exposed. Only persons permitted to scatter are the deceased family or cemetery personnel. California codes state remains must be removed from the container before scattering, and must be distributed so that passersby will not be disturbed by the remains. Except with the written permission of the person with the right to control the disposition of the remains, the law prohibits commingling cremated remains prior to scattering. The urn/container can be returned to the family or Ivy Lawn can destroy if requested.

1.09 INTERMENT OF UNCLAIMED CREMATED REMAINS

Ivy Lawn reserves the right to dispose of cremated remains by interment in an unmarked grave after ninety (90) days, when it has not been contacted by the family or funeral director with other acceptable instructions. Ivy Lawn will advise the family and funeral director by letter, certified return receipt requested, sent to the last known addresses, at least fifteen (15) days prior to any such burial.

1.10 CREMATION PROCEDURES

1. Requirements for Cremation. Cremation will take place only after all of the following conditions have been met:

- a. Scheduled ceremonies or viewings have been completed.
- b. Authorization(s) have been signed by lawful parties. If signed outside the presence of Funeral Home or Ivy Lawn staff, Authorizations MUST be notarized.

- c. The body has been delivered to Ivy Lawn in an appropriate container.
- d. Verification of identity has been completed by matching tags with labels on container.
- e. Civil and medical authorities have issued all required permits and certificates.
- f. All necessary authorizations have been obtained, and no objections have been raised.

2. 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 with the express written permission of the person(s) entitled to control disposition of all of the remains involved. (California Health and Safety Code §7054.7.)

3. Caskets/Containers. Ivy Lawn requires either a casket or an approved container for cremation. Ivy Lawn does not accept metal caskets for cremation. Ivy Lawn reserves the right to inspect the casket or alternative container. Ivy Lawn may contact the funeral director directly for instructions in the event of any question.

a. Many caskets that are comprised primarily of combustible materials may also contain some exterior parts, e.g. decorative handle or rails, that are not combustible and that may cause damage to the cremation equipment. 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, prior to cremation and to discard them with similar material from other cremations and other refuse in a non-recoverable manner.

b. If an alternative container is provided it must meet the following standards:

- (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 sufficiently sturdy for handling with ease and
- (5) Be able to provide protection for the health and safety of crematory

personnel.

4. Urns/Temporary Containers. After the cremated remains have been processed, they will be placed in the designated urn or container provided by Ivy Lawn. Ivy Lawn will make a reasonable effort to put all of the cremated remains in the urn or container, with the exception of dust or other residue that may remain on the processing equipment. 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. In the event the urn or other container selected is insufficient to accommodate all of the cremated remains, the excess will be placed in a separate urn provided by Ivy Lawn and handled according to the disposition instructions given in writing. Ivy Lawn will always place the cremated remains in a plastic or temporary urn. Ivy Lawn will NOT divide or separate remains. Funeral Home handling a cremation will be responsible for changing urns.

5. IDENTIFICATION

The family may wish to identify the decedent prior to cremation process beginning. It is the responsibility of the Funeral Director to perform this by opening the container

to show the face of the decedent to the family. The family will remain behind the glass partition but will be able to see the decedent for identification purposes only. Ivy Lawn will also accommodate a picture identification is requested by the funeral home.

11. WITNESSED CREMATIONS

1. Policy. The crematory at Ivy Lawn is not open to the public. Witnessing a cremation is a privilege which may be granted in appropriate circumstances. Consent to witnessing of cremation may be withdrawn at any time.

1. Cause. Witnesses to a cremation may be allowed for religious or other good cause.

2. Consent. Written consent must be obtained from the following prior to cremation:

1. Ivy Lawn.

2. All the individuals who signed the cremation authorization.

3. Eligible Witnesses. If authorized, the following may witness a cremation:

1. Spouse, parents, children or other relative(s) of the decedent or as designated by the Authorizing Agent. A child under the age of 18 will not be allowed to witness a cremation service unless the legal guardian(s) consents.

2. Close personal friend(s) of the decedent.

3. A member of the clergy who officiated at the funeral or memorial services for the decedent.

4. Facility Limitations. The witness area at the crematory is limited. Ivy Lawn reserves the right to limit the number of witnesses. Usually, no more than ten (10) will be allowed. Ivy Lawn must have advance notice of special requirements of anyone with a physical limitation requiring special assistance or preparation. If advance arrangements have not been made, Ivy Lawn reserves the right to restrict or deny witnessing by such individual.

5. Witness Form. Witnesses must sign, through the funeral home, a form acknowledging receipt of a copy of the rules, and must agree to waive any claims for any emotional distress or any other harm caused by a cremation conducted in a manner approved by Ivy Lawn.

6. Conduct of Witnessed Cremation. The following rules will benefit and protect the witnesses to cremations and Ivy Lawn Memorial Park and Crematory. They are intended to protect and provide respect for the decedent and the witness participants. The following procedures will be followed:

A witnessed cremation shall comply with the laws of the State of California applying to cremations. Witnesses must follow direction of Ivy Lawn personnel during the preparation for the cremation, and the cremation itself. No deviation from statutory requirements will be permitted.

1. Witnesses must:

- A) Follow the direction of Ivy Lawn staff. No deviation from statutory requirements will be permitted;
- B) Witnesses must remain in the designated witness area;
- C) Witnesses will leave when the container had been placed in the chamber;
- D) No attendee will be allowed to go beyond the glass wall;
- E) Proper decorum will be maintained during cremation. Ivy Lawn reserves the right to remove any individual who is not respectful of the proceedings and other individuals present.

2. Witnesses must remain in the designated area of the crematory for the witnessing.

3. With approval of and supervision by the funeral director, a viewing of the deceased may be permitted prior to cremation.

1.12 DATE RESTRICTIONS

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.

1.13 DELAYS

In the event of inclement weather or other physical circumstance which precludes interment, Ivy Lawn will place the casket temporarily in a secure location until the interment can be completed.

Ivy Lawn reserves the right to refuse to perform burials in any case where contesting claims have not been resolved by agreement of all parties concerned or order of court of competent jurisdiction.

1.14 CHARGES

All burials, cremations, disinterments and removals are subject to the payment of such charges by the person authorizing the services at the rates fixed by Ivy Lawn from time to time. Arrangements for the payment of any and all charges due Ivy Lawn shall be made before the service is provided. No burial service shall be made or memorial placed in or on any property until paid in full.

Ivy Lawn may, in its sole discretion, make exceptions to this rule. In the event an exception is made, any and all burials or memorials placed in or on the property shall be considered as temporary.

1.15 IVY LAWN'S EQUIPMENT MUST BE USED

No outside equipment is allowed. The following equipment used for interments shall be provided exclusively by Ivy Lawn: Canopies, Chairs, Podiums, Tables, Lowering devices and mechanical equipment.

1.16 ERRORS MAY BE CORRECTED

Ivy Lawn reserves the right to correct any errors that may be made by Ivy Lawn either in making burials, disinterments or removals. If the error is the interment of the remains of any person in the wrong grave, Ivy Lawn reserves the right to remove and reinter the remains in the proper 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, transfers or conveyance of any property, either by canceling such conveyance and substituting other property of equal value and similar location or by refunding the money paid. The owner and other approved parties will be notified of any such change.

1.17 CARE IN REMOVAL

Ivy Lawn shall exercise due care in making a disinterment and removal, but it shall assume no liability for damage to any casket or outer burial container or urn incurred in making the disinterment and removal. A funeral director of the authorizing individual(s) choice must be present and must be responsible for taking custody of the remains and repair or replacement of the casket.

1.18 DISINTERMENT OF MULTIPLE GRAVES

Where a grave has been used for interment of multiple human remains, Ivy Lawn shall require appropriate disinterment authorizations for all remains in the grave.

2. RIGHTS OF PROPERTY OWNERS

2.01 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.

Burial rights are issued to the deedholder by a Deed issued by Ivy Lawn. If property is not completely paid for then no burials can take place. Ivy Lawn offers a payment plan. Property must be paid in full prior to any burials.

Ivy Lawn Memorial Park **PAYMENT PLAN** terms are as follows:

- a) Require minimum 25% down payment. (Includes both cost of plot and the endowment care);
- b) Monthly payment must be made every month;
- c) Payments are amortized over 12 months with NO interest;
- d) Ivy Lawn Memorial Park will email or mail (at extra charge) out monthly invoices;
- e) Monthly payment can be made any day of the month that it is due;
- f) Payments can be made by cash, check, or credit card;
- g) Subject to Rules and Regulations of Ivy Lawn Memorial Park.

If payments are being made as part of the Ivy lawn Payment Plan then those rules and regulations apply. If the purchaser fails to make a scheduled payment, and fails to cure by payment within thirty days after the same is demanded by Ivy Lawn, then Ivy Lawn may repossess the property. Any payments made on account shall be retained

by Ivy Lawn as liquidated damages. Ivy Lawn shall have the right to refuse to place or to remove any memorial that may have been placed on the property.

It is the policy of Ivy Lawn to buy back any burial property purchased from them. Ivy Lawn will reimburse 100% of the cost of the grave and any endowment care fees paid. Ivy Lawn will not pay more than the purchase price. There is a one time “return fee” that will be charged when the return is requested. Check with the office to verify what the fee is.

2. BURIAL RIGHTS OF PROPERTY OWNERS

1. The Deed issued by Ivy Lawn will identify the owner “Deedholder” of the property.
2. All property conveyed to individuals, if not designated at time of purchase, may be presumed to be the sole and separate property of the owner named in the instrument of conveyance. (California Health and Safety Code §8600.) Exceptions may be made if Will or Trust documents are provided.
3. 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. (California Health and Safety Code §8601.)
4. No conveyance or other action of the owner without the 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 burial of a non-titled spouse unless otherwise provided in the decree. (California Health and Safety Code §8602.)
5. Ivy Lawn may rely upon an 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 §8605.)
6. In a conveyance to two or more persons as joint tenants each joint tenant has a vested right of burial in the property. Upon the 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 the death of one joint tenant and establishing the identity of the surviving joint tenants named in the deed to any property, when filed with Ivy Lawn, is complete authorization to Ivy Lawn to permit the use of 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 §§8625-8628.)
7. When there are several owners of a property, or of 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 §8629.)

8. 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 by statute 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.
 - d. All authorizations have been signed as required by statute and these rules.
9. No one shall be buried in any property not having any interest therein, except by written consent of Ivy Lawn and all parties that have an interest in such property.
10. Family plots require planning for future burials. If the deedholder passes away without a Will, and NO arrangements were made for who would have the rights to each one of the graves, All children of the deedholder(s) must agree that no assignment, sale, transfer, or donation of any unused portion of a family plot shall be made unless all persons entitled to interment in the family plot are deceased or have expressly waived in writing the right to be interred in the family plot.

3. MULTIPLE BURIALS IN ONE PROPERTY

1. 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 that more than one body, or the remains of more than one body, may be interred.
 - a. If there was no prior written agreement, any new burial will require the signature of the deedholders, and will also require the signatures of all the family members to authorize an additional burial where an existing burial exists.
2. Where a grave is designated for disposition of multiple remains, the following limitations apply:
 - a. In a single depth grave, not more than one casket and four cremated remains, or
 - b. In a double depth grave, not more than two caskets and four cremated remains.
3. Crypts may contain no more than one casket with one set of cremated remains, or not more than six cremated remains. Exception will be made for a "Cremation Estate" purchased for the purpose of multiple cremation burials, similar to a family plot.
4. Niches may contain the number of cremated remains which space allows.
5. Ivy Lawn will permit a property sold for one person to be used for multiple burial on the following conditions:
 - a. There is no written limitation by the purchaser of the property who has been buried in the property prohibiting conversion;

- b. The site is reviewed by Ivy Lawn personnel to determine the depth of existing burials and found to be suitable for multiple disposition;
 - c. Proper consent and authorizations are obtained for disinterment and reinterment, if necessary.
 - d. Ivy Lawn shall be paid a conversion fee equal to the price difference between single depth and double depth graves in effect at the time of the conversion.
 - e. All charges for services, including disinterment and reinterment, are paid based upon current schedules.
6. Cremated remains may not be added to a casket which has been previously buried.

4. FAMILY PLOTS

A “family plot” is a section of graves containing at least six (6) graves and up to twelve (12) graves, located in a designated “monument” area in the cemetery. The plots can contain full graves either single burial or “double depth” graves.

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.

7. For IVY LAWN FUNERALHOME direct burial means the following:

NO washing of the body, NO viewing of the body, NO identification, NO embalming, NO dressing, NO procession by foot or vehicle, NO clergy arrangements, NO combination of services with other funeral homes. FAMILY understands and agree that only Ivy Lawn will assist transport of the casket to the grave in designated van;

8. FAMILY will greet casket at the graveside, NO exceptions;

FAMILY may witness lowering but must leave graveside by 4:45 pm NO EXCEPTIONS; FAMILY understands that soil will be immediately placed into the grave at time of lowering;

FAMILY will observe all safety instruction from staff during burial;

FAMILY will observe the code of conduct while in the cemetery at all times;

FAMILY must agree to treat all staff with dignity and respect, no foul language will be permitted;

FAMILY is responsible for all personal effects and will directly handle any personal property.

FAMILY understands that there are specific requirements and limitations for any grave marker specific to the grave location. There are NO exceptions to the rules and regulations for a grave marker either a single grave, multiple graves and/or monument markers. Please refer to Ivy Lawn Rules & Regulations attached.

9. IVY LAWN can handle pick-up and delivery of casket from outside vendor;

2.04 DESCENT OF PROPERTY RIGHTS

1. 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 subject to the rights of burial of the decedent and the surviving spouse. The forgoing 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. (California Health and Safety Code §8603.)

2. If the owner dies without a Will, the plot shall pass according to the laws of intestate succession. The forgoing 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 in the office of Ivy Lawn. (California Health and Safety Code §8650.)

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

4. If no parent or child survives, the right of burial 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. (California Health and Safety Code §8652.)

5. 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 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. (California Health and Safety Code §8653.)

6. 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. (California Health and Safety Code §8680.)

2.05 SUBDIVISION OF PROPERTY

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

2.06 TRANSFERS AND ASSIGNMENTS

No transfer or assignment of any property, or interest therein, shall be valid until the consent of Ivy Lawn has been endorsed on the transfer document, fees have been paid, and the same has been recorded in the records of Ivy Lawn. Ivy Lawn may fix a charge for all transfers of ownership. No transfers of ownership shall be complete or effective until all charges are paid. Ivy Lawn may refuse to consent to a transfer or to an assignment as long as there is any indebtedness due Ivy Lawn from the record owner.

2.07 CHANGE IN ADDRESS OF PROPERTY OWNERS

It shall be the duty of the property owner to notify Ivy Lawn in writing of any change in mailing address. Notice sent to a property owner at the last address on file in the office of Ivy Lawn shall be considered sufficient and proper legal notification.

2.08 WRITTEN AGREEMENT

The certificate of ownership and these rules and regulations, and any amendments thereto, shall be the sole agreement between Ivy Lawn and the owner.

2.09 NO RIGHT GRANTED IN ROADWAYS

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.

2.10 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, terra-cotta, sand, cement, gravel or wood shall be allowed on any grave or plot. Ivy Lawn reserves the right to remove the same if so erected, planted or placed.

3. GENERAL SUPERVISION OF CEMETERY

3.01 ADMISSION TO CEMETERY

Ivy Lawn is open to the general public daily, at hours posted at the gates. Anyone on the premises at other hours without permission of Ivy Lawn is trespassing.

3.02 CONDUCT WITHIN THE CEMETERY

1. Ivy Lawn reserves the right to remove persons engaged in inappropriate conduct, including any of the following:
 1. Boisterous or unseemly conduct. This shall include conduct which is disruptive or disrespectful to the deceased or visitors.
 2. Smoking within any of the buildings
 3. Throwing of rubbish on the drives and paths, or on any part of the grounds or in the buildings. Receptacles for waste material are located at convenient places throughout the park.
 4. Driving through the grounds at a greater speed than fifteen miles per hour. Vehicles must always be kept on the right hand side of the roadways.
 5. Peddling of flowers or plants.
 6. Solicitation of any kind within the Park is not permitted, including memorial business.
 7. Possession of firearms within the park except with special permission from Ivy Lawn.
 8. Posting of signs or notices or advertisements of any kind, unless authorized by Ivy Lawn.

9. Failure to keep pets in vehicles. Exception shall be made for seeing-eye dogs.
10. Urinating in public.
11. Consuming alcoholic beverages.
12. Loitering
2. Children under sixteen years of age will not be permitted within the Park, or its buildings, unless accompanied by a supervising adult.
3. All persons are prohibited from gathering flowers, either wild or cultivated, or harming trees, shrubbery or plants, or disturbing animal life.
4. No person shall be permitted to cook or prepare food within the Park, except as authorized by the management. Picnicking is not permitted.
5. Ivy Lawn reserves the right to prohibit photography in the Park under circumstances which could reflect a lack of respect for any decedents or their families, or loved ones.

3.03 CHAPEL

All arrangements for any service in the chapel must be made through the office at Ivy Lawn. All services must be conducted consistent with Ivy Lawn Rules and Regulations. All paperwork must be completed, signed and accepted by Ivy Lawn prior to use.

Ivy Lawn Memorial Park & Funeral Home offers some of its facilities, grounds, and/or equipment for rent/use by the public. Each request is evaluated on an individual basis. **All requests are subject to the priority of the schedule of the cemetery and the schedule of the funeral home.** Fees, forms and signed agreements are due and payable prior to confirmation of the request. All requests can be made through the administration office.

3.04 DECORATIONS

1. Floral Regulations. No flower vases may be placed on any grave, crypt or niche unless approved by Ivy Lawn. The vase shall be of approved size, design and material. Vases must be purchased from Ivy Lawn. Ivy Lawn shall have authority to remove all floral designs, flowers, weeds, trees, shrubs, plants or herbage of any kind as soon as they become unsightly, in the judgment of the management. Ivy Lawn shall not be liable for floral pieces, baskets or frames in which or to which such floral pieces are attached. Ivy Lawn shall not be liable for lost, misplaced or broken flower vases. Ivy Lawn shall not be responsible for plants, herbage or plantings of any kind damaged by the elements, thieves, vandals or by other causes beyond its control. Ivy Lawn reserves the right to prevent the removal of any flowers, floral designs, trees, shrubs or plants, or herbage of any kind.
2. Ornaments. All attachments, adornments, inscriptions and name plates for crypts or niches are subject to approval by Ivy Lawn. The placing of boxes, shells, toys, metal designs, ornaments, chairs, settees, vases, glass, wood or iron cases, and similar articles, upon graves is not permitted. Photographs, souvenirs, wreaths, or flags or other emblems, are prohibited in the

mausoleum or columbarium, with the exception of items placed inside a niche. Ivy Lawn will remove any prohibited decorations.

3. Holidays. Potted plants and appropriate artificial decorations will be permitted on the following days - Memorial Day, Easter, Mother's Day, Father's Day and Christmas. Specific limitations on decorations are posted in the Park. Any items left will be picked up and disposed of by Ivy Lawn. Ivy Lawn shall not be responsible for damage or loss of plants, decorations or containers.

3.5. FEES, GRATUITIES AND COMMISSIONS

No person employed by Ivy Lawn may receive any fee, gratuity or commission. Exception may be made when religious beliefs of the decedent so require.

3.06 USE OF SECURITY SERVICE

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

3.07 WORK TO BE DONE BY IVY LAWN

Only Ivy Lawn shall do any of the following in the Park.

1. Openings and closings of graves;
2. Burials, disinterments and removals;
3. Basic care of graves;
4. Planting, trimming, cutting or removal of trees, shrubs, lawns and herbage of any kind;
5. Landscape work and improvements of any kind;
6. Grading.
7. Work on grave markers

3.08 IMPROVEMENTS

All improvements or alterations of individual property in the park shall be under the direction of and subject to the consent, satisfaction and approval of Ivy Lawn. Ivy Lawn shall have the right to remove, alter or change such improvements or alterations at the expense of the property owner should they be made without its written consent, or, when, in its judgment, they become unsightly to the eye.

3.09 ROADWAYS AND REPLATTING

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

1. Resurvey, enlarge, diminish, replat, alter in any shape or size, or otherwise to change all or any 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.
2. File amended maps or plats.
3. Erect buildings for any cemetery purposes

4. Install, maintain and operate pipelines, conduits or drains for sprinklers, drainage, electric or communication lines, or for any other purposes.

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

3.10 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 United States mail addressed to the owner of records at his or her address stated on the books of Ivy Lawn. In the event the owner fails to repair the damage within a reasonable time, Ivy Lawn may direct that the repairs be made and charge the expense to the owner of record.

4. MEMORIALS AND PRIVATE MAUSOLEUMS

4.01 GENERAL RULES

- I. Names. The name or inscription on each memorial must be of the person buried there. No changes shall be made thereon except upon request of the proper parties and by permission of Ivy Lawn.
- II. Placement. Not more than three memorials will be allowed to be placed on each full grave. Not more than one memorial will be allowed to be placed on each half grave or infant grave. Memorials shall occupy only such space on the grave as shall first be approved by Ivy Lawn
- III. 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, 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 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.

IV. Customization of Memorial Products: Ivy Lawn Memorial Park & Funeral Home assists customer when ordering markers, pedestals, benches, and/or monuments. The manufacturers we work with provide the designs and the materials as they specialize in “memorial products”. The manufacturers insure the quality of the products they offer based on their expertise, knowledge and experience.

Ivy Lawn Memorial Park & Funeral Home relies on the experience and recommendations from the manufacturers of the memorial products.

When customizing a “standard” product you must be aware that you may be compromising the quality and future of the product you are ordering.

We will strive to assist you with a custom order but because you are choosing custom changes you must accept and agree that you are responsible for the future condition of the product. Ivy Lawn Memorial Park & Funeral Home cannot guarantee the product if custom changes have been made to it.

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

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

4.02 FLAT MARKERS

Only flat markers set flush with the grass, of approved dimensions and materials, will be allowed at the graves. Single grave must be 28 X1 6. If 2 graves side by side a 40 X 16 marker can be used.

4.03 UPRIGHT MONUMENTS

Because of the layout of Ivy Lawn Memorial Park, upright monuments are allowed **only** in family plot sections which have been designated by the Board of Directors. They are not permitted in any other part of the cemetery.

A “family plot” is a section of graves containing at least six (6) graves and up to twelve (12) graves, located in a designated “monument” area in the cemetery. The plots can contain full graves either single burial or “double depth” graves.

The “family” plots will share one upright monument. One central memorial is allowed on a “family” plot defined as a plot containing at least 6 graves. The approved upright monument shall be set in the center (the easement) of the plot, unless otherwise requested and approved by Ivy Lawn.

- Both subbase and die must be granite.
- There are additional charges for setting the concrete base.
- There are different endowment care fees on an upright monument.
- All upright monuments shall be of dimensions approved by our Board of Directors.

Size and design must be submitted to the Ivy Lawn office for review and approval

All upright monuments shall be of dimensions approved by the Board of Directors of Ivy Lawn. Both subbase and die must be granite.

One central or family memorial shall be allowed on a plot containing at least 6 graves. A family memorial shall be set in the center of the plot, unless otherwise requested and approved by Ivy Lawn.

Because of the layout of the burial park, upright monuments may be placed only in sections designated by the Board of Directors. They are not permitted in any other part of the cemetery.

4.04 NICHES

On a glass front niche, no memorial is permitted on the exterior. Items which can be seen through the glass on a niche must be respectful of the decedent, and must not be deliberately offensive to the immediate surrounding uses of the cemetery. Ivy Lawn shall determine the propriety of the items. If there is cause for reopening of a glass niche Ivy Lawn will:

1. Require written authorization by all next of kin. by authorized parties;
2. Require family member be present;
3. Require 2 Ivy Lawn staff or 1 staff member and security officer present;
4. Require photos be taken for documentation;
5. Require fees be paid prior to appointment being made;
6. Accommodate by appointment only between the hours of 9 am and 2 pm;
7. No valuables will be allowed;
8. Not allow anyone to stand in ladder or stool other than Ivy Lawn staff.

On a bronze front or top niche or a marble front niche, only a bronze marker, of the same style of the surrounding niches, is permitted.

4.05 URN GARDENS

The markers in the “Garden of Memories” , “Garden of Tranquility” , must be made of granite. Other “gardens” allow for additional choices of markers. The markers in these and other urn gardens shall be of approved dimensions and materials.

4.06 CRYPTS

On a crypt, only a bronze marker, of similar style of the surrounding crypts, is permitted.

4.07 SCATTERING GARDENS

Name of deceased, year of birth and year of death only will be memorialized on the granite wall. All fonts, formats and sizes of lettering must be the same.

4.08 MATERIALS, LETTER CUTTING AND CLEANING

Memorials must be of granite or bronze. The use of bronze is approved for statuary and attachments to monuments or markers of granite. A veteran's grave, or the grave of the spouse of a veteran, may use a Government Issue marble memorial.

Producers of monument materials, meaning thereby quarries, quarries who also manufacture 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 date of setting, the memorial will be replaced without cost to Ivy Lawn or owner. The bottom beds of all bases and markers must be cut level and true.

Letter cutters, persons or firms who engage in the business of cleaning monuments (not connected with established retail dealers already on the approval list of dealers), and all other persons or firms, must procure permission from Ivy Lawn before any work in the cemetery is commenced. In order to secure such permission it shall be necessary for the person or firm to submit satisfactory evidence of their ability properly to perform the work for which they have been engaged. All required documents must be signed and accepted prior to any work being done.

No memorial showing drill or tool marks, or staining from removal of rubber mat used for sand engraving, shall be considered as first grade workmanship.

4.09 INSTALLATION OF MEMORIALS

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

All grave markers must be set by cemetery employees, with the exception that upright monuments 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 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 charged to the dealer or contractor, or to 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 required for immediate use. Material shall not be placed on lots adjoining the one on which such a structure is to be erected without 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 as the Board of Directors deems appropriate.

4.10 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 office of the cemetery and permission be granted by Ivy Lawn in writing.

4.11 NONRESPONSIBILITY FOR DAMAGE

While Ivy Lawn will exercise reasonable care to protect raised lettering, carving or emblems on 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.

4.12 PRIVATE MAUSOLEUMS

Private mausoleums shall be constructed only in areas in the burial 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 a mausoleum must have approval of the Board of Ivy Lawn. Private mausoleums shall be constructed by a licensed contractor engaged and paid by the owner, and approved in advance by Ivy Lawn.

4.13 ABOVE-GROUND CRYPTS Above-ground crypts shall be permitted in the Park in the Mausoleum, the Columbarium or any approved private mausoleum.

5. ENDOWMENT AND SPECIAL CARE

5.01 ENDOWMENT CARE

Every endowment care cemetery shall have cemetery maintenance standards to ensure the property is kept in a condition so as to prevent the cemetery's offensive deterioration. The cemetery maintenance standards shall be in accordance with either subdivision (b) or subdivision (c) of this Section.

Maintenance of the cemetery's property shall include its lots, graves, grounds, landscaping, roads, paths, parking lots, fences, mausoleums, columbaria, vaults, crypts, utilities, and other improvements, structures, and embellishments. The care and maintenance of each cemetery may vary depending upon the cemetery size, location, topography and type of interments.

(b) Ivy Lawn shall perform, at a minimum, the following maintenance on its cemetery property:

- (1) Trim or mow grass and prune shrubs and trees in and around the cemetery. Grass shall be trimmed or mowed to a level where flat markers of individual graves can be seen.
- (2) Suppress or remove weeds on the developed cemetery property.
- (3) Provide a sufficient supply of water to keep cemetery grass and plants as green as seasonally possible in accordance with natural terrain, availability of water, and local or county ordinances regarding water use.
- (4) Repair or restore improvements, structures and fences on the property which are owned by the cemetery.
- (5) Keep cemetery roads seasonally accessible and repair surfacing which presents a hazard.
- (6) Keep all occupied crypts and niches properly sealed or closed.
- (7) Refill or reset settled graves and markers annually, or within 120 days of the cemetery office becoming aware of the issue.
- (8) Repair any grave marker, monument, or burial vault that is damaged by the negligence of the cemetery or its employees or contractors.
- (9) Supply and empty trash receptacles when filled, and keep public areas of the cemetery grounds and water features clear of trash and debris.
- (10) Provide clear delineation of undeveloped cemetery property with the use of signage.
- (11) Control vermin and insect problems.

(c) An endowment care cemetery may establish written rules and regulations in accordance with Health and Safety Code Section 8300. At a minimum, the rules and regulations addressing maintenance of the cemetery's property shall include its lots, graves, grounds, landscaping, roads, paths, parking lots, fences, mausoleums, columbaria, vaults, crypts, utilities, and other improvements, structures, and embellishments.

(d) Notwithstanding subdivision (b), the care and maintenance of each cemetery may vary depending upon the cemetery size, location, topography and type of interments.

(e) Nothing contained in subdivision (b) shall be construed to require specific topography, structures or other cemetery-related items on the property. Cemeteries, including sections within a cemetery that are specifically established and intended to be maintained in a natural condition are not subject to the requirements of subdivision (b), with the exception of (4), (5) and (9). Non-endowment care sections of a cemetery are exempt from the requirements of this Section.

(f) The cemetery contract shall include a statement notifying consumers that maintenance standards are available for inspection at the cemetery office. Upon the consumer(s)' request, the cemetery shall provide, for the consumer(s)' retention, a written copy of their maintenance standards.

(g) The amount collected by the cemetery in endowment care fees under Health and Safety Code Section 8738 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

their rules and regulations as described in subdivision (a) or subdivision (b) of this Section if subdivision (a) is not applicable.

5.2. SPECIAL CARE NOT INCLUDED

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

- the maintenance, repair or replacement of any memorials; any special or unusual work in the cemetery;
- 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.

- Notwithstanding the forgoing, to the extent income from endowment funds permits, 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.

5.03 AMOUNT OF DEPOSIT

The amount to be collected from each purchaser at the time of payment of the purchase price and to be deposited in the endowment care fund 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 made, the new purchaser will be responsible for the difference of the amount of endowment care paid at time of the original purchase and the current endowment care fee. This will be collected by Ivy Lawn when the transfer/purchase is processed.

5.04 DEPOSIT REQUIRED FOR CERTAIN MEMORIALS

Before any private mausoleum or columbarium 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.

5.05 RECORD OF DEPOSITS

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

5.06 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 either to handle all investments itself or to 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.

5.07 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 written agreement with purchaser, and shall be limited to the net income received from the investment of such funds.

5.08 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.

5.09 DIRECTION OF EXPENDITURES

The net income from the endowment care fund shall be expended by Ivy Lawn in such 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 these Rules and Regulations. Ivy Lawn may also expend the income for attorney's fees and other costs necessary to the preservation of the legal rights of Ivy Lawn.

6. AMENDMENTS

6.01 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.

6.02 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.

7. DEFINITIONS

APPROVED - an item which has been reviewed by Ivy Lawn management or Board of Directors, or both, and is permitted for use or application in the Park.

BURIAL - permanent disposition of human remains, including cremated remains, by interment, entombment or inurnment.

BURIAL PARK - those areas of the Park set designated for interments.

CASKET - a container made of approved substance(s) to hold uncremated human remains.

CEMETERY - the burial park, for earth interments, the mausoleum for crypt or vault interments, and the columbarium for inurnments.

COLUMBARIUM - a structure containing niches.

CREMATION - incineration of human remains, the processing of those remains, and the placing of the processed remains into an appropriate container.

CREMATION CHAMBER - the enclosed space within which the cremation of human remains is performed.

CREMATORY - facility where cremations are performed.

CRYPT - a space in the mausoleum used for entombment of human remains.

DISINTERMENT - the opening of a grave for removal from Ivy Lawn, for the moving of remains and reburial at Ivy Lawn, to permit cremation of interred remains, exhumation, or any other lawful purpose.

DISPOSITION - the permanent placement of human remains as permitted by law. It shall include interment, inurnment, entombment and scattering.

ENTOMBMENT - placement of human remains, including cremated remains, in a crypt.

FAMILY PLOT - a plot which has become inalienable by virtue of California law (See 2.04).

FLAT MARKER - an object made of approved substance(s) containing information identifying and describing the decedent buried in the grave, that is placed horizontal to the ground.

GRAVE - a space of ground designated for burial.

INTERMENT - placement of human remains, including cremated remains, in a grave.

INURNMENT - placement of cremated remains in an urn in a niche.

MAUSOLEUM - means a building or structure, used or intended to be used, for the entombment of human remains. Public mausoleum means one built by Ivy Lawn for the use of the general public. Private mausoleum means one built by a property owner for use of a family or other limited class of people.

MEMORIAL - an upright monument, flat marker, and the plate on a crypt or niche.

MENTOS - tangible personal property.

NICHE - a space in a columbarium or other structure within the Park designated for inurnment of cremated human remains.

PARK - the entire premises of Ivy Lawn Memorial Park located on Valentine Road in Ventura, California

PLOT - one or more adjoining graves.

PROPERTY - a grave, plot, crypt or niche.

REENTOMBMENT - entombment of human remains previously entombed within a crypt.

REINTERMENT - interment of human remains previously interred within the burial park.

REINURNMENT - inurnment of human remains previously inurned within the cemetery.

UPRIGHT MONUMENT - an object made of approved substance(s) containing information identifying and describing the decedent buried in the grave, that is placed perpendicular to the ground.