

RULES

AND

REGULATIONS

DESERT LAWN MEMORIAL PARK, INC.

KENNEWICK.....WASHINGTON

RULES AND REGULATIONS OF DESERT LAWN MEMORIAL PARK, INC.

For the mutual protection of every plot purchaser in Desert Lawn Memorial Park, Inc., Desert Lawn Memorial Park hereby adopts the following rules and regulations. All property owners and persons within the cemetery, and all plots sold, shall be subject to said rules and regulations, and subject, further, to such other rules and regulations, amendments or alterations as shall be adopted by Desert Lawn Memorial Park from time to time; and the reference to these rules and regulations in the deed or certificate of ownership to plots shall have the same force and effect as if set forth in full therein.

DEFINITIONS

Cemetery

The term "cemetery" means the burial park, used or intended to be used for placement of human remains; the community mausoleum, for crypts entombments; the columbarium, for cinerary inurnments, the crematory, and dedicated, for cemetery purposes.

Human Remains

"Human remains" or "remains" means the body of a deceased person, includes the body in any stage of decomposition, and includes cremated human remains. "Cremated human remains" means the end products of cremation.

Plot, Grave, Crypt and Niche

"Plot" means space in the cemetery used, or intended to be used, for the interment of human remains. The term includes and applies to one or more than one adjoining grave.

"Grave" means a space of ground in a burial park used, or intended to be used, for burial.

"Crypt" means a space in a mausoleum of sufficient size used, or intended to be used, to entomb casketed human remains.

"Niche" means a space in a columbarium used, or intended to be used, for inurnment of cremated human remains.

Mausoleum and Columbarium

"Mausoleum" means a structure or building for the entombment of human remains in crypts in a place used, or intended to be used, and dedicated, for cemetery purposes.

"Columbarium" means a structure, room or other space in a building or structure containing niches for permanent placement of cremated human remains in a place used, or intended to be used, and dedicated, for cemetery purposes.

Interment, Entombment and Inurnment

"Interment" means the disposition of human remains by burial, entombment, or cremation and inurnment.

"Entombment" means the placement of human remains in a crypt.

"Inurnment" means placing cremated remains in an urn and placing it in the ground or in a niche.

Outer Burial Container

Any container which is buried in the ground for the placement of human remains in the burial process. Outer burial containers include, but are not limited to vaults, lawn crypts, and liners.

Memorial and Monument

"Memorial" means a monument, marker, tablet, headstone, tombstone, crypt or niche name plate.

"Monument" means a memorial of granite or other approved stone, that extends above the surface of the lawn.

Cemetery Authority

"Cemetery Authority" means the agent acting for the organization or corporation owning and controlling the cemetery.

GENERAL SUPERVISION OF CEMETERY**Admission to Cemetery**

This Cemetery is a private corporation, and the cemetery authority reserves the right to compel all persons coming into the cemetery to present proper identification to the gatekeeper for examination; also all automobiles and machines may be compelled to be brought to a full stop at the entrance; and further, this Cemetery Authority reserves the right to refuse admission to anyone not a lot owner or relative of a person interred in said cemetery, and to refuse the use of any of the cemetery facilities at any time to any person or persons whom the management may deem objectionable to the best interest of the cemetery.

Cemetery Management in Charge of Funeral

All funerals, on reaching the Cemetery, shall be under the supervision of the Cemetery management.

Casket Not to Be Opened or Body to be Touched Without Consent

Once the funeral service is completed the cemetery management reserves the right to refuse permission to anyone to open the casket or to touch the body without the consent of the legal representative of the deceased or without a court order, and a funeral director in attendance; provided, that in the event necessity requires the Cemetery Authority may take appropriate steps to correct any obnoxious or improper conditions.

INTERMENTS AND DISINTERMENTS GENERALLY**Subject to Laws**

Besides being subject to these rules and regulations, all interments, disinterment and removals are made subject to the orders and laws of the properly constituted authorities of the city, county, and state. Every effort was made to follow the Washington State RCWs concerning cemeteries. If at any point in time the RCWs are amended and this set of rules no longer adhere to state law, state law will prevail. (Title 68 Cemeteries, Morgues, and Human Remains)

Time and Charges

All interments, disinterments and removals must be made at the time and in the manner and subject to the payment of such charges as fixed by the cemetery management.

Holidays

No interments, disinterments, removals, cremation or interment service shall be permitted on New Year's, Memorial Day weekend (Noon on Friday before through Noon on Tuesday following), 4th of July, Labor Day, Thanksgiving Day, or Christmas Day, without the special written permission of the Cemetery Authority.

When any of the before-mentioned holidays falls, or is legally observed, on Saturday through Monday, funerals will be received on the last business day preceding the holiday up to 12 noon.

Notice

The right is reserved by the Cemetery Authority to insist upon at least forty-eight hours' notice before any cremation or interment, and to at least one week's notice prior to any disinterment or removal. The Cemetery Authority may refuse to make an interment until a more expedient time if the remains arrive at the cemetery entrance after 4 p. m. (3 p. m. in winter), or if too many funerals arrive at the same hour.

Authorization to Inter

The cemetery management may cremate, inter or open a plot for any purpose on proper written authorization by any plot owner of record made out on forms approved by the Cemetery Authority and duly filed in its office, unless there is written instructions to the contrary on file in the office.

Outer Container Required for Interment

The Cemetery Authority requires every casket in every earth interment to be enclosed in a concrete box or vault, or in an "Chapel Vault" or other Polypropylene containers approved by the Cemetery Authority, the actual installation of which shall be made by the employees of the cemetery, or a licensed, bonded and insured contractor, (with proof of insurance that includes Desert Lawn Memorial Park as an additional insured) approved by the Cemetery Authority.

Only Family to View Cremation

Cremations are strictly private. No one except the immediate family or their representatives shall be in attendance without special permission from the family and arrangements in advance with the Cemetery Authority.

Casket Furnishings May be Destroyed

The Cemetery Authority reserves the right to remove and to destroy all handles, metal and non-combustible components of the caskets delivered for cremation, and reserve the right to have any non-combustible casket fixtures or articles removed before cremation.

Dispersing of Cremated Remains

The cremated remains should be claimed by the designated person, or interment arrangements made within 90 days. After the specified time, the Cemetery Authority will be in no way liable for the loss or destruction of said remains. The person authorizing the cremation, or the heirs at law either jointly or severally, shall be held liable for rental space occupied by the remains and/or a retrieval charge for said remains.

The Cemetery Authority shall be in no way liable or held responsible for any cinerary container, receptacle or urn placed in any niche.

Location of Interment Space

When instructions from the plot owner regarding the location of an interment space in a plot cannot be obtained, or are indefinite, or when for any reason the interment space cannot be opened

where specified, the management may, in its discretion open it in such location in the plot as it deems best and proper, so as not to delay the funeral; and the Cemetery Authority shall not be liable in any damages for any error so made.

Orders Given by Telephone or E-mail

The Cemetery Authority shall not be held responsible for any order given by telephone or E-mail, or for any mistake occurring from the want of precise and proper instructions as to the particular space, size and location in a plot where interment is desired.

Errors May Be Corrected

The Cemetery Authority reserves, and shall have, the right to correct any errors that may be made by it either in making interments, disinterments or removals, or in the description, transfer or conveyance of any interment property, either by cancelling such conveyance and substituting and conveying in lieu thereof other interment property of equal value and similar location as far as possible, or as may be selected by the Cemetery Authority, or, in the sole discretion of the Cemetery Authority, by refunding the amount of money paid on account of said purchase. In the event the error shall involve the interment of the remains of any person in such property, the Cemetery reserves, and shall have, the right to remove and reinter the remains to such other property of equal value and similar location as may be substituted and conveyed in lieu thereof. The Cemetery Authority shall also have the right to correct any error made by placing an improper inscription, including an incorrect name or date, either on the memorial or on the container for cremated remains.

Delays in Interments Caused by Protests

The Cemetery Authority shall be in no way liable for any delay in the interment of a body where a protest to the interment has been made, or where the rules and regulations have not been complied with; and further, said Cemetery Authority reserves the right, under such circumstances, to refuse delivery until the full rights have been determined. The Cemetery Authority may require any protest to be in writing and filed in the office of the Cemetery.

Not Responsible for Identity

The Cemetery Authority shall not be liable for the interment permit nor for the identity of the person sought to be interred or cremated.

No Interment Permitted Unless Property Paid For

No interment shall be permitted or memorial placed in or on any property not fully paid for except by special consent of the Cemetery Authority in writing in each and every case, and, in the event such consent is given, any and all interments or memorials placed in or on said property shall be considered as temporary, and a note shall not be considered as payment, and no rights shall be acquired by the plot purchaser of said interment or interments until such property is fully paid for, including principal and interest; and, in case the purchaser of said property shall fail to meet all payments within sixty days after the same are demanded by the Cemetery Authority, then the Cemetery Authority may re-enter said property and hold the same as of its former estate. The Cemetery Authority thereupon, shall be released from all obligation thereunder, and it may retain such payments as may have been made toward the purchase of such property as liquidated damages. The Cemetery Authority reserves the right, and shall have the right immediately or at any time thereafter, without notice, at its discretion, to cremate or to remove to single graves, to be chosen by the Cemetery Authority, each of the remains then interred in said property. The Cemetery Authority, further, shall have the right to remove any memorial that may have been placed on said property.

Interment of More Than One Body

Not more than one body, or the remains of more than one body, shall be interred in one grave, crypt or niche, unless such grave, crypt or niche has been purchased with the written agreement that more than one body, may be interred, except by written consent of the Cemetery Authority, and provided proper identification is made of such interment or interments in one regulation space crypt or niche.

Interment in Church or Other Organization Plot

Where a plot is owned by a Church or other society, the Cemetery Authority will require a signed release for said plot by the authority of the organization.

Cemetery's Equipment Must Be Used

Tents, artificial grass, lowering devices, and other equipment owned by the cemetery, shall be used exclusively in making interments, disinterments and removals. With the exception of a licensed bonded and insured (with proof of insurance that includes Desert Lawn Memorial Park as an additional insured) contractor, approved by the Cemetery Authority.

Removal for Profit Prohibited

Removal, by the heirs, of a body or cremated remains so that the plot may be sold for profit to themselves, or removal contrary to the expressed or implied wish of the original plot owners, is repugnant to the ordinary sense of decency and is absolutely forbidden.

May Obtain Larger Plot

A body, or cremated remains, may be removed from its original plot to a larger or better plot in the Cemetery when there has been an exchange or purchase for that purpose.

Care in Removal

The Cemetery Authority shall exercise due care in making a disinterment and removal, but it shall assume no liability for damage to any casket or burial case or urn incurred in making the disinterment and removal. Any replacement item need will be the responsibility of the family.

SERVICE CHARGES AND PAST DUE INDEBTEDNESS**Payment of Service Charges**

The charges for the cemetery service must be paid at the time of the issuance of the order of interment or disinterment and removal. Arrangement for the payment of any and all indebtedness due the Cemetery must be made before cremation, or before interment will be made in any plot.

PROPERTY RIGHT OF PLOT OWNERS**Interment Rights of Plot Owners**

All plots or rights of interment conveyed to individuals are presumed to be the sole and separate property of the owner named in the instrument of conveyance.

The spouse or state registered domestic partner, of an owner of any plot or right of interment containing more than one placement has a vested right of placement in the plot and any person thereafter becoming the spouse or state registered domestic partner, of the owner has a vested right of placement in the plot if more than one space is unoccupied at the time the person became the spouse or state registered domestic partner, of the owner.

No conveyance or other action of the owner without the written consent of the spouse or state registered domestic partner of the owner divests the spouse or state registered domestic partner, of a

vested right of placement. A final decree of divorce between them or certification of termination of the state registered domestic partnership terminates the vested right of placement unless otherwise provided in the decree.

Descent of Title to Plot or Right of Interment

If no placement is made in a plot or right of interment, which has been transferred by deed or certificate of ownership to an individual owner, the title descends to the surviving spouse or state registered domestic partner. If there is no surviving spouse or state registered domestic partner, the title descends to the heirs at law of the owner. Following death of the owner, if all remains previously placed are lawfully removed and the owner did not dispose of the plot or right of interment by specific devise or by a written declaration filed and recorded in the office of the cemetery authority, the title descends to the surviving spouse or state registered domestic partner. If there is no surviving spouse or state registered domestic partner, the title descends to the heirs at law of the owner.

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 or right of interment pursuant to RCW 68.32.010 through 68.32.040, is complete authorization to the cemetery authority to permit the use of the unoccupied portion of the plot or interment right by the person entitled to the use of it.

Family Plot - Sale

Whenever an interment of the human 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 and both the owner and the surviving spouse or state registered domestic partner, if any, die with children then living without making disposition of the plot either by a specific devise, or by a written declaration filed and recorded in the office of the cemetery authority, the plot shall thereafter be held as a family plot and shall be subject to sale only upon agreement of the children of the owner living at the time of sale.

TRANSFERS OF ASSIGNMENTS

Consent of Cemetery

No Transfer or assignment of any plot, or interest therein, shall be valid until the consent of the cemetery has been endorsed thereon and the same has been recorded on the books of the Cemetery.

Indebtedness

The Cemetery Authority may refuse to consent to a transfer or to an assignment as long as there is any indebtedness due the Cemetery from the record plot owner.

Transfer Charges

The Cemetery Authority may fix a charge for all transfers of ownership in plots. No transfer of ownership shall be complete or effective until all charges are paid.

SUBDIVISION OF PLOTS

May Not Subdivide Plots

The subdivision of plots is not allowed, and no one shall be interred in any plot not having any interest therein, except by written consent of all parties interested in such plot and of the Cemetery Authority; provided, however, a relative of any record owner may be buried in said plot as provided in these rules or in the laws of the State.

CONTROL OF WORK BY CEMETERY

Work to be done by Cemetery

All grading, landscape work and improvements of any kind, and all care of plots, shall be done, and all trees and shrubs and herbage of any kind shall be planted, trimmed, cut or removed, and all openings and closings of plots, and all interments, disinterments and removals shall be made only by the cemetery employees.

Cemetery Management Must Direct and May Remove Improvements

All improvements or alterations of individual property in the Cemetery shall be under the direction of and subject to the consent, satisfaction and approval of the management; and, should they be made without its written consent, the management shall have the right to remove, alter or change such improvements or alterations at the expense of the plot owner, or, in any event, at any time, in its judgment, they become unsightly to the eye.

CHAPEL

Superintendent in Charge of Chapel

All arrangements for any service in the chapel, including the handling of disposition of flowers, must be under the supervision and control of the superintendent and his assistants, even if conducted by a funeral establishment.

DECORATIONS OF PLOTS

Cemetery Grounds (all sections)

Floral arrangements accompanying the casket or urn at the time of burial will be placed on the completed grave (except those in breakable containers). They will be removed when they become unsightly or when it becomes necessary to facilitate cemetery operation such as mowing. Flowers and containers: Fresh cut flowers may be placed in an approved vase on the gravesite at any time. Flowers must be in an approved or an unbreakable container no larger than the marker. Containers are to be placed on the marker not on the grass. Under no circumstance will items be tied, wired, glued, or otherwise attached to the marker. Permanent flower containers other than approved vases are not permitted. Artificial flowers: Artificial flowers will be permitted in authorized vases on the gravesite at any time. Memorial Day and other summer holidays (Mother's and Father's days, 4th of July, Veterans day) decorations will be left out one week before and one week after the holiday. Christmas decorations, wreaths, grave blankets (no larger than three feet by five feet) etc., are permitted from Thanksgiving through February 1. Artificial decorations removed from the gravesites will be discarded 30 days after the pickup date. Potted plants: Live potted plants will be permitted on the gravesite, provided they are placed on the marker not on the grass. Maintenance of potted plants belongs to the family or friend who placed such item on the gravesite. It is recommended that the family remove potted plants as soon as possible to minimize damage to the marker. Unauthorized decorations: The following items are not permitted on the gravesite: Statues, Permanent plantings, candles, breakable items (i.e., glass/ceramic vases), toys, stuffed animals, shepherd's hooks or similar devices, other similar commemorative items, or items deemed inappropriate by the management. Guidelines provided for grounds maintenance, cutting the grass and trimming around the markers, and all areas of cemetery on a timely basis. This includes the removal and disposal of unauthorized grave decorations and artificial arrangements (except during periods specified above). Fresh cut floral arrangements can be removed from the gravesite and disposed of by cemetery personnel when they become withered, faded, or otherwise unsightly. Any decorations or floral items that have been displaced from the gravesites, due to wind or other factors out of cemetery control, will be removed from the grounds, held for 30 days and disposed of by cemetery

personnel. Irrigation equipment should not be tampered with. If sprinklers are not working correctly near your site please let the grounds men or the office know so it can be corrected as soon as possible.

Mausoleums and Niches

All crypt and niche lettering will be installed by cemetery personnel to insure uniformity. On crypts and niches where vases and emblems are allowed only cemetery approved vases and emblems are permitted. Fresh cut flowers and holiday arrangements are permitted but will be removed when withered and/or after the holiday. Floral arrangements (not in breakable containers) accompanying the casket or urn will be left for one week after the entombment or inurnment. No permanent pots, planters, plant stands or vases are allowed on the floor of the mausoleum as they can create hazardous situations for the public. Unauthorized decorations: The following items are not permitted in the mausoleum or niche areas: Statues, permanent plantings, candles, breakable items (i.e., glass/ceramic vases), balloons, toys, stuffed animals, other similar commemorative items or items deemed to be inappropriate by the management. Use of double stick tape or glues to attach items to the crypt or niche fronts is prohibited as they can permanently damage the shutters. This is not an inclusive list and the Cemetery Authority reserves the right to remove any items it sees fit to remove.

Urns, Etc., Subject to Approval

All fittings, adornments, urns, inscriptions and name plates for crypts or niches are subject to the approval and control of, and acceptance or rejection by, the Cemetery Authority.

Number of Urns in Niche

Only one memorial urn may be placed in a niche, unless such niche has been purchased with the written agreement that more than one urn may be placed therein: and all remains placed in niches must be in a sealed urn of appropriate size.

ROADWAYS AND REPLATTING

Right to Replat, Regrade and Use Property

The right and privilege, at any time and from time to time, to 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 (including the right to lay out, establish, close, eliminate, or otherwise modify or change the location of roads, walks, or drives) and to file amended maps or plats thereof, and to use the same for the erection of buildings, or for any purposes or uses connected with, incident to or convenient for the care, preservation or preparation for the disposal or interment of human dead bodies, or other cemetery purposes, together with easements and rights of way over and through said premises for, and the right and privilege of installing, maintaining the operating pipelines, conduits or drains for sprinklers, drainage, electric or communication lines, or for any other purposes, is hereby expressly reserved.

No Right Granted in Alleyways

No easement or right of interment is granted to any plot owner in any road, drive, alley or walk within the Cemetery, but such road, drive, alley or walk may be used as a means of access to the Cemetery or buildings as long as the Cemetery Authority devotes it to that purpose.

CONDUCT OF PERSONS WITHIN THE CEMETERY

Children

Children under the age of fifteen years shall not be permitted within the Cemetery, or its buildings, unless accompanied by an adult to supervise them.

Flowers, Etc.

All persons are prohibited from gathering flowers, either wild or cultivated, or breaking trees, shrubbery or plants, or feeding or disturbing the birds or fish or other animal life.

Refreshments

No person shall be permitted to have refreshments within the Cemetery, except as authorized by the Cemetery Authority.

Loitering Prohibited

Persons other than plot owners or relatives shall not be permitted to loiter in the Cemetery, or in any of the buildings.

Loud Talking

Boisterous or unseemly conduct shall not be permitted in the Cemetery, or in any of the buildings.

Rubbish

The throwing of rubbish on the drives and paths, or on any part of the grounds, including graves, or in the buildings, is prohibited. Receptacles for waste material are located in convenient places.

Automobiles

Automobiles shall not be driven through the grounds at a greater speed than fifteen miles per hour, and must always be kept on the righthand side of the cemetery roadway. Automobiles should not park or come to a full stop in front of an open grave unless such automobiles are in attendance at the funeral.

Bicycles and Motorcycles

Bicyclists and motorcyclists shall stay on roadways (off the grass) and be aware and respectful of other visitors and mourners when in the park.

Peddling or Soliciting

Peddling of flowers or plants, or soliciting the sale of any commodity, other than by employees of Cemetery Authority under its direction is prohibited within the confines of the Cemetery. Solicitation of any kind is strictly forbidden at any time in the Cemetery without the approval of the Cemetery Authority. Violation of this rule will result in immediate dismissal.

Firearms

No firearms shall be permitted within the Cemetery except on special permit from the management, or by a concealed weapons permit holder or duly constituted authorities.

Pets

Pets brought into the Cemetery must be in a cage or on a leash, and in the care of the owner at all times. Any waste from the pet is the responsibility of the owner to dispose of properly.

Hours Grounds and Office Open

The Cemetery grounds are open 24 hours a day for families and friends to visit graves. The office is open Monday – Friday 9:00 A.M. to 5:00 P.M., the mausoleum will be unlocked daily at 9:00 A.M. to 4:00 P. M. subject to change by the Cemetery Authority.

Improprieties

It is of the utmost importance that there should be strict observance of all of the proprieties of the Cemetery, whether embraced in these rules or not, as no improprieties shall be allowed, and the management shall have power to prevent improper assemblages.

Management to Enforce Rules

The management and such other employees as the Cemetery Authority may designate are hereby empowered to enforce all rules and regulations, and to exclude from the property of the Cemetery any person violating the same. The management and their assistants shall have charge of the grounds and buildings, and at all times shall have supervision and control of all persons in the Cemetery, including the conduct of funerals, weddings, traffic, employees, plot owners and visitors.

GRATUITIES AND COMMISSIONS

Gratuities May Not Be Accepted by Employees

No person, while employed by the Cemetery Authority, shall receive any fee, gratuity or commission, except from the Cemetery Authority, either directly or indirectly, under penalty of immediate dismissal.

PROTECTION AGAINST LOSS OR DAMAGE

Use of Guards and Non-Responsibility

The Cemetery Authority shall have the right to maintain guards if in its discretion it deems it necessary but is under no legal obligation to do so. Whether or not guards are used, the Cemetery Authority distinctly disclaims all responsibility for loss or damage from causes beyond its reasonable control, and, especially, from damage caused by thieves, vandals, strikers, malicious mischief makers, explosion, unavoidable accidents, invasion, insurrection, riots, or order of any military or civil authority, whether the damage be direct or collateral.

Cemetery Authority May Charge for Unusual Repairs Necessitated by Acts of God, Etc.

In the event that it becomes necessary to repair or reconstruct any marble, granite, bronze or concrete work on any section or plot or crypt or niche, or any portion or portions thereof in the Cemetery, Mausoleum or Columbarium, which has been damaged by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasion, insurrections, riots or by the order of any military or civil authority, the Cemetery Authority shall give a 10-day written notice of the necessity for such repair to the plot owner of record. The notice shall be given by depositing the same in the United States mail addressed to the plot owner of record at his or her address stated on the books of the Cemetery Authority. In the event the plot owner fails to repair the damage within a reasonable time, the Cemetery Authority may direct that the repairs be made and charge the expense against the plot and to the plot owner of record.

CHANGE IN ADDRESS OF PLOT OWNERS

Plot owner Must Notify Cemetery Authority

It shall be the duty of the plot owner to notify the Cemetery Authority of any change in his post office address. Notice sent to a plot owner at the last address on file in the office of the Secretary of the Cemetery Authority shall be considered sufficient and proper legal notification.

ENDOWMENT CARE

Endowment Care of Plots

Endowment care is that care and maintenance necessitated by natural growth and ordinary wear which can be provided at reasonable intervals with income from the endowment care fund, and includes the planting, cutting watering, and care of lawns, trees and shrubs; the cleaning and upkeep of buildings; and the maintenance of utilities, walls, roadways and walks. The Cemetery Authority may also use a portion of the income from such fund in accordance with law for such general care, maintenance, repairs, and embellishments as it in its sound discretion shall deem to be for the best interest of the Cemetery to the end that the Cemetery generally be kept in the best condition possible within the limits of such income.

Endowment Care of Mausoleum or Columbarium

Endowment care is that care and maintenance necessitated by natural growth and ordinary wear which can be provided at reasonable intervals with income from the endowment care fund, and includes the cleaning and sweeping of the building at reasonable intervals; the replacement of broken glass; the keeping of the roof in repair, and proper provisions of locks and doors to prevent the entrance of prowlers or undesirable persons. The Cemetery Authority may also use a portion of the income from such fund for such general care, maintenance, repairs, and embellishments as it in its sound discretion shall deem to be for the best interest of the Mausoleum and Columbarium to the end that the Mausoleum and Columbarium generally be kept in the best condition possible within the limits of such income.

Endowment Care Exceptions

The term "Endowment Care" shall not be construed as meaning the maintenance, repair or replacement of any grave markers or monumental structures or memorials placed or erected upon plots; nor the maintenance or doing of any special or unusual work in the Cemetery or in the Mausoleum or Columbarium: nor does it mean the reconstruction of any Marble, granite, bronze, or concrete work on any section or plot, or any portion or portions thereof in the Cemetery, Mausoleum or Columbarium, Crematory, or other building or structure, caused by the elements, an act of God, common enemy, thieves, vandals, strikers, malicious mischief makers, explosions, unavoidable accidents, invasions, insurrections, riots or by order of any military or civil authority, whether the damage be direct or collateral, other than as herein provided.

Investment of Endowment Care Funds

The money received for endowment care shall be held in trust and invested as provided by law. The Cemetery Authority reserves the right, however, either to handle all investments itself, or to deposit said funds with any person, company or corporation qualified to act as trustee for such funds in accordance with law.

Expenditure Limited to Income

Endowment care whether applied to plots, mausoleum or columbarium space, or to any space within the confines of the Cemetery, shall be limited absolutely to the net income received from the investment of the care funds---no part of the principal being expended--- anything herein stated to the contrary notwithstanding.

Funds May Be Deposited With Others of Like Character

It is understood and agreed between the purchaser and the Cemetery Authority that endowment care funds may be deposited with other funds 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; but in no case shall their individual property or space in any way other than as defined in said rules and regulations; and the care of the grounds and buildings, shall be limited to the net income received from the investment of such funds.

Trustees to Direct Expenditures

The net income from the endowment care fund shall be expended by the Cemetery Authority 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. The Cemetery Authority is hereby given the full power and authority to determine upon what property, for what purpose and in what manner the net income from said fund shall be expended, and it shall expend the net income in such a manner as, in its sole judgment, it may deem advisable for the care, reconstruction, repair, and maintenance of all or any portion of the Cemetery, Mausoleum or Columbarium, and may include those items specifically excepted in "Endowment Care Exceptions".

Amount of Deposit for Endowment Care

The amount to be collected from each purchaser of a cemetery lawn plot, mausoleum crypt or niche, at the time of payment of the full purchase price and to be deposited in the endowment care fund, shall be deposited in the endowment care fund, shall be a sum such as may from time to time be designated by the Cemetery Authority for such purposes; but in no event will such sum ever be less than that established or required by the laws of the State of Washington.

Deposit Required for Private Memorial

Before any vault, tomb, sarcophagus, private mausoleum or columbarium is erected, the proprietor must deposit in the endowment care fund a sum of money estimated by the Cemetery Authority to be sufficient to yield an income for the proper care of such structure in perpetuity.

Charitable Purpose of Endowment

The sums paid or contributed to the endowment fund are expressly authorized for a charitable and eleemosynary purpose. Such contributions are a provision for the discharge of a duty due from persons contributing to the person or persons interred or to be interred in the Cemetery and likewise a provision for the benefit and protection of the public by preserving, beautifying, and keeping the Cemetery from becoming unkept and a place of reproach and desolation in the community. No payment, gift, grant, bequest, or other contribution for such purpose is invalid by reason of any indefiniteness or uncertainty of the persons designated as beneficiaries in the instruments creating the endowment fund, nor is the fund or any contribution to it invalid as violating any law against perpetuities or the suspension of the power of alienation to title to property.

RULES FOR MEMORIAL WORK

Marker Rules

No monument, memorial or other structure extending above the ground should ever be erected on the property in which the interment rights are hereby conveyed, and no monument or memorial tablet constructed or composed of material other than flat bronze shall ever be placed on the property. Monuments or markers designed to extend above the surface of the ground will not be permitted upon any section or plot within the entire Cemetery without the special written authority of the Cemetery

Authority. The installation of all markers, and of foundations or bases for such markers, shall be made by the cemetery employees with a proper charge for the material and labor involved. It is highly desirable that uniformity be maintained in markers on lots and crypts; therefore, the use of varied material in color or texture or the cutting of markers in varied designs or sizes is objectionable and will remain in control of the Cemetery Authority. In other words, only markers approved by the Cemetery Authority will be permitted. Any marker purchased elsewhere than the Cemetery, will need to meet all the above requirements, be pre-approved by the Cemetery Authority and a waiver will be required by the Cemetery Authority stating the family will be responsible for additions or changes to the marker, such as final dates or repair for manufacturer's flaws. Any marker found in the cemetery that was not placed by the cemetery will be removed immediately. The lot owner or the legal next of kin of a deceased lot owner are the only people authorized to order and place a marker on a grave.

Mausoleums and Tombs

Mausoleums or tombs, either wholly or partially above ground, shall be constructed only on lots so designated and shall be built of first grade material similar in all respects to stone used in other locations within the Cemetery. Plans, specifications and locations in the lot shall be subject to the approval of the management of the Board of Directors of the Cemetery. All parts of the mausoleum or tomb above grounds shall be of natural stone and approved by the Cemetery Authority. When an entombment is made, the casket must be a sealing casket and the crypt shall be properly sealed as directed by the management.

Marker Bases

Concrete or granite bases are required for bronze markers and shall be installed by the cemetery employees, the charges for which shall be fixed by the Cemetery Authority.

Errors in Placing of Memorials

The Cemetery Authority reserves and shall have the right to correct any error that may be made by its employees or by any other person or persons in the location or placing of a memorial in the Cemetery.

Miscellaneous

Should any memorial, mausoleum or tomb become unsightly, dilapidated, or a menace to visitors, the Cemetery Authority shall have the right either to correct the condition or to remove the same, at the expense of the lot owner. No monument or marker shall be removed from the Cemetery, except by the Cemetery Authority, unless the written order of the plot owner be presented at the office of the Secretary and permission be granted by the Cemetery Authority. No sign or advertising of any description except that placed by the Cemetery Authority shall be permitted on any plot or within the Cemetery.

CERTIFICATE AND RULES AND REGULATIONS SOLE AGREEMENT

Statements of Sales Agents

The certificate of ownership and these rules and regulations and any amendments thereto shall be the sole agreement between the Cemetery Authority and the plot owner. The statement of any sales agent shall in no way bind the Cemetery Authority.

Exceptions and Modifications

Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Cemetery Authority, 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; and such temporary exception, suspension or modification shall in no way be construed as affecting the general application of such rule.

Amendments

The Cemetery Authority may, and it hereby 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. In the event that the State of Washington laws change these rules and regulations are subject to follow that change.