

**REVISED RULES AND REGULATIONS
FOR THE GOVERNING OF
WOODVALE UNION CEMETERY**

4/21/2010; Addendum 6/30/2010; Amended 4/20/2011, 9/12/2012, 1/16/2013 &10/9/2013

Rule 1

Except as otherwise provided by the Board of Trustees from time to time, or by the action of the Joint Councils of the Cities of Berea and Middleburg Heights, Ohio the graves in the cemetery shall be sold at current pricing.

Rule 2

The Deeds issued to grave purchasers, subsequent to the adoption of these rules and regulations, shall convey burial rights only, and the titles to the land shall remain with the Cemetery, its successors and assigns, and all interments under such rights shall thereof unless special permission to the contrary be obtained in writing from the Trustees. The Deed owner shall not be permitted to accept or agree to accept any compensation or payment for the right to make burial on his or her grave.

Rule 3

The boundaries of graves shall be marked as may be determined from time to time by the Management and no marks other than those installed or specifically provided for by the Management shall be permitted, unless specially authorized by the Management.

Rule 4

The ownership of a Deed does not confer the right to sell, transfer or assign the same, or any rights there under, without the consent of the Trustees, and the issuance by them or on their behalf of a certificate, memorandum, or affidavit notarized setting forth the new rights so created; and the Trustees reserve the right to re-purchase the grave/niche when the owner thereof has provided a written request and has been granted permission to dispose of it and such re-purchase is for the benefit of the Cemetery and at the same price that was originally paid less a service fee, which shall be 50%, but not less than \$100, and in case of transfer of rights less than one complete grave, the price shall be for each grave in proportion to the total price paid for all grave in the particular case. There may be no repurchase if there is a monument or foundation on the grave. The Cemetery reserves the right to refuse to refund any and all graves or services, at their discretion. The transfer of deed and ownership for a grave will require a notarized request in writing from the owner of the grave (or the heirs) and a fee of \$100 per grave paid in advance of the transfer.

In the case that a refund of services or products is requested in writing and upon the approval of the Trustees, a refund of the original purchase price, less a 30% service fee, but not less than \$100, may be issued.

Rule 5

When rights are conveyed to two persons, they shall hold the same as tenants in common. In such case, upon the death of one, his interest goes to his heirs. If a Deed is made to a husband and wife, the entire title vests in the other upon the death of one.

Rule 6

Upon the death or judicial declared incompetent of a Deed Owner, it is the duty of the heirs, devisees or guardian to file with the Management competent written proof of their right to the use of the grave; and further burials upon the grave may not be permitted until such written proof is presented.

Rule 7

The owner of a Deed may designate to the Management, in writing and notarized, the names of those members of his family or near relatives whom he wishes to have interred upon his grave; such writing shall then be filed in the records of the Cemetery by the and every reasonable precaution will be taken to prevent any burials in such grave other than those so designated.

Rule 8

The Trustees hereby reserve and retain control and supervision of all graves and reserve to their Management from time to time and impose upon them the duty to enter upon any grave and prohibit, modify or remove any structure, object, improvement or adornment which may have been placed thereon in violation of the rules or which may be considered objectionable or injurious to the grave, to adjoining graves or to the general appearance of the Cemetery.

Rule 9

Heavy loads shall not be permitted to enter the grounds and Management shall supervise such matters and refuse admission to any lots which in Management's judgment may cause damage to the Cemetery, its grounds, walks and driveways.

Rule 10

No dumping is allowed on the Cemetery grounds. Trash containers are provided for flower debris.

Rule 11

Vandalism to the Cemetery property, including but not limited to the building, equipment, signs, monuments and grounds will be subject to possible prosecution, according to the local and state laws.

Rule 12

The Cemetery is maintained for the use and benefit of the citizens of the Cities of Berea and Middleburg Heights, Ohio, and all customers and visitors. Such rules are adopted for its control and are designed to give all lot owners and those having occasion to lawfully use the Cemetery, equal rights and protection.

Rule 13

The Cemetery grounds shall be open to visitors from 8:00 A.M. to a period of one-half hour after sunset of every day and all rules must be observed while visiting therein. Trespassing on the grounds of the Cemetery during other times is forbidden.

Rule 14

All visitors are expected to respect the solemnity of the Cemetery, and strictly observe the rules which have been established by the Trustees for the purpose of securing quiet and good order at all times within the grounds. The Management will use reasonable care and diligence in the management of the Cemetery and in connection with all work done therein by the Management and employees but neither Management nor the Trustees assume any responsibility for accidents or damage to either statues, vases, monuments, or other property within the Cemetery and which damage may result from the action of parties other than Management or employees and which result from the ordinary hazards of cemetery work, or acts of God, nature or vandalism. Reasonable efforts will be made to protect flowers, trees, shrubs and other property on lots within the grounds but Trustees cannot furnish constant police supervision of the Cemetery and therefore do not guarantee property protection. Management may expel from the Cemetery, or have arrested, any person who is disturbing its sanctity by noisy, boisterous or other improper conduct or who shall violate any of the rules.

Rule 15

No advertisements in any form will be permitted within the Cemetery.

Rule 16

No person shall bring onto the Cemetery grounds or discharge firearms or any other weapons within the Cemetery except at Military funerals or Memorial Day exercises by authorized personnel.

Rule 17

No refreshments or alcoholic beverages will be permitted on the Cemetery grounds.

Rule 18

No person with any animal will be permitted to enter the Cemetery grounds. All persons are forbidden under penalty of law, to kill, wound, trap or feed any bird or animal within the limits of the Cemetery, or to remove the young of any animal or the eggs of any bird or animal.

Rule 19

The use of the paths and roads in this Cemetery as public roadways or as a cut-thru, either in non-Cemetery vehicles (autos, bicycles, scooters, ATVs or snowmobiles) by non-Cemetery personnel, including jogging, skateboarding or rollerblading, is prohibited and also in violation of local laws. Driving of all non-cemetery vehicles shall be restricted to proper roadways only and entrance may be made only at gates which are maintained by the Cemetery as public entrances. Violators will be considered trespassers. The speed of an automobile is limited to 10 miles per hour throughout the Cemetery. Non-cemetery vehicles are not permitted to turn upon or back up on Cemetery roads but must go around the section when a reverse direction is needed. Violators may be reported to the local authorities. Drivers will carefully observe and obey the traffic signals and signs displayed throughout the grounds. Any driver who runs an automobile or other vehicle upon the lawns, across ditch gutters, curbs or anywhere where damage results there from, shall be required to make good such damage. Vehicles shall be kept to the right side of roads and when stopping shall do so with right side of the vehicle next to the ditch gutter, curb or lawn.

Rule 20

All persons are strictly prohibited from removing or plucking planted material, whether wild, cultivated, or grave decorations, disturbing water fowl or other birds, breaking or injuring any tree or shrub, marring any monument or landmark, or in any way defacing the grounds of the Cemetery.

Rule 21

All persons are prohibited from playing on sitting on monuments, seats or graves other than one they own or those of a family member. Children must be accompanied by an adult at all times.

Rule 22

Visitors upon foot have the primary right to the use of the Cemetery roads and all vehicle drivers are require to observe their right by careful driving and a strict adherence to the rules.

Rule 23

Automobile funeral processions must obey the traffic rules the same as individual drivers, but all funeral processions shall have the right of way over all other parties. Funeral processions shall not be passed by automobiles going in the same direction, nor shall the processions be closely followed or joined by persons not members of the funeral party. When meeting a procession, the driver shall stop until the funeral has passed. Drivers of vehicles are cautioned not to pass close to funerals while services are being held. This rule is applicable to Cemetery employees as well as the general public.

Rule 24

In all matters where Management is given discretion or is required to exercise judgment under these rules or any other rules hereafter enacted for the management of the Cemetery, their discretion and judgment shall be final as between themselves and those using the Cemetery, with the exception that any person aggrieved by any discretion of Management may communicate to the Trustees, in writing in a respectful manner, his or her complaint and such complaint will promptly be considered and decision rendered thereon by the Board of Trustees. Any such complaint may be handed to Management in person, may be left at the office of the Cemetery or may be delivered, emailed or mailed to any member of the Board of Trustees.

Rule 25

In the event of violation of any rule, in part or whole, in accordance with local, state and federal laws, violators may be expelled from the Cemetery and the proper authorities may be notified. Prosecution may result.

PLANTINGS, LIGHTS & DECORATIONS

Rule 26

Inverted flower vases, when sunk below the surface of the lawn and which do not obstruct the lawn mower and which do not appear unsightly, may be installed by the Cemetery or monument companies, with Cemetery approval, on graves with monuments, but Management may remove from them any dead flowers or matter that appears unsightly at any time. Baskets, glass, crockery, wire, or metal receptacles for flowers will not be permitted on any graves and will be discarded. Inverted flower vases may be purchased from the

Cemetery and will only be installed by the Cemetery after the grave has a monument. Artificial flowers are to be kept inside the Cemetery-approved garden area or within 18" of the front of the monument, in an inverted vase or cone vase, which are not made of glass, ceramic or other breakable materials.

Rule 27

The planting of ivy, myrtle or vines upon a grave is hereby forbidden. The cutting of turf upon a grave for a flower bed or other reasons is forbidden without first obtaining the approval of Management, and as a part of its approval, in any case, Management may prescribe the location and size of a bed and determine and prescribe the planting to be done. In any case if such planting becomes neglected and unsightly, the Management may remove the same without notice.

A. Flowers and Flower beds are permitted only after the raised monument has been installed and are not to exceed twelve inches (12"), including the border, from the front of the monument, and not to exceed the width of the monument or its base, but not behind the monument. All flower beds must be contained by a border of bricks or plastic edging. They are to contain cut flowers, and/or planted annuals or perennials and must be mulched with shredded hardwood mulch, not to exceed beyond the bed itself. No plantings are permitted in Management flower beds and will be removed and discarded when sighted. Flower beds are not permitted on flush monument graves or graves without monuments.

B. Crockery, glassware, food, or breakable objects are not permitted on any grave or inside gardens and will be discarded. Only holiday-related decorations (see Rule 30) which are non-breakable will be permitted on all graves with monuments for 10 days before and after the holiday, with the exception of the period from Thanksgiving until January 30. Small unbreakable objects or figurines (under 24" high) may be permitted inside Cemetery-approved gardens with Management approval.

C. All artificial or live flower decorations must be placed in front of the monument or in a Cemetery-approved garden. (Read complete rules for detailed instructions.)

Rule 28

Unplanted beds are hereby declared to be unsightly and in case of failure to plant a bed by June 15th, Management may seed such bed and do such things thereto as they may deem in the best interest of the general appearance of the Cemetery, without prior notice to the grave owner. In all cases of any planting or other work done by an owner upon any grave, owner shall give proper care to the same throughout the season. If the work is neglected and becomes unsightly, Management shall remove the plants or other objects and do any and all other things in connection therewith as will leave the grave in a presentable condition. Management may charge a fee to delinquent owners of graves (or their heirs) for this maintenance work.

Rule 29

In no event shall trees be planted upon any grave on behalf of the owner of the burial rights therein and no shrubs may be planted upon any grave unless special permission in writing is granted therefore by the Management for the planting of trees or shrubs. Any shrubs planted pursuant to any such consent shall become a part of the Cemetery property and thereby owned by its Trustees, and in order that the landscape and vistas may be preserved and their appearance be artistically maintained for the benefit of the entire cemetery property, the Trustees and their Management may limit the height of plants or shrubs upon individual graves, or otherwise, to thirty-six inches or less; and the ownership of burial rights in a grave shall not be deemed to

confer any right to do planting nor to erect a monument, mausoleum, vase or other such object upon said grave without the express written approval of the Management. Management shall have the right, and it shall be their duty to remove diseased or objectionable trees or shrubs or any part thereof or any such thing whatever as in their judgment removes the objection, without prior notice to the owner (or heirs) of the grave. Management may charge a fee for any of the above services.

Rule 30

Seasonal Decoration Policy

April 15th through November 1st

Flush Memorial Decoration Policy

Decorations on graves marked with a flush memorial may be placed in cemetery approved containers (no glass, or any other material that is breakable and may cause injury or damage to equipment) and will be removed on a weekly schedule as posted on signs located at each entrance to the cemetery.

DECORATIONS NOT IN CEMETERY APPROVED CONTAINERS WILL BE REMOVED IMMEDIATELY AND DISCARDED.

Above Ground (Raised) Memorial Decoration Policy

Decorations on graves marked with above ground (raised) memorials must be kept within cemetery approved gardens, in monument vases or on top of monument (cradle). All decorations outside of these areas and those placed in cemetery approved containers will be removed and discarded on a weekly schedule as posted on signs located at each entrance to the cemetery. If for any reason a decoration or plant becomes unsightly it will be discarded immediately.

DECORATIONS NOT IN CEMETERY APPROVED CONTAINERS WILL BE REMOVED IMMEDIATELY AND DISCARDED.

Holidays

Decorations may be placed 7 days before these holidays: Easter, Mother's Day, Memorial Day, Father's Day, Independence Day, Veteran's Day, Labor Day, Thanksgiving.

All decorations will be removed on next scheduled decoration removal date as posted on signs located at each entrance to the cemetery.

November 1st through April 15th

Winter decorations are allowed during this period. All Christmas decorations will be removed on January 31, weather permitting. All remaining winter decorations will be removed on April 15th.

Wooden Crosses no taller than 48" and only one per grave are allowed from November 1st through April 15th. Crosses may not be made of any breakable material and all crosses that are not claimed by May 1 will be discarded. Special occasion crosses may be allowed temporarily upon Managements approval.

Other Decoration Rules

Figurines of an ornamental nature are allowed on graves with raised monuments in Cemetery-approved gardens and must be placed inside the garden limits. Figurines may be no taller than 24".

Upon approval from Management, artificial or live plants will be allowed upon any grave on an anniversary, birthday or other special date, for a period not exceeding seven days after the special date, after which time they

will be discarded. Inflated balloons will be permitted upon any grave until they deflate or not to exceed seven days after the special date, after which time they will be discarded.

The Cemetery, Management or any Trustee is not responsible for loss of or damage to any valuable or sentimental items left on any grave at any time.

After a burial these items will be permitted temporarily at the head of the grave for up to 90 days: up to 3 live plants in plastic pot (up to 2-gallon) or 3 artificial flower cones and one wooden cross up to 24" high.

Rule 31

Hedges, wooden trellises, iron trellises, fencing, concrete curbing, stones, posts, chains, railing, concrete, wood, iron, coping, steps or boxing, for the purpose of enclosures or borders are prohibited. No metal or plastic poles, wood stakes or poles or piping of any kinds shall be permitted inside or outside any Cemetery-approved gardens on any grave, with the exception of Christmas, to secure a wreath or decoration. Non-patriotic shepherd hooks will be permitted in Cemetery-approved gardens but limited to 24" high. Small, unbreakable decorations may be secured to hooks.

Rule 32

All lots and graves will be sodded or seeded and kept in good order by the Management without charge. The Management shall establish the grade of all graves, lots, lawns and avenues, and shall direct generally all improvements within the grounds, upon all graves, before as well as after internments have been made therein. The Management will have charge of the planting, sodding, surveying and all improvements. After a burial, the grave will be allowed to settle for a period of time, weather permitting and at the discretion of the Management. After sufficient settling, the grave will be cleaned up, tamped, leveled and installed with top soil, seed, fertilizer and peat moss, by the Management.

Rule 33

Lighting will be allowed on raised monument graves, with placement of up to 3 (three) solar lights, no taller than 24", within the flower bed. Lights must be approved by the Cemetery Management. No spotlights will be allowed on any graves. Non-glass Vigil lights, placed within the Cemetery-approved garden, are allowed to be lit only as long as a family member is present at the grave. If a vigil light is unattended and left lit, it will be discarded.

Rule 34

Upon approval of the Cemetery Management, monument benches will be allowed on raised monument graves, as long as they are 1' less than the width of the grave, and are placed upon a foundation installed by the Cemetery. All old seats not in the developed sections will be removed as soon as they become broken or unsightly from neglect, without prior notice to the owner, and no privately owned seats may hereafter be brought within the Cemetery.

EMBLEMS, FLAGS OR MARKERS

Rule 35

Patriotic or Law Enforcement metal emblems or markers, small American flags and small shepherd hooks (24" or less) with American or other countries' flags only, will be allowed on graves with monuments, placed within the Cemetery-approved garden if applicable, for ten days before and after these holidays: Memorial Day, July 4th, Veterans Day, Labor Day, unless permission is granted otherwise by the Cemetery management or permission for the item was grandfathered in. They must be used to the satisfaction of Management and may be removed by Management and discarded for any reason.

INTERMENTS & DISINTERMENTS

Rule 36

The number of interments which may be made upon a grave is definitely fixed at the time of purchase of such grave and no additional interments will be permitted therein without prior Management approval and payment of additional fees; all arrangements of the location of graves upon a lot shall be as prescribed by Management of the Cemetery in order to provide, in so far as possible, for uniformity in the Cemetery and burial layout.

Rule 37

Interments of up to and including two remains (or three cremains in specified areas) are permitted in a single in-ground grave space, however, an additional cost will be assessed for this privilege and for all interments within.

Rule 38

The price for digging graves and grave services, in connection with a burial, shall include the opening and closing of a grave, the furnishing of trimming and use of an automatic lowering device.

Rule 39

A minimum of 24-hour notice shall be required for the preparation of a grave, unless a case is one of emergency, and no casket shall be opened at the grave unless written permission to do so is secured in advance from Management and the Funeral Home. No interment shall be had on Sundays nor on general holidays, except in case of emergency; and in case of any emergency arising to the parties interested in the burial as distinguished from an emergency arising as a result of a contagious disease or by order of the Board of Health, additional charges shall be incurred. Special consideration will be given to honor religious beliefs of patrons, but additional charges shall be incurred.

Rule 40

Cremated remains (cremains) will not be permitted to be scattered above ground in any part of the Cemetery.

Rule 41

Interments, disinterments and all services within the Cemetery for which a charge is herein provided shall be made under the direct supervision of Management and shall be furnished by and on behalf of the Board of Trustees through its Management. The original Certificate of Burial or Certificate of Cremation must accompany each burial and be surrendered to the Cemetery Management before the burial may take place.

Rule 42

Reasonable notice shall be given to Management or Trustees of desire to disinter a body, and the time therefore, in cases where permit is granted, shall be at the convenience of Management, and additional charges will be incurred and done in accordance with the laws of the State of Ohio. Except as otherwise permitted or required by law, permits to make disinterments will be issued only upon receipt of a valid court order to do so and upon payment to the Cemetery of the related costs and expenses.

VAULTS & URNS

Rule 43

A burial vault is required by the Cemetery for each full burial. A burial vault is required by the Cemetery for each cremation burial unless the cremains container is constructed of cultured marble or any other material that is approved by the Cemetery. All cremation burial vaults must be no larger than 18" x 18" x 18". Two cremains containers may be placed in the same vault if the size allows.

Rule 44

A sealed, non-biodegradable urn, box or container is required for the burial of cremains.

MONUMENTS

Rule 45

A monument shall be defined as a permanent marker of granite, bronze or concrete, inscribed with the details of those interred in the grave. No monument shall be brought into this Cemetery until a sketch or drawing showing the materials, design, finish size and proposed inscription with location thereon be first submitted to and approved in writing by the Management .

Rule 46

The placement of a monument shall not be done until after the purchase price of the grave or graves, upon which it is to be placed, and the foundation fee have been fully paid to the Cemetery.

Rule 47

The construction of foundations for monuments and the settings where required, may be built only by the Cemetery or under supervision of Management. There is a charge for such work and must be paid in advance of the delivery of the monument. The rate of such charge may be learned at the Cemetery office.

Rule 48

No monuments may be brought into the Cemetery on Sundays or holidays.

Rule 49

Monuments with porcelain or other photographs inserted are permitted, with prior written approval of the Management.

Rule 50

Unless Management shall decide otherwise in special cases, the minimum and maximum lengths of a single monument shall be 24" to 36" and the minimum and maximum lengths of double monument shall be 36" to 60", except in Section 17 (See Rule 51.) The height limitations of monuments are covered by each individual section restrictions. Monuments for raised graves in Section 17 may vary in height but must be approved by the Cemetery management.

Rule 51

No monument may be erected in this Cemetery unless the specifications, plans and location are first submitted to and approved by Management in writing. Foundations shall be of solid concrete not more than 5 feet long for a double grave, 36" long for a single grave.

In Section 17 only, foundations can be up to 4' long for a single lot and up to 7' long for a double lot. Sizes of custom foundations for custom monuments can be made at an added cost, with the written approval of Management.

Rule 52

No monument may be erected within the Cemetery, when in the judgment of Management, the ground is soft and unsettled or when the weather conditions are such as to make such operations undesirable to any particular situation.

Rule 53

Contractors and their workmen shall be governed by the rules of the Cemetery, and the work shall be done under the direction of Management. Crating, boxes and packing materials together with all other debris brought in shall be removed by the contractor and the monument cleaned before leaving the job.

Rule 54

It is required by the Cemetery Management that any individuals intending to take photographs or images of a monument obtain prior written permission from the owner or the heirs of the owners of the monument and present this document to Management before proceeding.

Rule 55

Engravers or individuals who are contracted to add data to installed monuments must give prior notice to the Cemetery Management in order to avoid obstructing or interrupting burial services.

Rule 56

In order to have a monument (flush or raised) installed on the grave, each grave must have a foundation, which meets the specifications of the cemetery, installed by the Cemetery and paid for by the owner of the grave.

Rule 57

Temporary grave markers, furnished by the Cemetery, will be used on graves which do not have an existing monument, for a period limited to 9 (nine) months after the last burial in that grave. After 9 months, the temporary marker will be removed by the Management. While the temporary marker is being used, gardens cannot be constructed. (See Rule 27)

Rule 58

Monuments may be installed by monument companies no sooner than 6 months from the date of burial, except for monuments that are flush and 2x1' in size, monuments located in Section 17 and monuments for cremation graves.

Rule 59

Objections or suggestions to any Rule or Regulation must be submitted in the form of a written letter or email to woodyale@sbcglobal.net, to the Cemetery Management or the Board of Trustees for consideration. Rules and Regulations will be reviewed annually.

COLUMBARIUM

Rule 60

Each Garden Niche of the Columbarium can hold up to two (2) cremains if properly sized inside the Niche. Inside dimensions of each Niche are: Height- 10 ¾", Width (front) 10 ¾", Width (back) 7 ¾" and Depth 11 ½". The non-biodegradable container(s) holding the cremains must fit within the Niche.

Rule 61

Burial flowers: At the time of the burial, fresh flowers from the service will be permitted in front of the Niche, on the ground, or on top of the Columbarium, on the day of the service only, then afterwards may be placed in the Cemetery beds around the perimeter of the Columbarium for a period of up to a week or until they become unsightly, when they will be discarded. No breakable containers will be permitted.

Rule 62

Memorial Flowers: Fresh or artificial flowers of an appropriate size may be placed on the ground located near the Columbarium base, in unbreakable flower cones, after the week of burial, until they become unsightly, when they will be discarded. No breakable containers will be permitted.

Rule 63

Memorial Flowers: With special permission from the Cemetery Management, live flowers may be planted in the Cemetery planters which are located in the Cemetery beds around the perimeter of the Columbarium, but the Cemetery will not be responsible for watering the flowers, nor will the Cemetery provide the flowers. If the flowers become unsightly, they will be discarded.

Rule 64

Nothing other than the items here mentioned will be permitted to be placed or stuck on the side or top of the Columbarium, the nameplate or into the seams. No shepherd hooks, picks, breakable vases or flower receptacles, or other items will be permitted.