

Trinity Lutheran Church – Cemetery Plot Deed

This Cemetery Plot Deed (Deed”) is dated _____, _____, _____ by and between Trinity Lutheran Church of Franklin Park Borough, Allegheny County, Pennsylvania (“Trinity”, which term incorporates by reference its duly authorized agent(s)) and the person whose name and address are inserted below (“Grantee”). This Deed is also binding upon Grantee’s heirs, executors, administrators, successors and assigns.

In consideration of the sum of money set forth below, the receipt of which is hereby acknowledged, Trinity does hereby grant to Grantee the plot of land indicated below in Trinity’s cemetery (“Cemetery”), for the sole purpose of the burial of the dead.

Grantee: _____

Address: _____

Description of Plot: Section _____ Plot#: _____ Size: Approx. 8 feet x 4 feet Price: _____

Grantee acknowledges this Deed is subject to the following conditions:

- This Deed confers only the right of burial for one (1) casket or up to two (2) cremation urns; it does not confer any ownership or other rights to the plot of land.
- This deed is subject to all rules and regulations now in force and those that may hereafter be adopted by Trinity with respect to operation and governance of the Cemetery, all as construed by Trinity.
- Monuments and markers used for this plot are subject to the Cemetery rules and regulations concerning the number, dimensions and construction of monuments and markers in effect at the time of burial.
- This Deed may be presented to Trinity by Grantee for burial of a member of Grantee’s immediate family (spouse, child, other legal dependent or parent) during Grantee’s lifetime or for burial of Grantee by his/her appointed estate representative or next of kin. Grantee may not devise, bequeath, assign, sell or transfer this Deed except upon express, written authorization by Trinity. This Deed shall become null and void if the burial plot designated by this Deed has not been claimed and utilized within three (3) years of the Grantee’s date of death.
- In the event the plot listed above cannot be used, in Trinity’s sole judgment, due to physical impediments (e.g., the discovery of underground rocks, utilities, etc.), changes in zoning regulations or interpretations, or for any other reason, then Trinity shall substitute an unsold plot of similar dimension in the same Section of the Cemetery. If there are no such unsold plots available, or if Grantee refuses such substitution, then Grantee’s sole recourse shall be to obtain a refund of the original purchase price paid for the plot, without interest.
- If there are no burials in such plot within fifty (50) years of the date first listed above, Trinity may repossess this right of burial as if it had never been granted, without compensation of any kind to Grantee. Before doing so, however, Trinity shall serve notice of such intent in writing to the last address of record known to Trinity, and shall allow a grace period of sixty (60) days for response before effecting such repossession. If Grantee responds prior to such repossession, Grantee may request in writing that Trinity extend the time for burial by up to twenty (20) additional years. Only one such extension may be granted.

In witness thereof, Grantee and duly authorized officers of Trinity have set their signatures below.

Grantee _____ Date _____

President of Trinity _____ Date _____

Secretary of Trinity _____ Date _____

Trinity Lutheran Church – Cemetery Rules and Regulations

For the common and mutual protection of those holding deeds conferring burial rights in the cemetery of Trinity Lutheran Church of Franklin Park Borough (“Trinity”), the Congregation Council has approved the following rules, regulations and pricing. These rules, regulations and pricing are subject to change without notice.

A. Purchase of Plots for Burial of the Dead

1. A plot deed confers only the right of burial of the dead; it does not confer any ownership or other rights to the plot of land. Each deed is subject to the terms and conditions contained therein.
2. Deeds may be purchased only by current and former voting members of Trinity.
3. Deed holder(s) (“Grantee(s)”) are entitled to be buried in their plot, or may use the burial rights for members of their immediate family. Immediate family members include only the Grantee’s spouse, children, other legal dependents and parents.
4. A deed is valid only when fully paid and signed by the Grantee and two officers of Congregation Council.
5. The current purchase price is: **\$1,000 per plot.**
6. Exceptions may be granted by the Congregation Council, plus approval by the Pastor, and must be documented in writing.

B. Interment Rules and Fees

1. To minimize settling of the ground, all caskets shall be enclosed in a grave vault and all cremation urns shall be enclosed in a cremation urn vault. Cremains (ashes) also may be directly buried or spread upon the plot without using an urn and urn vault.
2. Trinity has the exclusive right to designate the approved Cemetery Contractor for opening and closing gravesites and performing other gravesite repair, maintenance and related services.
3. Trinity has the exclusive right to negotiate and establish the Cemetery Contractor’s fees.
4. Grantee (or Grantee’s heirs, executors, administrators, successors or assigns) is obligated to pay the following amounts at the time of burial:
 - a. To Cemetery Contractor – as per the price schedule in effect at the time the service is rendered.
 - b. To Trinity – an interment fee of: **\$300.**

C. Grave Monuments and Markers

1. Either upright monuments (“Headstones”) or ground-level markers (“Flush Markers”) are permitted in Sections A, B, C, D and E of the Cemetery.
2. Only Flush Markers are permitted in Sections F and G of the Cemetery.
3. All Headstones and Flush Markers shall be constructed of granite or bronze and are required to be supported by a cement base of appropriate depth.
4. Flush Markers must be installed so that the maximum height of the marker is no more than one-half (1/2) of an inch above the surrounding ground.
5. Headstone quantity and size limits:
 - a. Single plot - one (1) Headstone, no larger than 36” wide x 36” high x 16” deep.
 - b. Double plot or two contiguous plots for members of the same immediate family – one (1) Headstone for each plot, same size limit as for a single plot, or one (1) Headstone for the combined plots, no larger than 50” wide x 36” high x 16” deep.

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6. Flush Marker quantity and size limits:
 - a. Single plot – one (1) Flush Marker, no larger than 28” wide x 18” deep. In the case where a single plot is being used to inter two (2) sets of cremains rather than a single casket, the marker size may be no larger than 28” wide x 34” deep.
 - b. Double plot or two contiguous plots for members of the same immediate family – one (1) Flush Marker for each plot, same size limit as for a single plot, or one (1) Flush Marker for the combined plots, no larger than 54” wide x 18” deep.
 - c. In addition, the grave of any US military veteran may also include one (1) Flush Foot Marker, no larger than 24” wide x 12” deep.
7. Headstones and Flush Markers shall be installed towards the West side of the plot (except for veterans’ Foot Markers, which shall be installed towards the East side of the plot).
8. Trinity reserves the right to remove, without notice, any monument or marker installed on or after the effective date indicated below that does not conform to these rules and regulations.

D. Care and Maintenance

1. Trinity is responsible for care of the cemetery, including cutting the grass at reasonable intervals during the growing season, and removing debris.
2. Trinity is not responsible for the maintenance, repair or replacement of any Headstone, Flush Marker or anything placed upon the plot by any person.
3. Trinity is not responsible for damage to anything placed on graves or anything lost or stolen by any means.

E. Flowers and Decorations

1. Natural flowers only are allowed from April 1 to October 31.
2. Potted plants are allowed for Easter, Mother’s Day, Father’s Day, Memorial Day, Veteran’s Day, Thanksgiving and Christmas. These are to be removed one (1) week after the holiday.
3. Wreaths (natural or artificial) are allowed from November 1 to February 29.
4. Small US flags may be placed on veterans’ graves for a period one (1) week before and after Memorial Day, Independence Day and Veteran’s Day.
5. The following are not permitted at any time:
 - a. Artificial flowers.
 - b. Trees, shrubbery, bushes or other plants.
 - c. Rocks, stone, gravel, wood chips, mulch, etc.
 - d. Enclosures, fencing, shepherd’s hooks, vases, shells, toys, metal or plastic decorations, chairs, glass, crockery, wood or iron objects or similar articles of any kind that may interfere with cemetery care and maintenance.
 - e. Lowering or raising the grade level of any portion of a plot.
6. Any flowers, wreaths, decorations or other objects that become unsightly, may interfere with cemetery maintenance or that Trinity deems inappropriate for a Lutheran church cemetery will be removed at the discretion of Trinity, without notice.