

BY LAWS

ROLAND CEMETERY ASSOCIATION

ARTICLE I - OFFICE

The principal office of the Roland Cemetery Association (hereafter Association) corporation shall be located at P.O. Box 52, Roland, Story County, Iowa, or at such other address as the Board of Trustees (hereafter Board) may direct.

ARTICLE II - MEMBERS

Any person may become a member of the Association upon purchasing a space, becoming an heir to a space or by signing the Bylaws. Such membership shall terminate upon the voluntary withdrawal of the member in writing and filed with the Secretary of the Association (hereafter Secretary).

ARTICLE III - FUNDS

The source of funds of the Association shall consist of gifts, bequests, donations, earnings, and the proceeds from the sale of lots or portions thereof, and the same shall be used exclusively to purchase lands, including rights-of-way thereto, to be used for cemetery purposes, to pay costs and expenses of the Association, and to care for, improve and beautify the cemetery grounds as authorized and directed by the Board.

ARTICLE IV - TRUSTEES - OFFICERS

The business and affairs of the Association, including but not limited to the fixing of prices of lots and portions thereof and salaries of employees, shall be managed and conducted by the Board of seven members, five of whom shall be elected each year to serve for a term of two years, or until a successor is elected and qualified. Following adjournment of the annual meeting the Board shall forthwith convene, select a

President, Vice President, Secretary, Treasurer, Historian and Web/Data Developer of the corporation to serve for one year or until a successor is appointed and qualified. The President shall be selected from the membership of the Board and shall be ex officio Chairman of said Board.

The Vice President shall also be a member of the Board, shall preside and perform the functions of the President and Chairman of the Board in the absence or inability of the President to act, and shall perform such other duties as shall be prescribed by the Board.

The Treasurer shall deposit all funds received by the Association from any and all sources in the depository bank selected by the Board, shall invest the same when feasible to do so in such securities as the Board shall direct, shall disburse such funds as directed by the Board, keep an accurate account of all receipts and disbursements made by the Association, report the same to the Board when requested thereby, and perform such other duties required by said Board.

The Secretary contracts, deeds and other instruments in connection with the sale and disposition of lots and plots and portions thereof used for cemetery purposes; keep an accurate plat and survey showing the location and identity of all lots and parts thereto, handle all correspondence of the Association and maintain a record thereof, and perform such other duties as shall be incidental to the foregoing, and as shall be directed by the Board.

ARTICLE V - RULES AND REGULATIONS

The Board shall prepare and adopt rules and regulations covering all phases of the operation, use, purchase, sale and disposition of the cemetery property, which shall

by this reference be incorporated in these Bylaws to be signed and observed by the members of the Association who by signing the same shall agree to conform thereto.

ARTICLE VI - VACANCIES

The Board shall fill all vacancies occurring in its membership from qualified members of the Association to serve until the end of the term for which such vacancy occurred.

ARTICLE VII - ANNUAL AND SPECIAL MEETINGS

The annual meeting of the Association shall be held in Roland, Iowa, at a time and place designated by the Board on the first Saturday in April of each year, unless such date shall fall on a legal holiday and then on the next business day following. Notice thereof and of all special meetings of the members and/or the Board shall be given by one publication in the "Story City Herald" newspaper at least one week before such meeting, or, in lieu thereof, by written notice mailed by ordinary mail to each member of the Association, or of the Board as the case may be, unless waived, said notice to be addressed to the address of such member as shown on the records of the Association and posted not later than ten days prior to the date of said meeting. Such notice shall state briefly the items of business to come before the meeting, and no business may be transacted at any special meeting of the Association other than that specified in the notice unless all members of the Association are present or have waived notice of the meeting in writing and signed by the member.

ARTICLE VIII - SPECIAL MEETINGS - NOTICES

Special meetings of the members of the Association may be called by the President, the Vice President, by a majority of the Board, or by not less than fifteen members of the Association.

Special meetings of the Board may be called by the President, Vice President or a majority of the members of such Board.

All notices of meetings of the members, or of the Board, shall be prepared and caused to be mailed or published by the Secretary promptly upon receipt by the Secretary of the call for special meeting.

Voting at all meetings shall be cast in person.

ARTICLE IX - AMENDMENTS

Roberts Rules of Order shall govern the procedure and conduct of all meetings and voting of the Association and the Board.

ARTICLE X - PROCEDURE

A majority of the members of the Board shall constitute a quorum for the transaction of all business of the Board.

In the absence of a quorum a majority of the members present of the Association, or of the Board as the case may be, may adjourn the meeting from time to time without further notice.

ARTICLE XII - RULES AND REGULATIONS

To facilitate the management and operations of the Association and for the mutual protection of all members and owners of lots or portions thereof in the Roland Cemetery, the following rules and regulations are hereby adopted and incorporated as part of the Bylaws of the Association.

1. The terms “owner”, “lot owner”, or “ownership” shall be construed to mean the right to use a lot, plot or portion thereof for burial purposes only, and all such owners, persons within the cemetery, and all lots and portions thereof sold shall be subject to the provisions of the charter and bylaws of the Association, laws of the State of Iowa, amendments and alterations thereof and additions thereto made from time to time; and reference in the deed to such charter provisions, bylaws and rules and regulations governing the same shall be of the same force and effect as if set forth in full in said deed.
2. When a lot has been purchased within the cemetery enclosure, it becomes for all time the property of the purchaser and cannot be taken for debt, or sold for secular uses, and the ground cannot be encroached upon for any purpose other than for cemetery purposes and maintenance.
3. Ownership of a lot or portion thereof includes the right of interment. The lot can be used for no other purpose and may not be divided into smaller portions than originally laid down in the plat thereof when full burials are made.
4. Two cremains may be placed in one space. In such case, the space may be divided into two equal halves (east/west) and the cremation burial shall be so noted in the Association records.
5. Should a lot owner die without a devise or any known heirs the title to such lot or lots or portions thereof shall revert to the Association.
6. A deed of conveyance shall be issued to each lot holder upon full payment of the purchase money of said lot or lots or portions thereof.
7. As soon as possible after the decease of the original or subsequent owner, the name and address of the new owner shall be given to the Secretary of the Association together with satisfactory evidence of such new ownership or transfer thereof.

8. It shall be the duty of the lot or plot owner to notify the Association of any changes in address. Notice sent to the plot owner at the last address on file in the office of the Secretary of the Association shall be considered sufficient and proper legal notice for all purposes.
9. All stone, markers, monuments, or other structures upon a lot shall be of such design as shall be approved by the Association, and shall be so placed as not to encroach upon any other lot or upon any avenue or path of the cemetery; and the Association reserves the right at any time to remove or have removed any enclosure, monument or other structure, or any inscription which the Association may deem improper or detrimental.
10. The Association expressly reserves the right and privilege at any time, and from time to time to resurvey, enlarge, diminish, replat, alter in shape or size, or otherwise to change all or any part, portion or subdivision of the cemetery property as mapped and platted, including the right to lay out, establish, close, eliminate or otherwise modify or change the location of roads, walks, or drives, to file amended maps or plats thereof, and to use the same for the erection of buildings, or 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 including the maintenance and operation of pipe lines, conduits, drains for sprinklers, drainage, electric or communication lines.
11. No easement or right of interment is granted to any plot owner in any roadway, drive, alley or walk within the cemetery, but such roadway, drive alley or walk may be used as a means of access to the cemetery or buildings, as long as the Association devotes it or them for that purpose.
12. In the event an error shall involve the interment of the remains of any person, the Association reserves and shall have the right to remove and re-inter the remains

in such other property of equal value and similar location as may be substituted and conveyed in lieu of the mistaken property.

13. The Association shall have the right to correct any errors made by placing an improper inscription, including the incorrect name or date, either on the memorial or on the container for cremated remains.
14. The owners of lots are prohibited from raising or depressing the surface of the same above or below the surrounding ground, except by special permission of the Association.
15. Opening of a grave, whether for a full burial or cremation, shall be done only with the approval of the Board. The Secretary of the Association shall be notified prior to all interments. A member of the Board shall locate and mark all grave openings and make arrangements for openings as necessary.
16. Opening of graves by family members is not allowed. All openings of graves shall be accomplished by workmen in the employ of the Association at rates determined by the Board, payment therefore to be made or reimbursed by the owner.
17. The charge for opening and closing and sodding a grave shall be paid to the Treasurer in a timely manner.
18. The proprietors of lots and their families and friends shall be allowed access to the cemetery grounds at all times observing the rules which are or may be adopted for the regulation of visitors.
19. The Association may take and hold any plot conveyed or devised to it by the plot owner so that it will be inalienable, and interments shall be restricted to the persons designated in the conveyance or devise.

20. The owner shall not allow any interments to be made in his lot or portion thereof for remuneration, nor will the owner be permitted to demand or receive any compensation for interment in his or her lot.
21. No transfer or assignment of any lot or portion thereof or interest therein, shall be valid until the consent of the Association has been endorsed thereon and the same has been recorded on the records of the Association.
22. The Association may refuse to consent to a transfer or assignment of any lot or portion thereof so long as there is any indebtedness due the Association from the recorded owner.
23. The Association may fix a charge for all transfers of ownership in lots or portions thereof; and no transfer of ownership shall be complete or effective until all charges are paid.
24. Removal, by the heirs, of a body or cremated remains, so that a lot or portion thereof may be sold for profit to themselves, or any removal contrary to the expressed or implied wish of the record lot owner, is repugnant to the ordinary sense of decency and is absolutely forbidden.
25. If no interment is made in an interment plot 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 he has disposed of the plot either in his Will by a specific devise or by a written declaration filed and recorded in the office of the Secretary, the plot descends to the heirs at law of the owner, subject to the rights of interment of the decedent and his surviving spouse.
26. No interment shall be permitted or memorial placed in or on any property not fully paid for except by special consent of the Association 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

no right shall be acquired by the plot purchaser of said interment or interments until such property is fully paid for; and in case the purchaser of said property shall fail to meet all payments within ten days after they are demanded by the Association, then the Association may re-enter and repossess said property without further notice; and the Association thereupon shall be released from all obligations to the purchaser of said lot or portion thereof and may retain such payments as have been made towards such purchase price as liquidated damages. The Association reserves the right, and shall have the right immediately at any time thereafter, without notice, in its sole discretion, to cremate or to remove to single graves, to be chosen by the Association, each of the remains then interred in said property so repossessed. The Association, further, shall have the right to remove any memorial that may have been placed on said property.

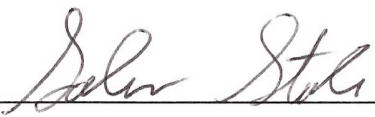
27. The spouse of an owner of any plot which contains more than one interment space has a vested right of interment of his or her remains in the plot, and any person thereafter becoming the spouse of the owner has a vested right of interment of his or her remains in the plot if more than one interment space is unoccupied at the time the person becomes the spouse of the owner.
28. No conveyance or other action of the owner without the written consent or joinder of the spouse divests the spouse of a vested right of interment, except that a final decree of divorce between them terminates the vested right of interment unless otherwise provided in the decree.
29. In a conveyance to two or more persons as joint tenants, each joint tenant has a vested right of interment in the lot or portion thereof conveyed.
30. A vested right of interment may be waived and is terminated upon the interment elsewhere of the remains of the person in whom vested.

31. The right is reserved by the Association to insist upon at least forty eight hours notice before any cremation or interment, and to at least ten days notice prior to any disinterment or removal.
32. The Association may refuse to make an interment until a more expedient time if the remains arrive at the cemetery entrance between the hours of 5:00 P.M. and 7:00 A.M. of the following day, or if too many funerals arrive at the same hour.
33. The casket in every earth interment shall be enclosed in a concrete, or steel box or vault, or in an outer wall of stone, brick, or concrete, as shall be determined by the Board. Cremains shall be buried in a lot space (or half) at a depth of 30 inches below the top of the ground to the top of the urn. Cremains may not be sprinkled around in the open air nor on the ground and shall not be placed under any stone or footing.
34. When instructions from the plot owner regarding the location of an interment space cannot be obtained, or are indefinite, or when for any reason the interment space cannot be opened where specified, the Association 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; the Association shall not be liable in damages for any error so made.
35. The Association shall not be held responsible for any order given by telephone, 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.
36. The Association shall not be liable for the interment permit nor for the identity of the person sought to be interred or cremated; nor shall the Association be liable in any way for the embalming of a body, unless such embalming is done by the Association, and then only for negligence in performing the embalming.
37. No disinterment from any lot shall be made except on express permission in writing of the Association.

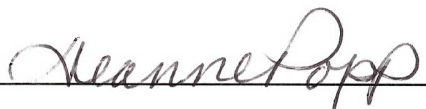
38. The Association shall exercise due care in making a disinterment and removal, but it shall assume no liability for damage to any casket or burial case or urn incurred in making the disinterment and removal.
39. Vaults and mausoleums may be placed only on such lots as shall be set aside where designated by the Association for such structures. All applications for permits to erect such structures shall be made in writing and filed with the Secretary accompanied by complete plans and specifications of the proposed constructions and the approval of the Association shall be obtained before any construction work is begun.
40. All landscaping including planting of trees, shrubs and flowers will be done by the Association. Existing individual lot plantings may be removed by the Association when they become unsightly or undesirable and may not be replaced. Fresh cut flowers may be used at any time and will remain until, in the judgment of the Association, they become wilted or unsightly. Containers for cut flowers are to be of a type level with the ground surface or of the type to be disposed of when flowers are removed. Artificial flowers or decoration, if not removed within five days, will be picked up and destroyed by the Association, unless properly placed under the direction of the caretaker.
41. No stone, marker or monument shall be placed in an alley or walkway.
42. Placing of stones, markers, monuments or other similar structures shall be done only with the approval of the Board. The Secretary of the Association shall be notified prior to placing of all such structures. A member of the Board shall locate and mark all placements. All stones of any description must be placed a minimum of six (6) inches inside the lot lines within the marked areas.
43. The foundations for all stones must have adequate concrete footings to carry the weight of the stone, and the minimum depth of any such foundation shall be not less than eighteen (18) inches. Such foundation must also be at least five (5) inches wider on all sides than the stone, and shall be at ground level.

44. The Association reserves the right to require the caretaker to be present at the time of delivery and setting of any stone, marker, monument or other similar structure. If so directed, the caretaker will determine the adequacy of foundation depth, the location, and placement of said structure.
45. The Association reserves the right to maintain, repair, remove or replace stones, markers or monuments at their discretion.
46. Urns may be placed on lots as long as the urn is placed on a concrete base the same width as and at the end of the stone foundation. The concrete base for the urn must be at least six (6) inches longer than the diameter of the base of the urn, maintained at ground level, and, if practical, the base should be an extension of the stone foundation base. The Secretary shall be notified in advance of all such installations so that the work may be done under the caretaker's direction and supervision, if necessary.
47. All rules and regulations heretofore made which are in conflict with the above and foregoing are hereby cancelled and repealed effective as of the date of adoption hereof.

Adopted and passed this 5 day of April, 2014.

By: 

Galen Stole, President

Attest: 

Deanne Popp, Secretary/Treasurer

No Digging

No Glass Containers

No Planting

Decorations of the ground permitted only on:

Easter

Mother's Day

Memorial Day

To be removed within 10 days after.

Please place decorations so mowing can be done easily and safely.

Winter decorations permitted:

November 1 - April 1

Thank you

Roland Cemetery Association Board of Trustees