

MEMORIAL GARDEN RULES AND REGULATIONS

The Memorial Garden is owned by Valley Chapel and is overseen by the Valley Chapel Memorial Garden Committee and Valley Chapel Office Administrator. The following Rules and Regulations for the Memorial Garden and Columbaria are currently in effect at Valley Chapel, a Church of the Nazarene. These Rules and Regulations are incorporated by reference into the Donation/Purchase Agreement.

ELIGIBILITY

In accordance with Massachusetts law, inurnment in the Columbaria at Valley Chapel is currently limited to members and attendees of Valley Chapel and their families. We have filed a bill with the MA legislature to allow others to purchase a niche.

NICHE USE Niches shall be used solely for the inurnment of cremated human remains and for no other purposes.

PURCHASE/DONATION

At the time of completion of a Donation/Purchase Agreement (the "Agreement"), payment shall be made to Valley Chapel, a portion of which is regarded as a charitable donation to Valley Chapel. The Agreement permits the use of one companion niche (which holds up to two cremains) in the Columbaria. Niches will be sold at \$3,000.00 each; \$1600 of which shall be designated as a charitable donation to Valley Chapel. A discounted price of \$2,800.00 shall be offered to those paying in full with cash or check.

OTHER COSTS

Items not included in the price for a companion niche include the cost of cremation, urn purchase, transportation and any other off-premises costs—each of which is the responsibility of the individual purchasing the companion niche. In addition, the purchaser is responsible for the cost of engraving the niche and an opening/closing fee of \$100 for each inurnment and. Purchasers may opt to have the niche pre-engraved (except for final dates).

NICHE SELECTION

When the Agreement has been accepted and full payment received by Valley Chapel, the Donor/Purchaser will be permitted to select a niche from the companion niches then available.

CERTIFICATE OF CREMATION

A Certificate of Cremation must accompany the cremated remains before Valley Chapel can permit the inurnment of the remains.

INURNMENT

Inurnments should be scheduled through the Office Administrator. In general, inurnments shall not be held in winter months due to possible snow and ice in the garden. To preserve the integrity of the Columbaria, niches will be opened only by authorized Valley Chapel personnel.

TRANSFER OF RIGHTS

The Agreement creates a license that is personal to the Donor/Purchaser and creates no purchase or leasehold interest in land or property. The Donor/Purchaser is not permitted to transfer his or her rights under the Donor/Purchaser Agreement unless otherwise expressly authorized in writing by the Valley Chapel Memorial Garden Committee.

EXPIRATION OF LICENSE

In the event the niche is not utilized within three (3) years of the last Donor/Purchaser or Person to be inurned to pass, the license shall expire and the companion niche shall revert back to Valley Chapel with no compensation due to the Donor/Purchaser or their estate.

REPAIR OR RELOCATION

In the event that the Columbaria require repair, the Donor/Purchaser agrees to permit the temporary removal of any cremains until those repairs are completed. In the event that it becomes necessary, Valley Chapel shall have the authority and right to move the Columbaria to another location within the church campus. In this event Valley Chapel shall exercise reasonable effort to locate and notify the last known representative of all persons inurned within the Columbaria.

REMOVAL

Cremains remain the property of the family or the estate of the deceased. If cremains from one or both persons listed on the Certificate of License Ownership have been inurned in their niche and the survivors wish to remove all the cremains, rights to the niche will revert to Valley Chapel, with no compensation due to the Donor/Purchaser's estate or to the heirs or family members of those inurned.

ENGRAVING

For each companion niche, a name line (for each individual) will be engraved by a vendor selected by Valley Chapel into the granite front with a second line listing year of birth and year of death. A completed Niche Inscription form will be required from a family member or designated individual.

1. Correctness of Inscription:

Valley Chapel's Office Administrator will make arrangements for the inscription, in accordance with the name and dates so furnished on the inscription form. Valley Chapel and the Office Administrator shall be held responsible only for written orders given in person or by mail and shall not be held responsible for any mistake occurring due to the lack of precise written instructions as to the inscription.

2. Conformity of text:

The inscription shall consist of the following: FIRST AND LAST NAME OF THE DECEASED | YEAR OF BIRTH - YEAR OF DEATH. Inscriptions of name shall consist only of the name and where applicable Jr., Sr., III.

3. Uniformity of inscription:

Inscriptions shall be uniform in size and style, as determined by the Memorial Garden Committee.

MEMORIAL GARDEN

Valley Chapel will maintain the grounds in keeping with the standards exhibited throughout the church campus. Personal items, flowers and/or decorations will not be permitted within the Memorial Garden, except that on the day of an inurnment, subject to the approval of Valley Chapel, memorials may be placed

only in designated areas, and they will be removed or disposed of after 24 hours.

Valley Chapel reserves the right, in its sole discretion, to bring or cause to be brought any action for trespass or otherwise, civil or criminal, against any person or persons who disturb a niche, its contents, or any part of the Columbaria or Memorial Garden, who do so without proper authority or who fail to leave the premises of the garden when requested by Valley Chapel, its agents, officers or employees.

LIMITATION OF LIABILITY

Valley Chapel assumes no liability arising out of the design, construction, maintenance, or operation of the Memorial Garden or for any loss of, or damage to, columbaria, urns, or cremains or for any other reason. Valley Chapel and its agents and representatives expressly disclaim all responsibility and shall be relieved from any liability for loss or damage including without limitation damage caused by the elements, acts of God, acts of nature, thieves, vandals, malicious mischief, explosions, accidents, invasion, insurrection, riots, or order of any military or civil authority, whether such damage be direct or collateral.

ACTION IN THE EVENT OF DISSOLUTION OF VALLEY CHAPEL

Valley Chapel cannot guarantee that it will be able to continue operations of either the church or the Columbaria and Memorial Garden indefinitely. In the event the church ceases operations or the need arises based on a determination by Valley Chapel in its sole discretion to discontinue operations of the Columbaria and Memorial Garden, Valley Chapel will contact the next-of-kin of all Donors/Purchasers to the extent such next-of-kin have provided current addresses and contact information to Valley Chapel. The next-of-kin shall be informed of a date by which the Columbaria and Memorial Garden will cease operations. At that time, the next-of-kin will be required to pick-up the cremains of their loved ones. If Valley Chapel is unable to locate the next-of-kin for any of the cremains, notice will be published in the local newspaper at least one month prior to taking any action to dispose of any unclaimed cremains. If the cremains are not claimed within one month of published notice or if after notice the next-of-kin fail to arrange to pick up the cremains of their loved ones, Valley Chapel may, in its sole discretion, dispose of the unclaimed cremains without liability or recourse of any kind.

RECORDS

Records of each inurnment shall be maintained at the Valley Chapel main office.

PROMULGATION OF RULES AND REGULATIONS

Valley Chapel, in its sole discretion, may add to, delete, or amend these Rules and Regulations including purchase/donation prices and fees, at any time. Donors/Purchasers and their heirs or next-of-kin are encouraged to maintain current contact information with the Valley Chapel Office Administrator so that revised Rules and Regulations can be provided as necessary.

Amended July 20, 2023