



St. Joseph Church Cemetery Rules & Regulations

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RULES AND REGULATIONS PREAMBLE

Ever since the Sacred Body of our Crucified Savior was reverently laid in the tomb, there to await the hour of its glorious Resurrection, the Church has been most solicitous to surround the burial of those who hope to rise with Christ with an atmosphere of deep Christian faith and profound reverence. In the Requiem Mass and burial prayers, the Church gives voice to her belief in the Christian Doctrines of the Resurrection of the Body, the Communion of Saints and Life Everlasting; but as a further seal and symbol of that faith she sets apart and solemnly blesses the place in which the bodies of the faithful de-parted await the day of Resurrection.

In the very earliest days, Mother Church found it necessary to make rules and regulations which would protect the sacred places and the relics laid therein. She could not and would not allow anything within the holy precincts which would desecrate them, lessen their beauty or bring dishonor on the dead.

To insure the sacred character of
St. Joseph Cemetery
in accord with the mind and traditional practice of the Church, and to establish and maintain good order; the following rules and regulations are in effect.

RULES AND REGULATIONS OF

ST. JOSEPH CEMETERY

INEZ, TEXAS

as adopted and amended from time to time. For the mutual protection and benefit of plot holders and ST. JOSEPH CEMETERY, certain rules and regulations have been adopted by the ST. JOSEPH CEMETERY COMMITTEE with the approval of St. Joseph Catholic Church Parish Pastoral Council as the Rules and Regulations of
ST. JOSEPH CEMETERY

All plot holders and persons within the Cemetery, and all plots, shall be subject to said rules and regulations and such amendments or alterations thereof or additions thereto as shall be adopted from time to time; and the reference to these rules and regulations in the document conveying the right of interment shall have the same force and effect as if set forth in full therein.

I

Definitions

- 1-A The term "Management" shall mean those persons who have been duly appointed by the Pastor or Parish Council of the Catholic Church for the purpose of conducting and administering the cemetery.
- 1-B The term "Care" shall mean that General Care of the cemetery as herein defined.
- 1-C The term "Cemetery" as used herein shall mean all properties held and being used, or to be used for interment as well as all properties used for related purposes such as roadways, walks and buildings.
- 1-D "Grave" shall mean a space of ground in the Cemetery used, or intended to be used, for the burial of human remains.
- 1-E By the term "Interment" is meant earth burial.
- 1-F The term "Plot" shall include and apply to one or more than one adjoining grave.
- 1-G The term "Plot Holder" shall include person or persons who have purchased interment rights or who hold same by rights of inheritance or transfer.
- 1-H The term "Memorial" shall include monument, tombstone, headstone, grave marker or tablet, or inscription on such items, for one or more deceased persons.

II

Purpose of Cemetery

- 2-A The Cemetery is intended for the interment of Catholics. With the approval of the Management, in accordance with Archdiocesan regulations, a non-Catholic member of a plot holder's family may also be buried.

III

Admission to Cemetery

- 3-A The Management reserves the right to refuse admission to the Cemetery and to refuse the use of any of the Cemetery's equipment or facilities at any time to any person or persons as the rules, judgment and tradition may dictate.

IV

Arrangements for Funerals and Interments

- 4-A The Management shall have the right to request those wishing to make a selection of a plot or arrange for a funeral or an interment, to call in ample time to complete arrangements.
- 4-B The Management may accept a request for an interment or opening of a plot on proper written authorization from any plot holder, unless there are written instructions to the contrary on file.
- 4-C The Management shall not be responsible for any order given by telephone or any mistake occurring from incorrect instructions as to the size of the casket or as to the particular grave or crypt location where interment is to be made. The Management reserves the right to make an equitable charge whenever additional labor costs result from such mistakes.

V

Interment Procedures

- 5-A All funerals on entering the Cemetery shall be under the rules and regulations of the Management.
- 5-B A report of death for each funeral should be presented to the Management.
- 5-C The Management shall not be liable for the burial permit or responsible for the accuracy of the data contained in said permit or for the identity of the person to be interred or entombed.
- 5-D The Management reserves the right to demand written evidence of eligibility for Catholic burial according to the Norms of Canon Law.

- 5-E No disinterment or removal shall be allowed except with the permission of the Management and with written authorization of plot holder and nearest of kin and with proper legal procedure.
- 5-H The Management shall assume no liability for the damage to any casket or burial case incurred in a disinterment and removal.
- 5-I The Management shall have the right to designate the hour and manner in which interments, disinterments and removals will or will not be permitted.
- 5-J Besides being subject to these rules and regulations, all interments and removals shall be subject to the orders and laws of the properly constituted authorities of the city, county, and state.

VI

Correction of Errors

- 6-A The Management reserves, and shall have, the right to correct any errors that may be made either in interments, disinterments or removals, or in the description, transfer or conveyance of any interment rights or plot.

VII

Instructions to Plot Holders and Plot Holders' Rights

- 7-A The Management reserves the right to specify the terms of purchase of all interment rights in plots.
- 7-B Should the plot purchaser fail to carry out the terms of the purchase agreement, the Management may declare said agreement cancelled and all rights of the purchaser to the plot forfeited.
- 7-C No coping, curbing, fencing, hedging, borders or enclosures of any kind shall be allowed around the plot. The Management reserves the right to remove same if so erected, planted or placed.
- 7-D The remains of one human being only shall be interred in one grave. With written permission, more than one body may be interred, provided proper identification is made of such interments on one regulation memorial or marker. The Management may exercise this right with reference to single graves or any section of graves in Section C and new development in Section A & B.
- 7-E Interment of non-Catholic members of a St. Joseph Catholic family will be permitted under certain conditions, as the Church does not wish to separate in death those who were united in life, but such interment shall be subject in each instance to permission from the Pastor.
- 7-F The use of the plot is for the plot holder or plot holder's relatives for interment purpose only and not for resale or profit. In no case shall a plot holder have any right to sell, transfer, and exchange or in any manner dispose of said plot or any part thereof, without permission of the Management.
- 7-G By special permission of the Management and plot holder, a person not a member of the plot holder's family may be interred in said plot.
- 7-H In the event of death of a plot holder, any and all privileges of the plot holder shall pass to the plot holder's family in the following manner:
 1. The spouse of an owner of any plot containing more than one interment space has the right of interment of his/her remains in the plot.
 2. If the plot holder shall have filed written instructions with the Cemetery office as to which member or members of his/her family shall succeed to the right of said plot, said instructions will be recognized by the Management and will be followed if in the judgment of said Management such instructions are definite, reasonable and practicable, subject to the right of interment of the surviving spouse.
 3. If no valid or sufficient written instructions shall have been filed or if valid instructions are in conflict with a later will, and the plot holder has left instructions in said will, duly admitted to probate in a court, subject to the right of interment of the surviving spouse, such instructions shall control, provided they are not in conflict with the Cemetery rules

and regulations then in force and provided the Cemetery office is furnished with proof of the same.

4. In the absence of valid and sufficient written instructions filed at said office by the plot holder or a duly probate will, the rights of interment shall devolve upon those entitled to succeed holder by the laws of succession in the State of Texas.
5. In a deed to two or more persons as joint tenants, each joint tenant has a vested right of interment in the plot. Upon the death of a joint tenant, the title to the plot held in joint tenancy immediately vests in the survivors. A vested right of interment may be waived and is terminated upon the interment elsewhere of the remains of the person in whom vested. 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 is complete authorization to the Management to permit the use of the unoccupied portion of the plot by the persons entitled to the use of it or their successors.

VIII

Service Charges and Payments

- 8-A The Management shall have the right to fix a charge and time of payment for each interment, disinterment, removal, plot transferred or returned, and for the performance of any other service rendered by the Management. All work in connection with such service shall be subject to the determination and supervision of said Management.

IX

Right to Replat

- 9-A The following rights and privileges are hereby expressly reserved to the Management to be exercised at any time for the erection of buildings, or for any purpose or use connected with the care of, preservation of, or preparation for interment of, human remains or other cemetery purpose:
1. To resurvey, enlarge, diminish, replat, alter, in shape or size, or otherwise to change all or any part or portion of the cemetery.
 2. To lay out, establish, close, eliminate, or otherwise modify or change, the location of roads, walks or drives.
- 9-B The following rights and privileges are hereby expressly reserved to the Management to be exercised at any time or from time to time:
1. Easements and right of way over and through all of said cemetery premises for the purpose of installing, maintaining and operating pipe lines, conduits or drains for sprinklers, drainage, electric or communication lines or for any other cemetery purpose.

X

No Easements Granted

- 10-A No easement or right of interment is granted to any plot holder in any road, drive or walk within the Cemetery, but such road, drive or walk may be used as a means of access to the Cemetery and its buildings as long as the Management devotes such road, drive or walk for that purpose.

XI

Use of Cemetery

- 11-A Visitors--Visitors within the Cemetery shall use only the avenues, roads and walks, unless it be necessary to walk on the grass to gain access to one's plot. The Management expressly disclaims liability for any injuries sustained by anyone.
- 11-B Strangers--Strangers are not permitted to sit or lounge on any of the grounds, graves or monuments in the Cemetery, or in any of the buildings.

- 11-C Trespassers--Only the plot holder and his relatives or friends shall be permitted on the Cemetery plot. Any other person thereon shall be considered a trespasser and is liable to keep the property or the memorial in a safe condition and in proper order.
- 11-D Children--Children under twelve years of age are not permitted within the Cemetery unless accompanied by proper persons to take care of them.
- 11-E Animals--Animals shall not be allowed in the Cemetery.
- 11-F Lawns--Lawns shall not be disturbed for any purpose except under the supervision of the Management. Grass is to be grown on all lots and graves. Lots and sidewalks will be edged.
- 11-G Ornaments and Flower Vases--The right is reserved to regulate the method of decorations of plots so that uniform beauty may be maintained. No plants (shrubs, bushes, etc.) are permitted on the grave or lots. One arrangement of flowers to each grave shall be placed at the head of the grave and in front of and next to the headstone. Flower containers shall be below the ground or placed in such a way that they will not blow over. Flowers shall be placed in the containers so that they will not blow out.
- 11-H Not Liable for Floral Pieces or Vases. The Management shall not be liable for vases, floral pieces, baskets or flowers in which or to which such floral pieces are attached. Glass containers are not suitable as vases in the cemetery. It is not suitable to have ceramic statues or figurines that break.
It is not possible for the cemetery to be under surveillance. As a consequence, there are occasions when flowers and decorations have been stolen. The cemetery cannot assume any liability for decorations placed on burial sites. We recommend that families take this into consideration when selecting flowers or other items for graves.
- 11-I Removal of Flowers and Floral Arrangements. The Management reserves the right to remove any flowers, vases or floral designs. After due notice in the Church bulletin, if floral arrangements are not called for by those lawfully entitled to them, the Management will remove and dispose of them. Flower memorials will be left on graves only as long as they are attractive, seasonal, and while they serve their purpose. All floral arrangements and containers will be removed by the plot holder (or the Management) the first week in October to allow for an easier more thorough early cleaning before All Saints' Day and All Souls' Day.
- 11-J Votive Lights--Votive lights and candles may remain for four weeks (during the month of November) before their removal.
- 11-K Motor Vehicles--Automobiles, funeral coaches and trucks must be kept under control at all times and at no time shall such vehicles drive through the gates or within the Cemetery at a speed in excess of 15 miles per hour. Automobiles are not allowed to park or to come to a full stop in front of an open grave unless such automobiles are in attendance at the funeral. It is prohibited to park or leave any motor vehicle on any road or driveway within the Cemetery at such location or in such position as to prevent any other vehicle from passing.
- 11-L Bicycles and Motorcycles--Bicycles and motorcycles are subject to the same rules and regulations as all other motor vehicles. If it deems it necessary, the Management has the right to refuse admission to the Cemetery of bicycles and motorcycles.
- 11-M Trash—Trash barrels are provided for old flowers, arrangements and cemetery related trash ONLY. The throwing of flower arrangements, bottles and rubbish on the drives, paths or any part of the grounds, or in the buildings, is prohibited.

XII

Conduct in Cemetery

- 12-A Loud Talking--Loud talking, idling, loafing, loitering or any boisterous demonstrations within the Cemetery or any of its buildings are prohibited.
- 12-B Flowers and Shrubs-- No one shall pluck any flower or break any branches, or remove, injure or cut any tree, plant, or shrub without specific permission of the Management.

- 12-C Peddling or Soliciting--No one shall be permitted to peddle flowers, plants or any other article or item, or to solicit the sale of any commodity whatsoever within the Cemetery unless authorized by the Management and under its direct supervision.
- 12-D Signs and Advertising--No signs, notices or advertising of any kind shall be allowed within the Cemetery except those placed by the Management.
- 12-E Improprieties--It is of the utmost importance that there should be strict observance of all of the proprieties in the Cemetery, whether embraced in these rules or not. No improprieties shall be allowed and the Management shall have power to prevent improper assemblages and boisterous and unseemly conduct.
- 12-F Motor Vehicles--No motor vehicles shall be driven on the grass lawns and sidewalks or over the lots of the Cemetery.

XIII

Grading and Improvements

- 13-A All grading, landscaping work and improvements of any kind and all care of plots shall be maintained by the Management. All trees, shrubs and herbage of any kind shall be planted, trimmed, cut or removed solely by the Management.
- 13-B All improvements or alterations of plots in the Cemetery shall be under the direction of and subject to the approval of the Management. Should they be made without its written consent, said Management reserves the right to remove, alter or change such improvements at the expense of the plot holder.

XIV

Cemetery Hours

- 14-A The Management reserves the right to fix the opening and closing hours of the Cemetery.

XV

Outside Worker

- 15-A No workmen other than employees of the Management will be permitted to work in the Cemetery unless authorized by said Management. Plot holders may have certain work done in accordance with the Cemetery rules and regulations at their own expense upon application to the Management.

XVI

Employees

- 16-A Employees shall not execute any work or carry out any orders except those of the Management.
- 16-B No employee shall lend the tools or implements of the Cemetery, nor solicit tips or gratuities
- 16-C It shall be the duty of employees to be civil and courteous to all visitors and to refer persons desiring their services to the Management.

XVII

Protection Against Loss

- 17-A Cemetery Not Responsible--The Cemetery shall take reasonable precaution to protect plot owners, and the property rights of plot owners within the Cemetery, from loss or damage; but it distinctly disclaims all responsibility for loss or damage from causes beyond its control, and especially, from damage caused by the elements, an Act of God, common enemy, thieves, vandals, unavoidable accidents, invasions, insurrections, riots, or order of any military or civil authority, whether the damage be direct or collateral.

XVIII

Burial Rights

- 18-A Burial Rights Are To Be Acquired Prior to Interments--The price of such rights and terms of payment are to be determined by the Management. Title to the land remains always with

the Church and is not transferred along with the burial rights. Burial rights may be acquired in advance of need.

XIX

Change in Address of Plot Holders

- 19-A Plot Holders Must Notify Cemetery--It shall be the duty of the plot holders to notify the Management of any change in his post office address. Notice sent to a plot holder at the last address on file in the cemetery records shall be considered sufficient and proper legal notification for all purposes (Deeds, Certificates, statements, letters, etc.). Two additional addresses of the two closest survivors and successors are required to be on file.

XX

Indebtedness

- 20-A Past Due Indebtedness--Arrangements for the payment of and all indebtedness (burial rights, yearly care, endowment, etc.) due the Cemetery must be made before interment will be made in any plot or in any lot.

XXI

Care

- 21-A Care Definition--Care is to be understood as that care and maintenance of plots necessitated by natural growth and ordinary wear and includes cleaning, planting, cutting, watering, and care of lawns, trees, and shrubs planted by the Management; the cleaning and maintenance of roadways and walks, provided there are sufficient Cemetery funds for that purpose.
- 21-B Care Exceptions--The term "Care" shall in no case mean the maintenance, repair or replacement of any grave stones, monumental structures or memorial placed or erected upon any plot; nor the doing of any special or unusual work in the Cemetery; nor does it mean the reconstruction of any marker, granite, bronze or concrete work on any section of plot, or any portion or portions thereof in the Cemetery, damaged by any cause, direct or indirect.
- 21-C Price Changes--The Management reserves the right to designate and change all prices and fees in accordance with economic conditions. List of prices may be obtained from the Management.
- 21-D Investment --The funds collected from the sale of lots will be paid into the "Cemetery Savings" with the Diocese of Victoria. Interest earned on this savings shall be used for the maintenance of the lots, graves, or any space within the confines of the Cemetery. Yearly dues collected shall be deposited with the interest and used for the specific purposes most advantageous for the care, repair, and maintenance of all or any portion of the Cemetery and in accordance with the purposes and provisions of the laws of the state.

XXII

Memorial Work

- 22-A Application to Erect Memorials

1. Plans and specifications covering size, material and finish for all grave markers, headstones and any other structures must be submitted to the Management for approval before erection in the Cemetery will be permitted.
2. Because of the regulations enforced by the Cemetery in the control of the erection, design and material of the monuments, lot owners are urged to have dealers submit plans and specifications for approval of the Cemetery before entering into any contract for purchase or erection of same with any person or firm.
3. The owner of a lot has the right to erect thereon any proper monument or sepulchral structure which complies with the rules of the Cemetery.
4. An application is approved with the condition that the memorial is subject to the final inspection of the Management. Should this memorial, in the judgment of the

Management, not comply in full with the approved specification, the memorial must be rectified to so comply or be removed from the lot by the memorial dealer at the request of the Management within three days of such request.

22-B Memorials, Monuments, Grave Markers, Headstones

1. It is understood that all memorial work is subject to all the rules of the Cemetery in any way affecting monuments, markers, headstones or any other structures or memorials, their manufacture, location, care, erection, removal or in any other regard, subject to all other rules and regulations of the Cemetery now in force or hereafter adopted.
2. All memorial work, or placement or removal of any memorial, shall be on the written order of the plot holder, and with a permit issued by the Management ("Application To Erect Memorial").
3. The Management reserves the right to fix charges for memorial permits, placements and removals. The Management also reserves the right to fix and charge a fee for any memorial left at the Cemetery before a Cemetery permit has been issued.
4. Curbs, fences, slabs, or similar enclosures are not permitted. Slabs of any kind will not be permitted as coverings for graves.
5. Footstones are not permitted. Special bronze plaques, which may be attached to the headstones, are available for veterans.
6. Temporary tin markers with glass and paper inserts are prohibited.
7. All above ground vaults are not permitted.
8. Monumental work and grave markers of every description will have suitable foundations. Foundations will be of concrete, in area at least as large as the bottom base of the structure to be erected.
9. The Management reserves the right to prohibit the erection of and to require the removal of any monumental work that is inappropriate either in material, design, workmanship, size or location, or which interferes with the general view or effect.
10. If any memorial, tomb or inscription becomes unsightly, dilapidated, or a menace to the safety of persons within the Cemetery, the Management, without being liable to any person, will have the right either to correct the condition or remove the same, in either case at the expense of the plot holder, after giving due notice in writing to the last known address of plot holder on file in the Cemetery office.
11. Adult Single Graves--All graves designated in the plans of the Cemetery as adult single graves will be marked with a marker (headstone) of standard size and made from materials of good quality. The base and foundation will not exceed a maximum length of two (2) feet and will be centered on the five-foot single grave space, leaving one and half foot of ground space on each side of the base foundation.
12. Two Grave Plots--All plots designated in the Cemetery plans as consisting of two graves only will be marked with a marker (headstone) of standard size and made from materials of good quality. The base and foundation will not exceed a maximum length of six (6) feet and will be centered on the ten-foot two grave spaces, leaving two feet of ground space on each side of the base and foundation. However, standard headstones with base and foundation of 4 1/2 feet and 5 feet are recommended for two grave plots.
13. A minimum of two (2) feet of ground space must be left between the bases of headstones.
14. Height--The height of the headstones is not to exceed three (3) feet.
15. Flat Headstones--The Management reserves the right to designate areas specifically set apart for the erection of flat markers (headstones) only.
16. The Management also reserves the right to issue under separate cover detailed regulations and instructions pertaining to the kind, size, design, symbolism, craftsmanship, quality and material of memorials, inscriptions, monuments or markers to be placed in the Cemetery. Said detailed regulations and instructions and all amendments thereto are hereby made a part of these rules and regulations.

22-C Memorial Dealers, Contractors and Workmen

1. Memorial dealers, contractors and workmen shall abide by all the rules and regulations of the Management.
2. The Management reserves the right to fix the days and hours when a permit may be obtained and when any memorial may be delivered to the Cemetery. Monuments must not be brought to the grounds, nor monumental construction begun on the day preceding a Sunday or Holiday, or on any day when the roads or grounds are in a soft or wet condition. Materials for erecting work will not be allowed on grounds until proper foundations are in readiness.
3. A detailed plan and design of all memorials must be submitted to the Management for approval before a permit will be issued, and no memorial shall be erected or placed until the application is approved by the Management. If the memorial does not conform in every detail to the approved design, it shall be the sole responsibility of the dealer to correct any errors or deficiencies in workmanship and material. The Management will not allow work of any description to be done or placed upon a lot, unless written order from the lot owner or his or her representative is presented and a permit has been obtained from the Management. This rule applies to the cutting of tombs, setting of monuments and markers, etc. and also to the removal of anything from a lot.
4. Dealers are requested to familiarize themselves with the grave sites owned by their patrons, before attempting to advise them on the type, size and color of monument that fits best on a particular lot. Information as to size or other regulations applying to a plot may be obtained from the Management.
5. The location and position in which a memorial is to be placed or erected on a plot shall be entirely subject to the approval and under the supervision of the Management.
6. No monuments extending above the surface of the ground will be erected in areas specifically set apart for flat markers (headstones).
7. Non-Cemetery employees, in placing or erecting monuments and other structures, or bringing in materials in regard to such work, shall operate as independent contractors, but must do so under permission from the Management, and under its supervision.
8. Non-Cemetery workers engaged in placing or erecting monuments or other structures are prohibited from scattering their material over lawns or adjoining plots or from blocking roads or walks, or from leaving their material on the grounds longer than is absolutely necessary.
9. Damage done to lawns, plots, walks, drives, trees, shrubs or other property by non-Cemetery workers, dealers, or contractors, or their agents, will be repaired by the Management; and cost of such repair will be charged to the dealer or contractor or to his principal.
10. The Management reserves the right to stop all work of any nature when proper preparations have not been made; or when work is being done in such a manner as to endanger life or property; or when there is evidence of misrepresentation; or when work is not being executed according to specifications; or when any reasonable request on the part of the Management is disregarded; or when any person employed on the work violates any rule of the Management.
11. While the Management will exercise all possible care to protect raised lettering, carving or ornaments on any memorial, or other structure on any plot, it disclaims responsibility for damage or injury thereto.
12. The Management reserves, and shall have, the right to correct any error that may be made in the location or placing of a memorial in the Cemetery at owners expense.
13. All memorials must be made entirely of first-grade material and guaranteed to be free from all flaws, defects and tool marks and that the workmanship become apparent before the lapse of five years from date of setting, the Cemetery Management shall make such declaration in writing to the monument dealer and the memorial will be replaced without cost to the Cemetery.
14. Soliciting memorial sales or memorial work within the Cemetery is not permitted.

15. Non-observance of any of the Rules and Regulations of the Cemetery by any dealer or his agent will be considered as sufficient reason to refuse to grant all future requests for permits made by such dealer.

XXIII

Memorial Fund

- 24-A A Memorial Fund for St. Joseph Cemetery has been established in order that donations for our Cemetery may be made in behalf of our loved ones. Memorial cards are available in the funeral homes and at St. Joseph Rectory.

XXIV

Modifications and Amendments

- 25-A The statement of any employee of the Management shall not be binding upon the Management except as such statement coincides with the document conveying the right of interment and these rules and regulations.
- 25-B Special cases may arise in which the literal enforcement of a rule may impose unnecessary hardship. The Management, therefore, reserves the right, without notice, to make temporary exceptions, suspensions or modification in any of these rules or regulations when, in its judgment, the same appear advisable; and such temporary exception, suspension or modification shall in no way be considered as affecting the general application of such rule.
- 25-C In all matters not specifically covered by these rules and regulations the Management reserves the right to do that which in its judgment is deemed reasonable in the premises, and such determination shall be binding upon the plot holder and all parties concerned.
- 25-D The Management reserves the right at any time to change, amend, alter, repeal, or add to these rules and regulations or any part thereof with respect to said Cemetery or anything pertaining thereto.

The rules and Regulations contained in this booklet governing St. Joseph Cemetery are hereby formally approved and adopted.

Father Barnabas Kyeah
St. Joseph Catholic Church
Inez, TX