

THE TEMPLE, CONGREGATION B'NAI JEHUDAH

12320 Nall Ave., Overland Park, KS 66209
RULES AND REGULATIONS OF ROSE HILL CEMETERY
December 14, 2006

1. Lots or graves may be purchased only upon written application to the Executive Director of the Temple, Congregation B'nai Jehudah, upon a form provided for that purpose. The Chairman of the Cemetery Committee may also accept application for purchase in the absence of the Executive Director, or in his/her absence, the President or a Vice President of the congregation. Upon completion of purchase, a copy of said application shall be furnished the Superintendent of Rose Hill Cemetery, who shall retain same for his Cemetery Record.
2. Written application for burial, with payment for opening the grave to be used, shall be made to the Executive Director or designee of the Congregation, who shall issue a permit. Immediately thereafter the Executive Director shall furnish the Superintendent of Rose Hill Cemetery with a written order in duplicate for the preparation of the grave; this order shall be delivered at least twenty-four hours before the time of funeral. After the burial the Superintendent shall make a proper record and return the original completed order to the Executive Director. The duplicate shall be retained by the Superintendent and made a part of his Cemetery records. Said application shall state the name of the deceased, the place and date of birth, place and date of death, name and address of nearest relative or friend, and the cause of death. No interment will be permitted unless proper application has been made and a permit issued.
3. It shall be the duty of the Executive Director to check the Cemetery Records of the Superintendent with the records in the office of the Congregation not less than once each year and specifically during the month of February, and a report thereof shall be made in writing to the Cemetery Committee.
4. All graves shall be identified by a Bronze Tablet of uniform size and design. It shall be 11 1/2 inches wide, 21 1/2 inches long, and 2 inches high. The outer flange of the Tablet shall be set level with the ground. The Tablet must be purchased from the congregation and must meet the uniform size, design and composition specifications for Rose Hill Cemetery and shall have been manufactured by a commercial company experienced in the manufacture of bronze tablets for placement on grave sites.
5. Before a burial permit may be issued, the applicant therefor shall also agree in writing to promptly having the congregation arrange for the manufacture of the Bronze Tablet, and for its installation within one year from date of burial, both at the applicant's expense. A Bronze Marker cannot be ordered until advance payment is made at standard prices which the Board of Trustees shall establish. The standard price charged by the Congregation for a Bronze Tablet contemplates a two-line inscription. An appropriate extra charge will be made for additional lines of inscription.
6. Bronze Tablets with distinctive or changed decorative design may be ordered, but the same shall be identical in size and conform in shape to the uniform tablet above specified. Estimates for such tablets, if the Congregation is requested to furnish same, will be secured by the Executive Director upon application. The designs shall be furnished at the expense of the applicant and shall be approved by the Cemetery

Committee.

7. Tablets shall be set in a concrete base of standard size and composition, as specified by the Congregation, and once set, shall not be removed without the written consent of the Congregation.
8. Only one tablet will be permitted on each grave.
9. The erection of Markers, Headstones, Monuments and Mausoleums, excepting the aforesaid Bronze Tablet and the Holocaust Survivors emblem described in paragraph 30, is prohibited.
10. All lots shall be designated by corner markers of uniform size.
11. A lot shall consist of a plot of ground, as designated by the Cemetery Committee, twenty (20) feet by twenty (20) feet, and shall be subdivided to contain twelve (12) graves. A half lot shall contain six (6) graves, and a quarter lot three (3) graves.
12. The prices to be charged members of the Congregation who have been members in good standing for not less than one year (except when and as modified by the Board) shall be as follows effective September 1, 2004:

Each grave, whether purchased singly or in lots:
\$1,700.00, of which 10% shall be transferred to the
Perpetual Maintenance Fund.

13. Before a burial permit will be issued, the grave in which such burial is to be made must be paid in full unless such extreme circumstances exist as to warrant an adjustment or other arrangements as provided in paragraph 14.
14. The Executive Director in consultation with the president, the senior rabbi, or the chairman of the Cemetery Committee, shall be empowered to adjust the standard charge for one or more Rose Hill Cemetery spaces purchased at the time of an immediate need by or for a member of the Congregation for the interment of such member, his/her spouse, or of other relatives solely dependent upon such member, in the event that payment of the standard charge would cause a serious hardship for the member family. The same individuals are empowered to reduce the standard charges for the opening/closing of graves and for grave markers for the benefit of a member-family in financial distress.
15. Pre-need sales of graves, lots, crypts and niches shall provide that payment be made in cash at the time of purchase; or, in the alternative, for one-third down payment and the balance without interest within two years, provided that six (6) percent interest per annum be charged on any balance owing after two years, and provided further that, if payment will not have been completed after five years from time of purchase, then all payments heretofore made shall be subject to forfeiture and cancellation of the purchase contract at the Congregation's option. Pre-need payments for interment and markers will not be accepted. Interment fees and tablet fees will be paid prior to burial.
16. Only persons who have been members in good standing of Congregation B'nai Jehudah at least one year may become grave, lot, crypt or niche holders, except that the Cemetery Committee or Executive Director is authorized to sell spaces, at double the member's rates, to non-member families of decedents with direct lineage (parent, spouse, child, or

sibling) buried at Rose Hill Cemetery.

17. Persons who join Congregation B'nai Jehudah primarily for the purpose of interment or entombment at Rose Hill Cemetery must pay one full years dues plus appropriate building fund pledge at the time of joining the Congregation.
18. In the event any member of the Congregation shall agree to purchase any pre-need grave, lot, crypt or niche in Rose Hill Cemetery for himself or any other person or persons, and in the further event the membership of said purchaser in the Congregation shall not be in good standing for any reason other than death on or before the third May 31 following the date of said purchase agreement, the Congregation shall have the right but not the obligation, at the option of the Board of Trustees, to rescind said purchase agreement or to repurchase any unused said grave, lot, crypt or niche from the owner thereof, upon tendering a refund in full of all monies received on said purchase price; provided, however, said right of rescission or repurchase shall not apply in the event one or more of a group of pre-need graves, lot, crypts or niches shall have been utilized in the interim for interment of a family member. In the event of such a rescission of a purchase agreement or repurchase, the Congregation may offset against such refund any amounts due and owing the Congregation by the person otherwise entitled to such refund. The Congregation in that event shall then pay to the person owed such refund any remaining balance due and owing after such offset, and any such offset shall extinguish the indebtedness owed the Congregation only in the amount and to the extend of the offset.
19. Rose Hill purchase privileges will be granted to those members of the New Reform Temple of Kansas City, Missouri, who have a parent, child, or spouse laid to rest in Rose Hill, or whose parents or children are Rose Hill space owners. In the case of Rose Hill Cemetery graves, the prices to eligible members of the New Reform Temple shall be double those then prevailing for B'nai Jehudah members. In the case of Rose Hill Mausoleum spaces, the prices to eligible New Reform Temple members shall be one and one-half times those then prevailing for B'nai Jehudah members.
20. In the case of lots of six graves or more, interment may be made of the owner and/or other members of his family without restriction upon final payment, except as provided for in paragraph 15 in these Rules and Regulations (members have two years to pay for pre-need graves except prior to burial the grave must be paid in full).
21. The price of graves quoted herein contemplates perpetual maintenance by the Congregation.
22. It is the practice of the Congregation that Congregation B'nai Jehudah clergy officiate at all funerals. Other Jewish clergy or individuals may officiate but must be approved by the Senior Rabbi. No burials will take place at Rose Hill cemetery on Shabbat or any Jewish holiday. Discretion as to time for burial on the second day of holidays (as observed by Conservative and Orthodox Jews) is left to the Senior Rabbi. The Liturgy used at all funerals at Rose Hill will be that of a Jewish funeral. In the event that the Senior Rabbi is not available the Associate/ Assistant Rabbi or in his/her absence the Cantor shall make decisions related to this paragraph.
23. Interment or entombment of any non-Jew in any grave or crypt space at Rose Hill Cemetery, if sold from and after June 22, 1981, shall be limited to those who are first-degree relatives (spouses, parents, children, siblings) of the space owner. In the case of the interment or entombment of a non-Jew, a member of B'nai Jehudah's clergy shall officiate as provided in paragraph 22. Additional, a partner of a B'nai Jehudah member

may be buried at Rose Hill Cemetery upon a showing of evidence that a long term household relationship existed. The Senior Rabbi will use his/her discretion in determining such eligibility.

24. In purchasing a lot it must be understood that trees or shrubs will not be removed to make room for graves. Graves shall not be used for any other purpose than as a place of burial for the human dead.
25. All graves shall be prepared by such person or persons whom the Congregation shall engage or otherwise reasonably approve. Mounds are not permitted. All graves shall be covered with sod.
26. All persons are prohibited from planting trees, shrubs or any other kind of plants on graves or lots and nothing shall be planted on or removed from lots.
27. Trellises of any kind are prohibited and no enclosures, seats or benches of any kind allowed upon graves or lots.
28. Except as identified in this paragraph and paragraphs 29 and 30, nothing shall be placed on any grave or lot except the Bronze Tablet, wreaths or cut flowers. Wreaths shall not be placed directly on the ground, but shall be mounted on standards supplied by the lot holder. Wreaths and wreath decorations symbolic of a faith other than Judaism shall not be permitted.
29. A concealed flower vase, adopted by the Congregation, is the only type of cut flower container which is permitted. Same may be purchased from the Superintendent. Decorative wreaths may be placed on graves during October or thereafter, and may remain until March 15, at which time the Superintendent shall remove and destroy the same. As soon as flowers, wreaths, emblems, etc., used at funerals or placed upon graves at other times, become unsightly and faded, they shall be removed by the Superintendent.
30. An approved emblem may be placed on the Bronze Tablet of Holocaust Survivors buried at Rose Hill Cemetery at the request of the survivor or a member of the survivor's family and upon receipt of advanced payment. The approved emblem may be ordered through the Temple office for the actual cost of the emblem and the labor to attach it. The definition of a Holocaust Survivor will be the same as the Survivor's Registry at the U.S. Holocaust Memorial Museum. A survivor is defined as "a person that lived under the Nazi regime or lived in a country allied with Germany during the war and suffered persecution and/or dislocation because of this alliance with Germany, whether or not Germany occupied the country."
31. No outside gardener will be permitted to work in the Cemetery without the prior approval of the congregation, which will not be unreasonably withheld.
32. The interment of two bodies in one grave will not be allowed, except in case of mother and infant or two children buried at the same time.
33. The interment of ashes in a grave already occupied is prohibited.
34. The congregation reserves the right to refuse to make removals between March and October.

35. Underground crypts may be constructed, but only in accordance with plans and specifications approved in duplicate in writing by the Cemetery Committee, and no work on any such crypts may be started without a written order to the Superintendent and signed by the President. Plans and specifications with original order must be filed with the Chairman of the Cemetery Committee or Executive Director. Underground crypts shall be placed at a depth that will permit complete covering with not less than two (2) feet of soil. No material shall remain longer on the ground than is reasonably necessary for the purpose of construction of such crypts. A place will be designated by the Superintendent for deposit of such material. All waste materials, etc., resulting from construction of underground crypts, must be immediately removed by the owner, or the Congregation will have it removed at the expense of the owner. Sod will be replaced by the Congregation at the expense of the owner. All workmen employed in the construction of crypts shall be subject to the control and direction of the Superintendent. Any workman failing to conform to this regulation will not be permitted to work on the grounds.
36. Visitors are admitted to the Cemetery daily, at all hours between sunrise and sunset and are requested to confine themselves to the walks and avoid walking on the lots. Refreshments of any kind and smoking are not permitted.
37. All persons are prohibited from picking any flowers or breaking any trees, shrubs or plants.
38. Anyone disturbing the quiet and good order or violating the rules will be compelled to leave the Cemetery immediately.
39. Children will not be admitted unless attended by some adult person who will be responsible for their conduct.
40. Automobile drivers are not permitted to speed their vehicles, sound horns, drive on the grass or to turn around on any road.
41. The Cemetery Committee shall establish prices, from time to time, for the following services:
 - Opening Grave for Vault.
 - Opening Children's and Infants' Grave.
 - For interment of Ashes.
 - Disinterring Remains
42. All burials shall be made in crypts (as provided in these regulations) in approved cement burial vaults or in steel vaults. The use of outside wooden boxes and sectional cement boxes is prohibited.
43. The Cemetery Committee may, from time to time, designate portions of sections for sale in whole, half and quarter lots, or for single graves.
44. If the owner of any quarter, half, or whole lot (twelve graves equal one lot) shall die before the same shall have been fully used, the unused portion thereof shall become the property of the heirs at law of such lot owner. In the event said heirs shall be unable to agree as to the use to be made of such unused portion, the Cemetery Committee shall have the final, exclusive right to determine the question.

45. All lots and graves shall be held subject to the Corporate Articles and By-Laws, Rules and Regulations of The Temple, Congregation B'nai Jehudah, and the Rules and Regulations of Rose Hill Cemetery, now or hereafter adopted.
46. Transfer of Rose Hill grave sites from an original lot owner to another member of the Congregation may be accomplished by quit claim or warranty deed from the existing owner to the Congregation, which will reconvey the property upon payment of (a) transfer fee of \$100.00 per grave, and (b) a sum equal to 10% of the sale price set aside for the Cemetery Perpetual Maintenance Trust Fund.
47. Exchanges of unused graves are not permitted except when the owner of such graves wants to purchase additional graves adjacent to those currently owned, but where no adjacent graves are available. This applies to mausoleum crypts and niches as well as graves.
48. In those cases where exchanges of graves are permitted, credit for the exchanged graves shall be at a rate equal to the rate paid when the graves were purchased; and the prices of all newly acquired graves due to such exchanges shall be at the rate currently in effect.

49. <u>Fees shall be as follows:</u>	<u>Member</u>	<u>Non-member</u>
Interment fees for ground burials	\$ 700	\$ 900
Entombment fees for mausoleum crypts	\$ 500	\$ 900
Bronze grave markers	\$ 700	\$ 900
Mausoleum inscriptions	\$ 900	\$ 1,000
Graves	\$ 1,700	\$ 3,400
Niches: A, & D levels	\$ 675	\$ 1,350
Niches: E level	\$ 575	\$ 1,150
Niches: F level	\$ 475	\$ 950
Single Crypt (Room T)	\$ 3,500	\$ 7,000
Single Crypt (Room R)	\$ 3,000	\$ 6,000
Single Crypt (Room O)	\$ 3,000	\$ 6,000