

**The South Church
501 South Emerson Street
Mount Prospect, Illinois 60056**

***OPERATING GUIDELINES and POLICY AND PROCEDURES
for the use of
THE SOUTH CHURCH MEMORIAL GARDEN***

0. Location and Purpose

The South Church Memorial Garden is located on the southwest grounds of The South Church property, facing South Emerson Street in Mount Prospect, Illinois.

The Garden provides a place for the cremains of loved ones. It also exists to meet the religious and spiritual needs of the bereaved. This incorporates a wide variety of both private and public rites and services.

The Memorial or “ash” Garden at The South Church is one such special site where memories and the final cremains (ashes) of loved ones will be forever cherished. Since 1937 The South Church has been a place of religious focus and inspiration to thousands of people. The Memorial Garden offers the opportunity for individuals to return to The South Church and cherish sacred connections and remember their departed ones whose cremains are located in The South Church Memorial Garden.

The garden is nestled away on the church grounds in such a way as to provide a quietly beautiful meditative environment. It is the hope of The South Church community that people will find great comfort and encouragement in visiting the Memorial Garden.

1. Management

The South Church Memorial Garden (hereafter referred to as “TSCMG or the Garden”) is at all times subject to the management of the TSCMG Committee. The Committee currently consists of the Church Reverend, Committee Chair, five Committee Members and Founder - Ex Officio. The Committee Members have a relationship with someone buried in the Garden. The Memorial Garden Committee meets as necessary but will meet at least twice a year.

The Committee’s role is to supervise the maintenance and use of The South Church Memorial Garden as noted within these Operating Guidelines, and Policy and Procedures. These guidelines and procedures may be amended or revoked upon recommendation of the Committee.

Maintenance and professional care of the garden includes but is not limited to:

- trimming, removal and replacement, as needed, of shrubs, ground cover and grass,
- painting and replacing wrought iron fence
- painting and cleaning of the St. Francis statue and benches
- cleaning, repairing and replacing pavers

2. Plot Reservation

The Garden is for the interment of the cremated remains of:

- Past and Present Members of The South Church,
- Family Members of The South Church Past and Present Members who include: spouses, children, parents and spouse's parents,
- its clergy and former clergy,
- Those we consider friends of The South Church
- Others subject to unanimous approval of the Committee.

After a request is submitted to and approved by the Committee, the Committee will issue a Plot Reservation Form for a specific twelve-inch plot. The church office has a detailed plan of the garden. Those wishing to select a specific plot may choose from the plots available.

The application will designate the person whose remains are to be interred in the specific space, and the holder of the Form shall receive a right to inter such remains, but neither the holder or the individual nor third party beneficiary shall acquire property right of any kind in or to the plot referred to on the individual's form. The Committee maintains records of those who have plot reservations and those individuals whose cremains have been buried in the Garden.

3. Interment

A plot may be used only for the burial of the cremains of the owner of the plot or a member of his/her family. Interment in each plot is limited to the remains of one person. Inscriptions on the name plate are limited to the name and year of birth and death of the deceased contained within the designated plot. The size, type and manner of lettering on the name plate shall be of a uniform character as recommended by the *original* Committee.

4. Allocation

Plot selection will be made by the individual and a Committee member identifying a plot within the Northeast or Southeast section of the Garden. Once those plots are filled, selection may be made within the Northwest section of the Garden and then

subsequently the Southwest section. The purposed is to manage costs for additional pedestals for the name plates and markers.

5. Designation and Transfer

The Right to Inter will be extended exclusively to the individual designated on the Plot Reservation Form as follows:

- a. During the lifetime of any designated individual, such persons may assign and transfer his/her Right to Inter to another person by completing and delivering an appropriate form provided by the Committee to the Committee.
- b. In addition, any assignments and transfers of a Right to Inter as mentioned above, will require the consent of the Committee. The Committee has the discretion to withhold consent for any reason. If the Committee's consent is withheld, the original Plot Reservation Form will be deemed to continue in effect.
- c. Upon receipt, the Committee will issue a new Form of Right to Inter in favor of the newly designated person, who will become the individual for the interment.
- d. All assignees and transferees will be bound by these Operating Guidelines and Process and Procedures.

6. Container

Each individual (or the individual's legal representative, surviving spouse, or next of kin) is strongly encouraged to provide an urn for burial of the ashes. The South Church and TSCMG Committee are not responsible for ashes once buried, with or without an urn. If the ashes need to be moved from the Garden for any reason, the Committee will hire someone to exhume the ashes. The family making the request is responsible for any and all costs associated with the removal of ashes.

7. Removal

Cremated remains placed in a plot may be removed from the Garden upon written notification to the Committee and by their approval. Again, this expense is to be paid for by individual(s) requesting removal.

It is the intent of TSCMG to provide a final resting place for the interred "in perpetuity." However, in the event TSCMG Committee deems it necessary at any time to change the location of the Garden or to discontinue the use of any portion, the Committee will have the discretion to remove the containers from the affected spaces and may place such containers/ashes in other suitable grounds in such a place as the Committee deems proper.

8. Contingencies

The right to use a plot in the Garden will continue as long as The South Church remains the owner of the property.

The South Church will make *reasonable* efforts to give notice of any impending changes listed below to each individual, and/or their designee, or if an individual or their designee is deceased, to the individual's or designee's a.) surviving spouse, or b.) legal representative, or c.) next of kin, as appropriate. Such notice will be addressed to such individuals named in the Family/Contact Information Form. The Church may conclusively rely on such Family/Contact Information Form in determining to whom and to what address will be given.

a) In the event The South Church building and land are sold, efforts will be made to keep the garden as it currently exists. Notification will be made to designated contacts of any changes in operations and policy resulting from an ownership change.

b) If The South Church relocates to another property, it is the recommendation of the current Committee, that a new Garden be built and the cremated remains of the individuals in the existing facility be moved to the new location. Notification will be made to designated contacts of an impending relocation and other options.

c) If the South Church property is sold and it is necessary to dismantle the Garden, notification will be made to designated contacts. Designated contacts will be given the opportunity to have the cremated remains removed and returned to their possession. If such persons fail to remove the remains within a reasonable amount of time in light of the circumstances then existing, the Committee will have the right to remove and dispose of the remains in such a Christian manner as the Church deems proper, if at all.

d) If the South Church property is sold and the garden dismantled, individuals who have prepaid for plot reservation will be given a choice of a donation letter or refund for the full amount. Funding for the refunds will come first from the Memorial Garden accounts and then from the proceeds from the sale of the South Church property.

9. Surrender of Rights

In the event an individual's surviving spouse, or their successors, as indicated in Paragraphs 6, 7 and 8, decide not to use the plot, notice shall be given to the Committee, in writing. No refund will be given to the individual or successor. The funds will be used for the perpetual care of the Garden.

10. Burial Services

Arrangements for funeral service and interment shall be made with the Reverend of The South Church, or in his absence, such person(s) as appointed.

11. Liability

The South Church will exercise reasonable care in the maintenance of the Garden but shall have no liability for any loss or damage to the Garden or the remains of the deceased persons, or for anything relating to the Garden, its use, or subsequent maintenance.

12. Ornamentation

The Garden has been designed as a place of beauty and repose and will be maintained as such. Privately placed flowers are acceptable for interment ceremonies only, and must be removed after three days. Signs or organizational displays may not be placed in or around the Garden at any time.

13. Accessibility

The Garden is accessible at all times.

14. Fees and Cost

All fees in connection with opening and closing of the plots, inscription and name plate costs and perpetual maintenance shall be paid to TSCMG at the time of designation of the plot. Rates are established by the Committee. As of 1/1/2012 the price of a plot is \$500.00.

From time to time the \$500.00 fee may need to be adjusted as conditions warrant. Any individual who prepays prior to any such future change would be considered paid in full even if the amount is increased at a later date.

Fees for the name plate and for opening and closing the plot will be set aside for those who have reserved plots, leaving the residual for perpetual care.

NOTE: The above five hundred dollars (\$500.00) paid fee does not cover any other church or outside costs relating to a memorial service. It specifically does not cover any fee charged by a funeral home/crematory, The South Church, the organist, or others who may furnish services to the family of the deceased.

A interest-bearing account under South Church Memorial Garden name has been established at the First Bank & Trust, Evanston - 820 Church Street, Evanston, Illinois 60201.

A donor has established a savings account in the name of South Church Memorial Garden and is funded with private contributions, at the First Bank & Trust, Evanston. These funds will be used as directed by the donor.

As of the date of this document, the Garden is currently self sustaining and has not required or requested funding from The South Church budget. However, if it is determined that sufficient funds do not exist for this purpose, the Memorial Garden Committee may request The South Church Trustees for funds from the Church's budget to assist in paying for regular maintenance of the Garden.

15. Rule Changes

The Committee, or in lieu of an active Committee, the Chairperson, shall have the right to recommend changes, additions or exception to these Operating Guidelines, and Policy and Procedures.

16. Adoption

These Rules were approved and adopted by the Committee on Wednesday, May 16, 2012.

