

**LUTHERAN VALLEY RANCH, INC.
COLUMBARIA
POLICIES, RULES AND REGULATIONS**

Pursuant to Article VII, Section 1, of the By-Laws of Lutheran Valley Ranch, Inc., (hereafter, 'Ranch') the Ranch Board of Directors (hereafter, 'Ranch Board') establishes these Policies, Rules and Regulations for the management, operation and maintenance of the Ranch's Columbaria (hereafter, 'Columbaria'). The Columbaria are located upon the Ranch premises in Teller County, Colorado. The Columbaria has been created to provide a limited number of niches or spaces (hereafter, 'Interment Space') for interment of cremated remains (hereafter, 'cremains') of deceased individuals. The Columbaria are owned by the Ranch. Individual cremains shall remain the personal property of the person or persons submitting an interment application, their personal representative or legal heirs.

The Policies, Rules and Regulations for the Columbaria and their management are as follows:

Section 1. Columbaria Committee Established - General Powers

- a. The Columbaria Committee (hereafter, 'Committee') is hereby established, under a delegation of authority of the Ranch, to administer, operate and maintain the Columbaria.
- b. The Committee shall budget and recommend expenditures necessary for the proper administration, maintenance and operation of the Columbaria.
- c. The Committee shall maintain all records and documentation relating to the Columbaria, and to the issued Certificates of Interment.
- d. The Committee shall generally administer, operate and maintain the Columbaria consistent with these Policies, Rules and Regulations.

Section 2. Committee, Meetings and Reports

- a. The Committee shall be not less than three (3) members, including one permanent position, to be appointed by the Ranch Board as the Committee Chair.
- b. Committee members shall be appointed by the Committee and approved by the Ranch Board. The Ranch Board retains the authority to remove any Committee member for good cause.
- c. The Committee shall appoint the positions of Secretary and Treasurer. Any two positions may be held by the same person except the positions of the Chair and Treasurer may not be held by the same person.
- d. A majority of the Committee shall constitute a quorum for the transaction of business at any meeting of the Committee.
- e. In the event of a tie on any Committee vote of seeming importance, the Committee Chair shall present a motion to the Ranch Board for a vote on a final decision.
- f. The Committee shall be responsible for determining the number, frequency, location, time and dates of its meetings.
- g. A Committee meeting may be properly opened if notification of the meeting is given at least ten (10) days prior to the meeting date. Written notification stating the place, day and hour of any meeting of the Committee shall be delivered personally, by mail, or by e-mail to each member entitled to vote at such meeting. Similar meeting notification shall be provided to the Ranch Board. The Committee shall be responsible for determining and utilizing an appropriate meeting announcement method for the benefit of interested non-Committee members.
- h. Interested Ranch members along with the family members of an interred deceased are welcome to attend and speak at any meeting of the Committee.
- i. The Committee shall prepare, deliver and/or present a written report summarizing the Columbaria activities for the preceding year at each annual meeting of the Ranch Board. The Committee shall provide additional reports or information to the Ranch Board, if requested to do so by the Ranch Board.

Section 3. Eligibility for Interment.

- a. Interment in the Columbaria is limited to the number of available Interment Spaces.
- b. Interment eligibility shall be limited to persons who are or have been members of the Ranch (including their family members). Present or former staff of Lutheran Valley Retreat, Inc. (also including their family) are also eligible for interment.

- c. The Committee shall have discretionary authority to award an Interment Space to others whom it deems to be a friend of either the Ranch or LV Retreat.

Section 4. Fees

- a. The Committee recommends to the Ranch Board the fee for interment within the Columbaria.
- b. The Ranch Board shall set the price for the interment fee.
- c. The interment fee shall include reservation and use of an interment space, only.
- d. The interment fee does not include the cost of cremation, transportation, engraving or other off-property costs. The engraving costs may vary and shall be paid separately.
- e. The Committee and Ranch Board may change the interment fee; however, any change in fee will not result in either reimbursement or an additional cost to previous and pending interment applicants.

Section 5. Selection of Interment Space

- a. Generally, an Interment Space shall be selected and reserved in the order, and at the time, that an Application for Interment is received. The application has a place for the applicant to designate an available Interment Space.
- b. In the event that an application has not included the designation of an Interment Space, reasonable attempts will be made to contact the applicant, in the order of applications received, so that an Interment Space can be selected and reserved from those available. If the applicant cannot be contacted, assignment of the Interment Space shall be made at the sole discretion of the Committee.
- c. Circumstances can occur where multiple applications are either hand-delivered to a Committee member or placed in the mail addressed to a person or a post office box, and some confusion can exist about the order in which an application is received. The Committee has full and final authority to determine the order in which any application is received, and the Committee's decision is final on those issues.

Section 6. Application for Interment – Procedures

- a. Applications for Interment in the Columbaria must be made in writing using the application form provided by the Committee. Completed applications shall be mailed to the Committee at: Lutheran Valley Ranch, Inc., Columbaria Committee, P.O. Box 1352, Colorado Springs, Colorado 80901.
- b. Full payment of the interment fee shall accompany the Application for Interment. If full payment is not included, the application will not be approved.
- c. The Committee shall review each Application for Interment and decide whether to approve or disapprove the application.
- d. If the Committee decides to disapprove an Application for Interment, the Committee shall send a letter to the applicant stating their reasons for disapproval. The Committee's decision whether to approve or disapprove the Application for Interment shall be final, except that a disapproved applicant may seek reconsideration of the Committee's decision by the Ranch Board at the Ranch Board's next regularly scheduled meeting (other than at the Ranch Board's annual meeting in August of each year).
- e. If the Committee decides to disapprove an Application for Interment on the basis of Interment Space unavailability, the applicant shall be given a choice to either receive a full refund of the interment fee or go on a waiting list for an available Interment Space. If an applicant chooses to be placed on such a waiting list, the interment fees shall be retained by the Committee and the applicant shall be notified when an Interment Space becomes available. Waiting list applicants shall be given an opportunity to select and reserve an Interment Space also on a first come, first serve, basis in the order of placement on the waiting list.
- f. If the Committee decides to approve an Application for Interment, a Certificate of Interment shall be Issued. The Certificate of Interment shall be signed by the Committee Chair and the Ranch Board President.
- g. After a Certificate of Interment has been issued and delivered to an applicant, the applicant may then make arrangements with the Committee to have the Interment Space cover plate engraved and the cremains deposited within the Interment Space.

Section 7. Interment Procedures

- a. A member of the Committee or their delegate shall have full control over the actual interment process, including removal and placement of the granite face and opening and closing of each Interment Space.
- b. Neither the Committee member nor their delegate shall handle the cremains except in an appropriate urn at the time of interment and only if requested by the family of the deceased.

- c. All cremains shall be handled with respect.
- d. Sufficient and proper notice of intended interments shall be given to the Committee. Proper notice shall be defined as no less than four (4) weeks advance notice.
- e. Interment Spaces are 11 1/4 inches wide x 11 1/4 inches high x 10 1/2 inches deep. Standard size cremation containers are 6 inches wide x 8 inches high x 4 inches deep. A maximum of two (2) cremains shall be allowed in each Niche.
- f. Interments shall be made only in urns or containers of appropriate size and in accordance with Colorado law.
- g. The name and dates of birth and death of the deceased shall be placed within the container.
- h. Storage of all personal property or items other than the lawful cremains of an individual within a customary urn or cremains' container (along with an identifying information sheet or plaque) is strictly prohibited.

Section 8. Inscriptions

- a. Inscriptions shall not be permitted before the issuance of a Certificate of Interment.
- b. Inscriptions shall be set in a uniform size and style and kept to no more than seven lines.
- c. Inscriptions shall be submitted directly to Wilhelm Monument Company, Colorado Springs, CO, or such other company as the Committee should later select. Cost of inscription is not included in purchase of an Interment Space and are subject to change on the basis of Wilhelm Monument Company's (or such other company as the Committee should later chooses) engraving fee schedule.

Section 9. Contact Information

- a. The holder of a Certificate of Interment shall be responsible for notifying the Ranch or Committee in writing of any change of address relevant to appropriate communications pertaining to the Interment Space.
- b. Notice sent to the holder of the Certificate of Interment at the last address on file shall be considered sufficient and proper legal notification for all purposes.
- c. Neither Ranch nor the Committee shall bear any liability for any future movement of cremains if the contact information in the Committee's file is not current.
- d. The Committee shall be free to reassign any Interment Space that has not used after fifty (50) years from the date of the issuance of a Certificate of Interment, if the whereabouts of the Certificate holder (along with their family and heirs) cannot be ascertained after reasonable efforts are made to locate them.

Section 10. Transfer or Assignment

- a. Except with the written consent of the Committee, Interment Space privileges shall not be reassigned, conveyed or transferred, including a transfer by devise or descent, and shall not be subject to any of the Certificate holder's debts or obligations, including alimony, and shall not be subject to attachment, garnishment, execution or other legal process.

Section 11. Transfer of Certificate of Interment

- a. Columbaria funds shall not be used, diminished or assigned in any manner to support the transfer of a Certificate of Interment between individual parties.
- b. The Committee shall assist a Certificate holder who desires to transfer their unused Interment Space to another individual. Any such transfer shall be subject to the Section 3 eligibility requirements. Any such transfer shall also require the Committee's approval, but it would not involve the Committee's collection of an additional interment fee.
- c. Transfer of a Certificate of Interment shall be prohibited once an inscription has been engraved upon the granite face of the Columbaria unless suitable arrangements have been made with the Committee to restore the Columbaria's granite face to a suitable re-use condition. What constitutes a suitable re-use condition is within the sound discretion of the Committee.
- d. All requests to transfer a Certificate of Interment shall be made in writing and submitted to the Committee for approval. A new Certificate of Interment shall be issued if the Committee approves the transfer.

Section 12. Removal of Cremains

- a. Removal of cremains shall be requested in writing by the Certificate holder. If the Certificate holder is unavailable, a removal request may be made by an interested person. An interested person is herein defined as a spouse, parent, child or heir at law of either the Certificate holder or the deceased whose cremains are being so cared for. Any removal of cremains must be approved by the Committee in advance, and the Committee shall be in charge of the removal activities.

- b. Removal of cremains are prohibited once an inscription has been engraved upon the granite face of the Columbaria unless suitable arrangements have been made with the Committee to restore the Columbaria's granite face to a suitable re-use condition. What constitutes a suitable re-use condition is within the sound discretion of the Committee.

Section 13. Care of Columbaria

- a. The Columbaria location has been designated and cleared on the Ranch House property, Lot 37.
- b. The Ranch shall have sole responsibility and control over additional columbaria purchase, placement and other memorial options on its property.
- c. Fresh or artificial flowers may be placed at the Columbaria at any time. All other decorations shall be prohibited. The Committee reserves the right to remove and dispose of all such items, as it deems appropriate, without notice or liability to persons placing the same.
- d. Funds for care of the Columbaria, other than the operating fund, shall be deposited or invested from time to time to the credit of the Committee in such banks, Savings and Loan Associations or other depositories as the Ranch Board elects; and such funds shall be for the perpetual care or expansion of the Columbaria.

Section 14. Financing, Contracts, Loans and Checks

- a. The interment fee for an Interment Space shall be adjusted to provide a reserve for long-term maintenance and additional site development.
- b. A separate bank account for the Committee shall be maintained by the Committee Treasurer and monitored by the Ranch Board Treasurer or placed within a dedicated Ranch account.
- c. The Ranch Board may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Committee, but such authority shall be confined to specific purpose and instance.
- d. No loans shall be contracted on behalf of the Committee.
- e. All checks, drafts, or other orders for the payment of funds, issued in the name of the Committee shall be executed by an authorized officer. Authorization of such officers shall be executed by account signature cards.
- f. At the close of each calendar year, all accounts shall be audited by the Ranch Board or by the Ranch accountant.

Section 15. Movement, Removal, Termination of Ranch

- a. Should it be necessary to move the Columbaria to another location on Ranch, it shall be the responsibility of the Ranch Board and Committee to provide facilities then existing for the redepositing of the cremains committed to its care. The Committee shall exercise reasonable effort to locate and notify the Certificate holder, their legal representative or surviving family and heirs as to the new location.
- b. While the Ranch and the Committee anticipates that it shall continue to operate the Columbarium at its present location for the foreseeable future, no representation is made that the Columbarium shall be maintained into perpetuity.
- c. In the event that Ranch is dissolved and ownership of the property is transferred to another owner or the Columbaria facilities are discontinued:
 - 1. All privileges under the Certificate of Interment shall terminate.
 - 2. The Committee shall exercise reasonable effort to locate and notify the Certificate holder, their legal representative or surviving family and heirs, and/or any surviving heirs and afford them the opportunity to remove the cremains.
 - 3. If arrangement for the removal of the cremains are not made, or if proper representative cannot be contacted within a reasonable time period set forth by Ranch Board and Committee, the Committee retains the right to take possession of and title to the cremains and to relocate the cremains as it deems proper.
 - 4. No refund of any amount for the interment fees shall be made in the event of termination of the Columbaria
 - 5. In the event of relocation of cremains, records including date, location and who took possession of the cremains, shall be available from the Ranch Board and Committee Secretaries.

Section 16. Visits by Non- Ranch Members

- a. Under the Ranch rules and regulations, non-Ranch members visiting the Ranch must be in the

company of a current Ranch member. If a non-Ranch member wishes to visit the Columbaria, and are unable (or it is otherwise inconvenient) to be accompanied by a current Ranch member, the non-Ranch member visitor shall first obtain written permission from Committee for the visit, carry same on their person while upon Ranch property and produce the written consent, if asked.

Section 17. Insurance and Security

- a. Ranch may carry insurance for its own benefit covering the Columbaria, as it deems reasonable. There is no obligation on the Ranch to carry insurance or to provide insurance for the benefit of any holder of a Certificate of Interment or his or her heirs, beneficiaries, or legal representatives.
- b. The Ranch, the Ranch Board, its officers, agents and Committee members shall not be liable for damage to or loss of interred remains, including loss or damage by the elements, Acts of God, common enemy, thieves, vandals, explosions, fire, unavoidable incidents, invasion, or any order of civil or military authority, whether the damage be direct or indirect.

Section 18. Amendment or Waiver

- a. These policies, rules, and regulations may be altered, amended, or repealed and new policies may be adopted by a majority vote of the Ranch Board at any regularly scheduled meeting or at any special meeting called for that purpose.

Adopted March 16, 2017