

Receipt No. _____

Town of Wareham
Municipal Maintenance, Cemetery Division
95 Charge Pond Road
Wareham, Massachusetts

License of Burial

The Town of Wareham and its Cemeteries existing under the laws of the Commonwealth of Massachusetts (hereinafter called the Cemetery) in consideration of

_____ Dollars

to it paid hereby grants to _____,
of _____

(Hereinafter called the licensee) the exclusive right of and license for burial of the human dead in the grave/ lot of land hereinafter designated in _____ Cemetery, Wareham *Massachusetts* of which the sum of _____ Dollars

is to be held in trust for perpetual care as hereinafter provided.

Section _____

Grave / Lot No. _____

Date of Purchase _____

Said Grave(s) or Lot is to be used only for those whom the Town of Wareham and their Cemetery Commission expressly allow, subject to the By-laws, Rules, Regulations and Orders of the Cemetery, now or hereafter in force, to the provisions of the statutes of the Commonwealth of Massachusetts now or hereafter in force, and to the annexed conditions, restrictions, limitations, and privileges as hereinafter set forth.

In witness whereof the Town of Wareham and its Cemetery Commissioners, has caused its seal to be hereto affixed and these presents to be Signed in its behalf by its Chairman and Secretary, this _____ day of _____ A.D. 20

**Town of Wareham, Cemetery Division
95 Charge Pond Road
Wareham, Massachusetts
By**



**Conditions, Restrictions, Limitations, Rules, Regulations, and Privileges
annexed and made part of License**

FIRST: The licensee shall have the right of burial of two (2) deceased human remains, being, (1) full casket burial and one (1) of cremated remains per designated grave. This is based on the requirements and size restrictions of each casket burial within a grave not exceeding 42 inches wide, 96 inches long and 32 inches in height including the outer burial container so required.

SECOND: The license shall be issued to one person.

THIRD: The license is not transferable without the written consent of the Town, Cemetery Commission or their designee.

FOURTH: The licensee shall have the right to have a memorial, centered at the head of the grave (s), but all such memorials shall not exceed the dimensions and style of the section licensed in, and shall be set on a suitable foundation base, which shall be installed by the Cemetery, under the supervision of the management, but at the expense of the licensee, and are to be paid for in advance. No memorial shall be installed, set, placed, or inscribed without written approval and general supervision of management of the Cemetery or their designee. The Town of Wareham or their management designee, will not be responsible for the care or safety of any memorial, marker or structure that may be placed by permission on said lot or grave. All memorials including foot markers or attached vases remain the property of the individual License Holder.

Measurements of Memorial Monuments

All styles and dimensions of memorials by sections and number of graves are recorded at the cemetery office.

FIFTH: The Cemetery agrees that it will cut the grass and raise all sunken ground on said grave or lot, whenever necessary (except at such times as the Cemetery cannot comply due to causes beyond its control). It is forbidden to remove the sod, or in any way mutilate or disturb the surface of this grave or surrounding land for any purpose without permission of the cemetery, otherwise the cost of repairing same and restoring it will be charged to such grave and be a lien thereon. The Town of Wareham and its Cemeteries shall not be obliged to make a separate investment of the portion of the sale price set aside for perpetual care under the within license. All sums received for perpetual care shall collectively constitute a separate fund called the "Perpetual Care Trust Fund", which shall be invested under the direction of the authorized Trustees for the funds. The income of this fund will be used only within the budget of the cemetery for the operation, care and maintenance of the cemetery and the individual grave(s) so mentioned.

SIXTH: The licensee shall have the right to prepare an annual planting bed 12 inches in front of their upright memorial at the head of the grave only. No trees, shrubs or bushes are allowed to be planted. No grading, sodding, planting or landscape work is permitted without written approval from cemetery management. Should any grading, landscaping, decorating, or planting be made without approval, The Town of Wareham, acting through the cemetery management shall have the right to enter upon said grave or lot and remove such plantings, decorations or change such work at the expense of the licensee. The cemetery management shall have the right to remove, all decorations, floral designs, flowers, shrubs, memorial objects, and holiday remembrances which in opinion of management, exceeds the planting area, is deemed offensive, improper, unsafe or detrimental to the general appearance of the cemetery; they may be removed without any notice. Complete clean-up of the cemetery including all annual plantings, memorial decorations, flags, solar lights, and general items will be completed twice a year and will be posted with notice.

SEVENTH: In order to entitle the licensee to the opening of a grave, removal of remains, memorial setting, inscription or removal of bronze/ stone memorial, the licensee or authorized agent, shall be present at the cemetery office, and /in addition to written request signed by all of the interested parties. The designee approved by the cemetery management will perform all services within the cemetery.

EIGHTH: All burials shall have an outside container of durable construction to protect the casket or urn from earth load, according to size and specifications on file with the cemetery office.

NINTH: Disinterment and removals of human remains from the cemetery may be made upon final order of a court having jurisdiction. In the absence of such order, no disinterment or removal from the cemetery or from one grave to another will be allowed without the consent of the Cemetery Governing Authority and the written authorization of persons entitled thereto by the provisions of chapter 114 and chapter 190 section 3 of the General Laws of Massachusetts.

TENTH: Whenever graves or lots become vacant by the removal of the human remains therein to another grave or cemetery and the Licensee or its heirs releases all their rights to the grave or lot to the cemetery, a portion of the perpetual care of said grave or lot set by the Governing Body is forfeited.

Eleventh: In case the Licensee/ License Holder and his or her heirs desire to relinquish or transfer the burial rights to said grave or lot, they must first offer in writing to the Town, through its Cemetery authority which reserves the right to offer the original land cost, less the amount to be forfeited for perpetual care as set above.

Twelfth: The income of the Perpetual Care Trust Fund as established shall be used, at the sole discretion and in the best judgment of the Governing Body through its Cemetery, for the general maintenance, improvements and embellishment, of the Town of Wareham Cemeteries as a whole, including the operating expenses of their cemetery division, and for the care of the grave or lot as herein agreed.

Thirteenth: In case of a violation of any of the conditions and rules and regulations of the Town of Wareham and its cemeteries, the within License of Burial shall terminate at the option of the Governing Body, and the licensee, or anyone claiming rights or interest under him or her shall have no claim in law or equity to any right or privilege in or to said License of Burial to said grave or lot.