

DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, TOWN OF HAVANA, a municipal corporation organized and existing under the laws of the State of Florida and located in Gadsden County, Florida, the owner of the following described lands situate, lying and being in the Town of Havana, County of Gadsden and State of Florida, constituting and being WOODLAND CEMETERY UNIT NO. 3, to-wit:

Description attached hereto and made a part hereof and marked Exhibit "A".

does hereby make the following Declaration of Restrictions covering the above-described real property, specifying that this Declaration shall constitute covenants running with the land and that this Declaration shall be binding upon the undersigned and upon all persons deraining title through the undersigned until January 1, 2031, at which time said covenants and restrictions shall be automatically extended for successive ten (10) year periods unless canceled or modified in whole or in part by the then owners of said lands.

1) Every owner or user of a lot, plot or burial space within this property shall use and maintain such lot, plot or burial space subject to the provisions of these restrictions and any and all rules or regulations prescribed by the Town Council of the Town of Havana.

2) No remains except those of a human being shall be buried in such lot, plot or burial space.

3) Not more than one (1) body shall be interred in any one (1) grave (no stacking of caskets), vault, or crypt, unless such bodies have been cremated.

4) It shall be the responsibility of the funeral home conducting the burial of a deceased person to properly open and close each grave.

5) All graves shall meet the following restrictions:

a) Size 5'x10'

b) Soil removed:

Soil shall be placed on a cover or bagged adjacent to the opened grave. No soil will be allowed on grassed areas.

c) Tamping:

Graves shall be tamped to original compaction and made level with the existing ground around the grave.

6) All ground interments made within this property shall require a vault, which vault shall be constructed of a material resistant to decomposition and capable of sustaining a static load of at least 4,000 pounds per square foot and 40,000 pounds gross load. The Town may require certification that a particular vault is in compliance with these specifications.

7) All burial vaults on this property shall be buried to the extent that all portions of the vaults shall be at least 18 inches below the normal surface of the earth in the area where such vaults are buried and shall be covered by at least 18 inches of earth.

8) The Town may remove cut flowers, potted plants, and the containers and stands for the same, when the flowers and plants have become unsightly. The Town also reserves the right to remove any ornament that is not in keeping with general appearance of the cemetery.

9) The Town is not responsible for theft or damage caused by third parties to any personal property, including markers, monuments, artifacts, etc. placed on graves, lots or elsewhere on this property.

10) All temporary markers will be removed at the time a permanent stone, slab or monument has been placed.

11) No coping, fences, fixtures or enclosures will be allowed except as constructed by the Town.

12) All improvements of or alterations to individual property in the cemetery shall be under the direction of, and subject to the consent, satisfaction and approval of the Town; and, should such improvements be made without written or verbal consent, the Town shall have the right to remove, alter or change such improvements or alterations.

13) The Town will assume no liability for damage to any casket, burial case, vault, or urn, incurred in making an interment or a disinterment.

14) No firearms shall be permitted within this property except with a special permit from the Town or by duly constituted authorities.

15) This cemetery shall be opened for visitation during the following hours:

One-Half hour after sunrise

One-Half hour before sunset

16) Persons within the cemetery grounds shall use only the designated walkways, avenues and roads and shall not walk, drive, or ride upon the lots, plots, and spaces.

IN WITNESS WHEREOF, the party hereto has set its hand and seal this 27th day of October, A.D. 2000.

WITNESSES:

Glenn Dora Cromer
Joyce Kimbrell

TOWN OF HAVANA

BY: T. J. Davis
Mayor and Presiding Officer
of the Town Council

ATTEST:

BY: Karen W. Myrick
Clerk of Town of Havana and
Clerk of Town Council thereof

STATE OF FLORIDA
COUNTY OF GADSDEN

The foregoing instrument was acknowledged before me this 27th day of October, A.D. 2000, by T. J. Davis and Karen W. Myrick, the Mayor and Presiding Officer, and Clerk, respectively, of the Town Council of the Town of Havana, Florida, a municipal corporation.

Glenn Dora Cromer
Notary Public
My Commission Expires:



Glenn Dora Cromer
MY COMMISSION # CC938915 EXPIRES
June 15, 2004
BONDED THRU TROY FAIR INSURANCE, INC.