

**MONTVIEW GARDEN COLUMBARIUM  
MONTVIEW BOULEVARD PRESBYTERIAN CHURCH  
1980 Dahlia Street, Denver, CO 80220**

**POLICIES AND PURCHASE CONDITIONS**

This document addresses the use of interment space in the Montview Garden Columbarium, located on the grounds of the Montview Boulevard Presbyterian Church (“Montview”). In addition, this document clarifies and supplements the terms and conditions of the **STATEMENT OF POLICY AND DECLARATION** and **CERTIFICATE OF PURCHASE** respecting the Montview Garden Columbarium and is subject to such other rules and regulations that Montview has adopted or may hereafter adopt concerning the Montview Garden Columbarium, as well as any future modifications of these **POLICIES AND PURCHASE CONDITIONS**.

**I. Policies**

**A. Use**

1. Only cremated human remains may be interred in the Montview Garden Columbarium.
2. Montview does not and shall not restrict who may be interred in the Montview Garden Columbarium on the basis of race, color, creed, age, national origin, disability, marital status, gender, sexual orientation, or gender identity or expression.
3. A memorial service shall be held at each interment. A Montview minister shall be present at all interments and shall sign the applicable Certificate of Purchase following each interment and ensure that it is updated to reflect the interment. A Montview minister shall conduct each memorial service, except when a current Montview minister has delegated this role to other clergy.
4. The Montview Garden Columbarium Commission is responsible for the immediate and long range management and operation of the Columbarium, including planting flowers, shrubs and trees at the Columbarium. All other plantings and all ornamentation are prohibited.
5. Montview has the sole control to access the Common Crypt or an Individual Crypt.

**B. Crypts**

**1. Common Crypt:**

- a. The Common Crypt may accept only cremated human remains, which will be interred therein without an urn or any type of container.
- b. The full name and dates of birth and death for each person whose remains are interred in the Common Crypt will be inscribed in the *Book of Remembrance*, which is kept in Barrett Chapel. Montview and/or the Montview Garden Columbarium Commission will enter these inscriptions from time to time.
- c. No inscriptions are permitted on the Common Crypt cover.
- d. The number of uses of the Common Crypt is unlimited, subject to payment as herein provided.

**2. Individual Crypts:**

- a. An Individual Crypt may accept only cremated human remains. These remains will be interred in a Montview-approved urn or container, or interred directly without an urn or container.

- b. Montview will provide an urn for each interment at no additional cost. Currently, Montview can provide 8" or 11" deep urns, as well as infant-sized urns. Montview reserves the right to change the composition and sizes of urns it makes available.
  - c. Other appropriate urns or containers may be used, provided they fit in an individual circular crypt (not to exceed five and one-fourth inches in diameter) and that the decedent's full name and dates of birth and death are written in permanent marker on the bottom of the urn and on the bottom of its lid. Montview reserves the right to refuse to inter an urn or container that, in the sole discretion and final judgment of its representatives, fails to meet its requirements of size and appropriateness.
  - d. Individual Crypts are approximately 24" deep. The height of an urn will affect how many urns can be placed in an Individual Crypt, as well as whether it will hold all of an individual's remains. In some instances, a person's entire cremated remains may not fit in an 8" urn. As a result, in many instances, an Individual Crypt may hold the entire cremated remains of just two individuals. Buyers and other relevant persons should discuss urn sizes with Montview, including whether they intend to inter all or a portion of the person's remains in an Individual Crypt.
  - e. Montview will place the full name and dates of birth and death of the first three persons whose cremated remains are interred in an Individual Crypt on a plaque that Montview will provide and install on the east wall. No other information is permitted on the plaque. Montview determines plaque size, composition, typeface, and lettering.
  - f. Each Individual Crypt may be used for as many interments as it will contain, subject to the Buyer's designations and payment for each interment. However, only the names of the first three persons interred in each crypt can be placed on the plaque. Additional names will be inscribed in the *Book of Remembrance*.
- C. Removal of Remains and Termination of Rights
1. Interred cremated remains may be removed from an Individual Crypt with the prior written consent of Montview and the Buyer, survivor of the person interred or the personal representative of either. Before remains may be removed, Montview shall receive written instructions and a written receipt for the remains, along with a written agreement signed by all applicable persons that holds Montview harmless for any and all claims that may be asserted against it, including attorney fees. No refunds will be granted under any such circumstance. Cremated remains interred in the Common Crypt may not be removed, except as set forth in I.C.3., below. A Montview minister shall be present whenever interred cremated remains are removed.
  2. The Buyer's right of use of an Individual Crypt, including all designations, shall lapse and all rights and interest in the crypt shall revert to Montview for non-use by its Buyer or any of Buyer's designees. Montview's determination that a Buyer's right of use, including all designations, has lapsed shall be final and binding on all parties. Grounds for such a determination include, but are not limited to, the passage of seven years after the death of the last surviving Buyer or designee eligible for interment, with no interment having occurred in the Individual Crypt at issue. No refunds will be granted under any such circumstance.
  3. The right of the Buyer and any designee to use a crypt shall cease if the present church property is no longer owned by Montview, the present church edifice is demolished, or it is no longer feasible to maintain the Columbarium, as determined by the Montview Boulevard Presbyterian Church Session. If any of these circumstances occurs, all remains

interred in Individual Crypts may be removed as provided in I.C.1, above. If, after reasonable notice, such remains are not removed by representatives of the person interred, Montview shall have the right to remove and reinter the same in such manner as it shall deem proper, and thereafter no right to the crypt shall exist in the Buyer or any other person. Remains interred in the Common Crypt will be removed and reinterred as determined by the Session of Montview. The removal and reinterment of remains by or on behalf of Montview under this subparagraph may also be subject to requirements of the Denver Presbytery and/or the Presbyterian Church (U.S.A.). No refunds will be granted under any such circumstance.

## II. Purchase Conditions

### A. Prices and Services Provided

1. Buyers purchase the use of an Individual Crypt or the Common Crypt, as applicable. These purchases do not convey ownership of any crypt or any part of the Columbarium.
2. Montview, acting through the Montview Garden Columbarium Commission and following Session approval, reserves the right to change prices from time to time as it deems necessary or appropriate.
3. Common Crypt: The cost to inter the cremated remains of one person in the Common Crypt is \$300. There is no cost to inter the cremated remains of infants one year of age or younger in the Common Crypt. Each such interment includes opening and closing the crypt and the interment service.
4. Individual Crypt: The cost to inter the cremated remains of one person and the right of use of an Individual Crypt is \$550. The cost to inter the cremated remains of the second and each subsequent person in the same Individual Crypt is \$450. These prices include one urn per individual and a plaque (for the first three individuals interred) or inscription in the *Book of Remembrance* (for the fourth and each additional interment). Each such interment includes opening and closing the crypt and the interment service.
5. Additional Urns: If only a portion of a person's ashes are interred at the Montview Garden Columbarium, additional urns may be available, at cost, to hold the remainder of that person's ashes. Buyers and other relevant persons should discuss this issue with Montview.
6. Except as set forth in I.A.2., above, Montview retains the unreviewable discretion to refuse to sell a crypt or inter an individual, subject to its review of this decision with the Columbarium Commission and Session.

### B. Individual Crypt Designations

1. At the time of purchase, Buyer shall designate the person or persons by name or by class (e.g., unborn issue of specific, named persons) whose remains may be interred in the purchased Individual Crypt. During the Buyer's lifetime, the Buyer may change such designations by written notice delivered to and accepted by Montview.
2. The Buyer's right to designate ceases upon Buyer's death, unless Buyer designated in writing that another may exercise the right to designate who may be interred in the crypt. By pastoral discretion, with the approval of the Montview Garden Columbarium Commission, the Buyer's right to designate, specific designations made, or the Buyer's delegated right may be suspended.

### C. Eligibility

1. The Buyer must be a natural person or the personal representative of a deceased or incompetent person.

2. Two persons may qualify as the “Buyer” and will hold the attendant rights as joint tenants with rights of survivorship and not as tenants in common; attendant rights of use and designation are exercisable jointly while each is living or by the survivor.

D. Nonassignability

1. Without the prior written consent of Montview, Buyer’s rights may not be sold, assigned, transferred or pass by testacy or by the law of descent and distribution. Buyer’s rights shall not be subject to claims of creditors.

2. Except for the right of designation set forth in II.B., Buyer’s rights are no longer saleable or assignable after the first interment in an Individual Crypt.

Approved by the Montview Garden Columbarium Commission:

\_\_\_\_\_

Chair

Date: \_\_\_\_\_

Approved by the Montview Session:

\_\_\_\_\_

Clerk of Session

Date: \_\_\_\_\_