



Memorial Garden Policy Statement

The Memorial Garden (i.e., Celtic Cross, Columbarium Wall, Memorial Wall, and sitting/reflection area) of Mountain Shadows Presbyterian Church (the Church) has been established to provide an area on church grounds for the Christian inurnment of the remains of deceased members of the Church, their family members, and in selected cases, individuals from the larger community. The Columbarium Wall is designed to contain columbarium niches that can be used for storage of human cremains, and a Memorial Wall is designed for mounting memorial plaques.

The Memorial Garden of the Church is intended as a place for reflection, remembrance, and prayer to give glory to God for those that have gone before us. All persons to be memorialized will be treated equally with respect as beloved children of God. Generally, memorials for individuals will consist either of plaques or niches, uniformly designed to the Church's specifications and honoring all saints' inclusion in "the great cloud of witnesses" (Hebrews 12: 1-2). Although the Memorial Garden's Columbarium Wall and Memorial Wall are generally not a place for unique or exceptional monuments, the Church's Session reserves the right to determine the appropriateness of any potential variations from the norms delineated in this policy statement.

This policy is designed to assure that the privileges and conditions in connection with the use of the Memorial Garden's Columbarium Wall and Memorial Wall are consistent with the stated mission of the Church and its governance.

Governing Policy:

1. Supervision of the Memorial Garden.

At all times, full control is assigned to the Board of Ruling Elders and Pastor, hereafter referred to as the Session. The day-to-day operation shall be managed by the Elder-Moderator for Facilities, hereafter referred to as the Administrator, with oversight by the Session.

2. Eligibility.

Individuals may have access to the Memorial Garden's Columbarium Wall or Memorial Wall based on the following conditions as approved by the Session:

- a. Current, former, and affiliate members of the congregation of the Church.
- b. Spouses or partners of such members.
- c. Children or stepchildren of such members and their spouses.
- d. Grandchildren of such members and their spouses.
- e. Parents of such members.
- f. Current or former ordained ministers of the Church, their spouses, children and stepchildren, all of which classes of persons shall be deemed members of the Church for the purposes hereof (the Eligible Persons).
- g. Congregants who have attended the Church for a significant amount of time and who have close ties to the Church. When necessary, eligibility will be determined on a case-by-case basis by the Session.
- h. Individuals from the larger community for whom Christian inurnment at the Church is desired and appropriate for reasons. When necessary, eligibility will be determined on a case-by-case basis by the Session.
- i. The Session shall have authority to make exceptions to the definition of eligible persons. When necessary, eligibility will be determined on a case-by-case basis by the Session.

3. Reservation of Columbarium Wall niches and Memorial Wall plaques.

Title and rights retained by the Church. Specific niches for the inurnment of human cremains may be reserved for future use providing the written application has been submitted and the payment of the appropriate fees. The fees are for the reservation of the niche, for the urn(s) with Columbarium Wall Facing Stone(s), and for the Memorial Wall Facing Stone(s).

An acknowledgment of the reservation will be made in writing by the Church to the person making the reservation. Also, the person making the reservation will be required to sign and return a copy of the Memorial Garden Policy Statement indicating they have read and understood all policy items.

Legal title to the niches and all surrounding real property remains with the Church. The reservation of the niche and the payment of the fees confer the right to use the niche in accordance with the Memorial Garden Policy Statement of the Church and no title or right of ownership to the niche or real property is acquired.

Reservations may not be transferred to any other person or person except with the prior written permission of the Administrator. The person gaining the right to use the niche is responsible for costs incurred in acquiring the urn(s) and memorialized facing stone(s).

Reservations may be cancelled by a written request sent to the Administrator. Should a reservation be cancelled, the Church will refund that part of the fee for reserving the niche, without interest. Funds used for the facing stone(s) and urn(s) will not be returned. If a person in whose name a reservation has been made ceases to be eligible, the Administrator may declare the reservation cancelled.

Columbarium Wall niches and Memorial Wall plaques can be made available at any time, subject to availability.

4. Fee for right for use of niche where no reservation has been made.

On those occasions when the family of a deceased Eligible Person desires to have the cremated remains of the deceased inurned in the Columbarium Wall but no niche has been previously reserved, the right to use a niche may be obtained upon the payment of the same fee as for a reservation then in effect and the execution of all required documents.

5. Urns.

Urns are part of the package that is included in the purchase price. They will contain the cremated remains of one human. They are of a size that two urns can be placed in one niche. Each urn comes with an urn identification plate.

6. Columbarium Wall Facing Stones.

Columbarium Wall Facing Stones are also part of the package included in the basic purchase price. They have space for two names and two dates each, reflecting the birth date and date of death. The wording is subject to approval by the Administrator. The inscription of the facing stones is part of the fee.

7. Memorial Wall Facing Stones.

Memorial Wall Facing Stones may be purchased for those who wish to be remembered by the Church but choose not to have their cremated remains located in the Columbarium Wall. A facing stone may commemorate one or two human individuals on the same stone. If a second name is added to a single plaque, additional fees may apply.

8. Cremation.

The costs of cremation are not covered by any fee or fees paid to the Church pursuant to these policies and the Church will not offer any cremation services. The representative of the deceased Eligible Persons shall be responsible for cremation in accordance with the laws of the State of Arizona and for the costs in connection therewith.

9. Multiple Inurnments.

The niches are designed for up to two urns. The placement of more than one person in an urn or more than two urns in a niche is prohibited.

10. Memorial Services.

A memorial service for the inurnment of cremated remains may be planned by the Church's pastor, in conjunction with the deceased's family. Only individuals approved by the Session may conduct the services held in connection with the inurnment of the remains in the niches of the Columbarium Wall. Because of the distinctly Christian purpose of the Memorial Garden, no inurnment will be permitted without an appropriate service of Christian worship.

11. Decorations.

The Session will not be responsible for any decorations, flowers, or other items placed on or near the Memorial Garden. The Session reserves the right to remove and dispose of any decoration, floral arrangement, or other item that it deems unsightly or objectionable. Under no circumstances will the use of glass containers or other items that could cause injury be allowed. Floral decorations and/or Mylar balloons will be removed after three days. All decorations must not infringe upon the rights of others within the area.

12. Right of the Church to remove cremated remains.

Each Eligible Person upon his/her reservation of a niche shall receive upon request acknowledgment of that reservation in writing. The Church reserves without such acknowledgment the right to remove the cremated remains of the deceased inurned therein and to cause the re-inurnment of such remains in any appropriate location, whether on the present grounds of the Church or elsewhere, upon the occasion of the relocation or discontinuance of the Columbarium Wall for any reason.

13. Removal of cremated remains by entities other than the Church.

Upon the request of a person showing evidence of due authority, a niche may be opened and the cremated remains of a deceased Eligible Person inurned therein may be removed by such person authorized by laws to do so and upon compliance by such person with all the requirements of State, municipal, or other applicable laws. Any such opening of a niche shall be done by the Church at such time as may be convenient to it and the cost thereof shall be paid by the person requesting such action. The Church may require as a condition of complying with such a request that the person making such request release and indemnify the Church against all liability and expenses (including attorney fees) incurred in connection with such opening and removal. If, after the removal of the cremated remains of the deceased, the cremated remains of another deceased are not still in the niche, all rights to use of the niche shall revert to the Church. No fees of any type shall be refunded by the Church to any person or estate upon removal of inurned remains.

14. Record of inurnments.

The Church shall maintain a list of all Eligible Persons reserving niches, together with the names and addresses of the next of kin of such Eligible Persons.

The Church shall also maintain a record of each inurnment in the Columbarium Wall. The name of the deceased in each inurnment, the deceased's dates of birth and death, the location of the niche in the Columbarium Wall, and the name of the deceased's next of kin shall be included in such record.

15. Accounts.

Account reservation fees, donations, bequests, or other funds received by the Church in connection with the Memorial Garden (including, but not limited to, niches, urns, and memorial plaques), shall be received by the Church Treasurer and be maintained in a designated fund within the general checking account of the Church. All disbursements from the fund shall be authorized in writing to the Church Treasurer by the Administrator. All income from the Memorial Garden shall be transferred to the Gifts and Memorials Account at the close of the Church accounting records each year, except that portion of the income as deemed by the Administrator necessary for the on-going operation of the Memorial Garden.

16. Conditions.

The Memorial Garden will be open to visitors at all times that the Church is open to the public or for special occasions.

No remains may be inurned in the Columbarium Wall without a committal service as provided in Section 10 hereof. In the event that the Church should relocate, the Church will provide a suitable Columbarium Wall and Memorial Wall in the new location. In the event the Church should cease to exist, every effort will be made to locate the deceased's heirs and return the cremains/memorial plaques to them. If, within a reasonable time, the heirs cannot be found, the cremains/memorial plaques will be

placed in a suitable location, as determined by the Session, or under the authority of the Presbytery.

17. Liability.

The Church's liability to any person, his/her heirs, family, and personal representatives shall be limited to the fees paid for right to use a niche/memorial plaque.

18. Fee Schedule.

The cost of a niche with one urn is \$1,250; this includes a facing stone with inscription and an identification plate on the urn. The cost of a niche with two urns is \$1,500; this includes an identification plate on both urns, along with the facing stone.

Memorial plaques are \$350.00 for an individual and \$500.00 for two individuals.

These fees are due upon reservation of both the Columbarium Wall niche and Memorial Wall plaques. Prices may change at any time.

19. Review and changes.

The Session may, at any time, upon request or its own motion, modify, amend, repeal, suspend, or waive any or all the policies stated herein. A waiver of any policy stated herein shall not be construed, unless specifically so stated by the Session, to constitute a waiver of that policy with respect to any situation or occurrence arising thereafter.

20. Adoption.

Adopted by the Session of the Church this 14th day of May, 2025. This document replaces all earlier Memorial Garden Policy Statements.

Signed/dated by: Jeff Mague 5-14-2025
Jeff Mague
Clerk of Session