

Filed for Record Aug. 23rd A.D. 1910 at 10.20 o'clock A.M.

George Hill Recorder.

By Daisy Hill Deputy.

John W. Frankelberger)
to
The PublicAffidavit(~~State of Iowa~~)

State of Iowa County of Madison SS:

I, John W. Frankelberger, being first duly sworn upon oath depose and say that I am the President of the Winterset Cemetery Improvement Association of Winterset, Iowa; that heretofore to-wit: on the Twenty-seventh day of June, A.D. 1910, at a meeting of the Directors of said Cemetery Improvement Association rules and regulations for the government and control of said Association were made and adopted by the said Association as follows:-

Art. 1. No lot shall be used for any other purpose than as a place for the burial of the dead. ART. 2. No sale, transfer or assignment of any lot shall be valid without the consent of the Association.

ART. 3. The Board of Directors desire to leave the improvement of lots, as far as possible, to the taste of the owners; but in Justice to all, they reserve the right to exclude or remove from any lot any headstone, monument or other structure, tree, plant, or other object whatever which may conflict with the regulations, or which they shall consider injurious to the general appearance of the grounds; but no trees growing within any lot shall be removed or trimmed without the consent of the Association.

ART. 4. No iron work of any kind will be allowed upon lots except by permission of the managers; and when any article made of iron begins to rust, the same shall be removed from the cemetery. ART. 5. No seats of any kind can be placed upon lots except by

permission of the managers. ART. 6. No coping, hedges, or any kind of enclosure will be permitted in that part of the Cemetery laid out on the lawn plan. The boundaries of the lots may be marked by corner stones, which shall not be less than five nor more than seven inches square on top, to be placed wholly upon the lot and must not project above the surface of the ground, to be set by the Association at the expense of the lot owner.

ART. 7. Mounds over graves should be kept low, not exceeding four inches in height.

ART. 8. All lots must conform to the established grade.

ART. 9. All interments in lots shall be restricted to members of the family or relations of the lot owner, unless permission to the contrary be obtained from the Association.

ART. 10. No disinterments will be allowed without the permission of the Association, of the lot owner, and the next of kin of the deceased.

ART. 11. Foundations for monuments must be four feet in depth and of the same size as the lower base of the superstructure and level with the ground; the masonry to be laid in cement. ART. 12. No headstones exceeding two feet in height above the ground will be allowed, unless placed on cut stone base with stone foundation not less than four feet deep; where head-stones are used foot-stones will not be allowed.

ART. 13. No monument, head-stone, or coping, and no portion of any vault above ground shall be constructed of other material than cut stone or real bronze. No artificial material will be permitted without the consent of the Association.

ART. 14. Materials for stone or marble work will not be allowed to remain in the cemetery longer than shall be strictly necessary, and refuse or unused material must be removed as soon as the work is completed. In case of neglect, such removal will be made by the Association at the expense of the lot owner and contractor, who shall be severally responsible. No material of any kind will be received at the cemetery after 12 o'clock M. on Saturday.

ART. 15. The Directors wish, as far as possible, to discourage the building of vaults, believing, with the best landscape gardeners of today, that they are generally injurious to the appearance of the grounds, and unless constructed with great care, are apt to leak and are liable to rapid decay, and in course of time to become unsightly ruins. Therefore no vaults will be permitted to be built, unless the designs for the same are exceptionally good, and the construction is solid and thorough. The location for, and the designs of the vault must be submitted to the Committee on Grounds, and will not be approved unless the structure would, in their judgment, be an architectural ornament to the cemetery. ART. 16. Proprietors of lots are required to keep them in good order, and have the grass evenly cut as often as may be necessary during the summer (or pay the Association for doing the same) provided however, that the owners of lots may, at their option, deposit in trust, with the Board of Directors, a sum of money, the interest of which shall be perpetually applied to the care and improvement of their respective lots.

ART. 17. All earth grass, weeds, or rubbish of any kind, accumulated by proprietors of lots, or their agents, must be carefully removed without unnecessary delay and deposited wherever the Sexton of the Cemetery may direct. No rubbish will be allowed to be put in the streets or alleys. ART. 18. In order to avoid a divided responsibility, the grading and sodding of lots will be strictly confined to the employes of the Cemetery Association. ART. 19. It shall be the duty and right of the Association from time to time, to lay out and alter such avenues and walks, and to make such rules and regulations for the government of the grounds as they may deem requisite and proper and calculated to secure and promote the general objects of the Cemetery.

ART. 20. Lots No. One (1) and Five Hundred (500) inclusive are set apart and constitute what is known as the Lawn Plan, and upon which no mounds shall be built or any grading of lots above or below the natural or established grade.

ART. 21. All bodies buried on Lots No One (1) and Five Hundred (500) inclusive, shall be properly embalmed.

RULES REGARDING INTERMENTS.

1. When an interment is to be made, notice thereof must be given to the Sexton, who must have eight hours daylight notice in advance of the intended interment.
2. A blank record, setting forth the following particulars will be furnished by the Sexton, which must be filled out and left with him before interment, so that accurate registry of the same may be kept:-
Name of deceased. Parents' names. Married or single. Place of birth. Date of Birth. Place of Death. Date of Death. Disease. Physician. Undertaker. Wood or metallic coffin. Location of grave. Lot. Block. Date and hour of funeral.
3. Permission by a lot owner, to inter within his or her lot, given to others than members of his or her family, must be in writing and left with the Sexton.
4. No interments will be made until the lot is paid or settled for; nor will any interments be allowed in any lot against which there shall appear charges due and unpaid-

5. No grave shall be opened for interment or disinterment by any person not in the employ of the Association. 6. All interments will be subject to the following charges, which in all cases must be paid to the Sexton before interment; For opening and closing the grave of a child under ten years of age, and making a record of the same, \$3.00; For opening and closing the grave of an adult ten years of age and over, and making a record of same, \$5.00.

7. Funeral processions on entering the cemetery, will be under the charge and direction of the Sexton or superintendent of the grounds, who will conduct the procession from the entrance gate to the grave, and from the grave to the exit gate.

8. Carriage drivers at funerals must remain on their respective vehicles; they must drive only in the roads, not encroaching upon the grass, and make no indecent haste in leaving the Cemetery. 9. No unusual ceremonies, or processions, will be allowed without permission from the Association. 10. Note- A suggestion to lot owners respecting interments in their lots may be of use. It frequently occurs that messages are sent desiring that graves should be opened adjoining or near the graves of persons previously interred. Where graves are not designated by stones or otherwise, it will be impossible to comply with the direction thus given, unless some system designating every grave is adopted. It is recommended therefore, that each owner of a lot make a drawing of his plat on a blank page of his certificate and record it on every interment, with name and date. Upon the occurrence of future interments, let transcript of this map, with the place marked where the grave is desired to be opened, be duly sent. In this way every difficulty will be obviated, and an interesting family record will be made and preserved for future generations.

For rate of charges for the depositing of a body in the receiving vault, call on the Secretary. It was also, at said meeting, determined that said rules and regulations should be printed upon the back of each deed to be executed by said Association for lots in the North Addition to Rock City Cemetery, and this affidavit is now made by me for the purpose of placing said rules and regulations of record for reference in such deeds as may be executed by said Cemetery Improvement Association to the purchasers of lots.

I further state that the foregoing rules and regulations of said Cemetery Improvement Association are true and correct. Further deponent saith not.

John W. Frankelberger.

Subscribed in my presence and sworn to before me by the above named affiant, John W. Frankelberger, this 22nd day of August, A.D. 1910.

Jno. A. Guher.

Notary Public in and for Madison County, Iowa.

NOTARIAL

SEAL