

<i>Name</i>	<i>Address/Zip Code</i>	<i>Additional Family/Contacts</i> <i>Birth Date</i>	<i>Telephone</i>	<i>E-mail</i>	<i>Relation of Owner 1 or 2</i>
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Record Review Log

Descent and Distribution

TO BE RECORDED UPON DEATH OF LOT OWNER(S)

Did deceased leave a will? _____ In what court was the will probated _____ Date _____

Was specific disposition of the lot(s) made in the will? _____ What? _____

Name & address of executor _____

Was administration taken out on the deceaseds' estate? _____

In what court was administration granted? _____

Name & address of administrator _____

Name & address of husband or wife _____

Notice is hereby given in accordance with Chap. 114, Sec. 29, Gen. Laws of Massachusetts 1932, to the heirs to designate in writing which of their number shall represent this lot. Such designation does not affect any heir's right or title in the lot. We, the undersigned heirs to the lot hereby designate as the said representative of the lot.

Name _____ Address _____ Phone _____

Signature of heirs _____

I hereby certify this information to be complete & accurate to the best of my knowledge.

(Signed) _____ (Relation to Owner) _____ Date _____

DESCENT AND DISTRIBUTION IF NOT NOTED IN WILL

If a lot owner dies intestate, the lot descends to the heirs-at law but subject to the provisions of Chapter 114, General Laws 1932. Heirs-at-law are given in Chapter 190, Section 3, briefly as follows:

First - Children and issue of any deceased child by right of representation.

Second - If no issue, then father and mother equal.

Third - If no issue nor mother, then father.

Fourth - If no issue nor father, then mother.

Fifth - If no issue and no father or mother, to brothers and sisters and issue of any deceased brother or sister, then to the next of kindred in equal degree.

Sixth - If no issue and no father, mother, brother or sister, then to the next of kindred in equal degree.

TRUST DEEDS: Your attention is called to the desirability of deeding lots in trust to the cemetery. Upon the decease of the proprietor(s), the lot passes to the heirs-at-law unless specifically mentioned in the will or deeded in Trust. A copy of the deed will be mailed upon application.

Massachusetts Law Governing Possession, Care & Control of Lots

Chapter 114, Section 29. Lots in cemeteries incorporated under section one, tombs in public cemeteries in cities, and lots/tombs in public cemeteries in towns, shall be held indivisible, and upon the decease of the proprietor of such lot the title thereto shall vest in his heirs-at-law or devisees, subject to the following limitations and conditions: If he leaves a widow or children, they shall have the possession, care and control of said lot or tomb in common during her life. If he leaves a widow and no children, she shall have such possession, care and control during her life. If he leaves children and no widow, they shall have in common possession, care and control of such lots or tombs during their joint lives, and the survivor of them during his life. The persons in possession, care and control of such lots or tombs may erect a monument and make other permanent improvements thereon. The widow shall have the right of permanent interment for her own body in such lot or tomb, but it may be removed therefrom to some other family lot or tomb with the consent of the heirs. If two or more persons are entitled to the possession, care and control of such lot or tomb, they shall designate in writing to the clerk of the corporation, or if it is a tomb or lot in a public cemetery, to the board of cemetery commissioners, if any, or to the town clerk, which of their number shall represent the lot; and in default of such designation, the board of trustees or directors of the corporation, the board of cemetery commissioners, if any, or the board of health in such lots or tombs are in public cemeteries in towns, shall enter record which of said persons shall represent the lot during such default. The widow may release her right to such lot, but no conveyance or devise by any other person shall deprive her of such a right.

Chapter 114, Section 31. If in a will no expressed disposition or other mention is made of a cemetery lot owned by the testator at his decease, and wherein he or any member of his family is buried, ownership of the lot shall not pass from his lawful heirs by any residuary or other general clause of the will, but shall descent to his heirs, as if he died intestate. Chapter 114, Section 32. A wife shall be entitled to a right of interment for her own body in any burial lot or tomb of which her husband was seized at any time during coverture, which shall be exempt from the operation of the laws regulating conveyance, descent or devise, but may be released by her in the same manner as dower. Chapter 114, Section 33. A husband shall have the same rights in the tomb or burial of his wife as a wife has in that of her husband.