

## LEGISLATIVE BILL 241

Approved by the Governor March 05, 2015

Introduced by Stinner, 48.

A BILL FOR AN ACT relating to cemeteries; to amend sections 15-241, 16-243, 17-941, and 17-945, Reissue Revised Statutes of Nebraska; to change provisions relating to conveyances of cemetery lots; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 15-241, Reissue Revised Statutes of Nebraska, is amended to read:

15-241 A ~~primary city of the primary class~~ may convey cemetery lots owned by such city by certificates signed by the mayor and countersigned by the clerk under seal of the city, specifying that the person to whom the same is issued is owner of the lot or lots described therein by number as laid down on such plat or map, for the purpose of interment. Such certificate shall vest in the proprietor, his or her heirs and assigns, a right in fee simple to such lot or lots for the sole purpose of interment under the regulations of the city council. ~~Such certificate shall be entitled to be recorded in the office of the register of deeds of the proper county without further acknowledgment, and such description of lots shall be deemed and recognized as sufficient description thereof.~~

Sec. 2. Section 16-243, Reissue Revised Statutes of Nebraska, is amended to read:

16-243 A city of the first class may convey cemetery lots owned by such city, by certificates signed by the mayor and countersigned by the clerk under the seal of the city specifying that the person to whom the same is issued is the owner of the lot or lots described therein by number as laid down on such plat or map, for the purpose of interment. Such certificate shall vest in the proprietor, his or her heirs and assigns, a right in fee simple of such lot for the sole purpose of interment, under the regulations of the city council. ~~Such certificates shall be entitled to be recorded in the office of the register of deeds of the proper county without further acknowledgment, and such description of lots shall be deemed and recognized as a sufficient description thereof.~~

Sec. 3. Section 17-941, Reissue Revised Statutes of Nebraska, is amended to read:

17-941 The mayor and council or board of trustees may convey cemetery lots by certificate signed by the mayor and ~~chairperson~~ chairman, and countersigned by the clerk, under the seal of the city or village, specifying that the person to whom the same is issued is the owner of the lot or lots described therein by number as laid down on such map or plat, for the purpose of interment; and such certificate shall vest in the proprietor, his or her heirs and assigns, a right in fee simple to such lot for the sole purpose of interment, under the regulation of the city council or board of trustees. ~~Such certificate shall be entitled to be recorded in the office of the register of deeds of the proper county without further acknowledgment, and such description of lots shall be deemed and recognized as a sufficient description thereof.~~

Sec. 4. Section 17-945, Reissue Revised Statutes of Nebraska, is amended to read:

17-945 Upon the formation of such cemetery association, the lot owners in such cemetery shall elect five of their number as trustees, to whom shall be given the general care, management, and supervision of such cemetery. The mayor or ~~chairperson~~ chairman of such city or village shall, by virtue of his or her office, be a member of the board of trustees, and it shall be his or her duty to make, execute, and deliver to purchasers of lots deeds therefor, when requested by such board of trustees. Such deed shall be executed under the corporate seal of such city, and countersigned by the clerk, specifying that the person to whom the same is issued is the owner, for the purposes of interment, of the lot or lots described therein by numbers, as laid down on the map or plat of such cemetery. Such deed shall vest in the proprietor, his or her heirs or assigns, a right in fee simple to such lot for the sole purpose of interment, under the regulations of the board of trustees. ~~; and such deed shall be entitled to be recorded in the office of the county clerk of the proper county without further acknowledgment or authentications, and such description of lots shall be deemed and recognized as a sufficient description thereof.~~

Sec. 5. Original sections 15-241, 16-243, 17-941, and 17-945, Reissue Revised Statutes of Nebraska, are repealed.