



ST. PAUL LUTHERAN CHURCH POLICY FOR THE EVANGELICAL LUTHERAN CHURCH of ST. MARTIN and HORTONTOWN CEMETERY

Overview

The Evangelical Lutheran Church of St. Martin is the first and oldest standing Lutheran church in Texas. It was established in 1850 in the communities of Neighborsville and Hortontown which have now merged into the city of New Braunfels. The church was moved several miles to its current site, next to Hortontown Cemetery, in 1968.

Maintenance of the church and cemetery relies upon volunteers and the Master Craftsmen Men's ministry of St. Paul Lutheran Church. The church is only open for special religious events such as religious holidays, weddings, and funerals and special church activities. The cemetery continues to serve the descendants of those who have been buried there.

1. Responsibility for St. Martin Church and Hortontown Cemetery

The care, management, and control of the Evangelical Lutheran Church of St. Martin and Hortontown Cemetery (herein referred to St. Martin) belong to Saint Paul Lutheran Church (herein referred to SPLC) located at 181 S. Santa Clara, New Braunfels, Texas. St. Martin Church and Hortontown Cemetery are located at 728 Loop 337, New Braunfels, Texas. Any future additions to this property are hereby vested in the St. Martin Church and Hortontown Cemetery Committee (herein referred to as the "Committee"). This Committee shall have the authority to make, adopt, and enforce rules and regulations which are not in conflict with the constitution or bylaws of the SPLC congregation.

2. Right of Interment

Interment shall be restricted to direct/lineal descendants of persons interred within Hortontown Cemetery. A direct/lineal descendant is defined as a person who is in direct line to an ancestor, such as a child, grandchild, great-grandchild *ad infinitum*. They are the offspring of parents, grandparents. A direct/lineal descendant is distinguished from an indirect/collateral descendant which would be a relative descended from a brother or sister of an ancestor, and thus a cousin, niece, nephew, aunt or uncle. Any direct/lineal descendant must show their line of descent, which is the order or series of persons who have descended one from the other or all from a common ancestor, placed in a line in the order of their birth showing the connection of all blood relatives.

The Committee has made the following exceptions for interment:

- 1) Pastor (and spouse) who has served SPLC continuously for a period of 20 years or more or a Pastor (and spouse) who is serving SPLC at the time of death.

- 2) An SPLC member (and spouse) who has served in a leadership position at SPLC and St. Martin for a period of over 20 years.
- 3) An application can be submitted for interment for any SPLC member exemplifying meritorious service to SPLC church and/or its properties and/or ministry to the community. "Meritorious service" may include cumulative years of volunteerism in general at SPLC; leadership in the men or woman's ministries, Sunday school, Youth Guide, or in a council position. Individual applications must be approved by the Committee and the Congregation Council of SPLC.
- 4) Descendants of "interment exceptions" must be approved by the Committee and the Congregation Council of SPLC.

3. Interment Management

For an interment, directions must be given by the Committee and permit obtained on such form as prescribed by the Committee. Funeral directors are required to have all orders for interments signed by the owner of the lot or someone authorized to represent him/her and accompanied by the necessary burial permit required by the laws of the State of Texas. No grave or tomb shall be opened for disinterment or removal of any person except under authority and direction of a court order. All graves purchased after January 1, 2012 will be required to have a basic burial vault. All other gravesite owners are strongly encouraged to use burial vaults to prevent the grave surface from caving in over time.

4. Grave Site Size

A single grave site size shall be 4 feet by 8 feet. Owners of a grave site may inter a maximum of four cremations.

5. Sale of Grave Sites

The sale of grave sites is to be under the control of the Committee and conveyance thereof shall be signed by the President of SPLC and witnessed by the Church Administrator. The selling price of all grave sites shall NOT include perpetual upkeep. Descendants of the deceased will be encouraged to keep up the grave sites. It is the responsibility of the owner to file proper legal documents of the cemetery deed with the Comal County Clerk.

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| A. Direct Descendants of Hortontown Cemetery Descendants | |
| One grave site | \$ 900 |
| B. Non Descendants | |
| One grave site | \$1200 |
| C. Descendent of an "Interment Exception" | |
| One grave site | \$1200 |

The Committee shall review prices of grave sites annually. The review will be made in the month of May in each calendar year for presentation to the SPLC Congregation Council for approval and presentation at the Annual Congregation Meeting in June.

6. Financial Records

All money belonging to or for the benefit of St. Martin, including proceeds from the sale of grave sites, shall be under the control and management of the Committee and kept in separate funds by SPLC. The control of expenditures will be the responsibility of the Committee and shall be paid out only on orders signed by the Congregation Vice President.

7. Regulations on Grave Site Work

All grading of grave sites, planting of trees or shrubbery, foundations for monuments, digging of graves, construction of concrete foundations for monuments, or any other work, must be done by bonded personnel under the direction and authority of the Committee, except when written permission is granted to the owner of the grave site by the Committee.

8. Responsibilities of Grave Site Owners

Grave site owners will be held responsible for any injury of damage done either to the grounds or property of St. Martin or that of other grave site owners, by any contractor or worker engaged in work upon their grave sites, and also for the removal of any rubbish that may be left in doing the work. It is the responsibility of the lot owner to pay all costs involved in stone and foundation repair and replacement.

9. Grave Site Ownership and Reconveyance

Each purchaser is vested with ownership of his gravesite for the sole purpose of interment under the regulations established by the Committee. Unused lots cannot be conveyed by the owner thereof to a third party, but must in case of transfer be reconveyed to SPLC. In case of such reconveyance, the amount paid to SPLC by the purchaser will be refunded without interest. The Committee reserves the right to determine whether or not such reconveyance shall be made.

10. Grave Site Markers

A permanent grave site marker must be in place within sixty days of a burial. The purchase and placement of the marker shall be the responsibility of the family and the placement, as well as the marker's height, must receive prior written approval by the Committee. Any variety of styles may be used, provided they are of a marble, granite, finished stone, or masonry material. The marker must bear, at a minimum, the name and dates of the deceased person. Metal tags are not deemed permanent grave site markers.

11. Published Rules and Regulations to Grave Site Owners

The following rules and regulation shall be observed by owners of grave site and enforced so far as practicable by the Committee:

- a. No trees or shrubbery shall be planted or removed inside or outside the boundaries of any grave site without the consent of the Committee.

- b. The Committee has the right to remove from any grave site ornamentations or articles deemed inappropriate that would, in their judgment, mar the general good appearance of the grounds.
- c. The grade of the grave site shall be determined by the Committee.
- d. No hedges, curbing, or enclosure of any kind shall be placed around the grave site.
- e. Two cemetery work days per year will be scheduled by the Committee. Notice will be given to the SPLC congregation and, if possible, families of persons buried in the cemetery and persons who have paid a right of burial.
- f. Grave site owners and/or their contractors are held responsible for any injury or damage done either to the grounds or property of the church or that of other grave site owners by any contractor or worker engaged in work upon their grave site, and also for the removal of any rubbish that may be left in accomplishing the work. Contractors engaged in erecting monuments or other structures are prohibited from attaching ropes to trees, shrubs, and/or other monuments.
- g. It is the responsibility of the grave site owner to pay any costs involved in stone and foundation repair and replacement.
- h. Visitors enter the property at their own risk. Partying, camping, and loitering are strictly prohibited. Such abuses of the property shall be referred to law enforcement.

12. Security

The fence shall be maintained and the main gate kept locked. The smaller front gate (the visitors' gate) will be kept unlocked for visitors' use. The keys to the main gate, church, and service building will be kept at SPLC in the master key box. Another set of keys will be maintained by the Committee. The restroom keys are on the wall inside the church by the front door. An emergency contact number is posted on the visitors' gate.

13. The Right to Amend

The Committee hereby expressly reserves the right at any time or times, with a notice to all who have reserved and paid for lots, to adopt new rules and regulations or to amend, alter, and/or repeal any rule in this cemetery policy.

Approved as amended on November 2, 2011, by the St. Martin Standing Committee:

Bob MacDonald, chairman
Harold Voges
Rodger Johnson
Patti MacDonald

Application for Interment at Hortontown Cemetery

The Evangelical Lutheran Church of St. Martin and Hortontown Cemetery Policy states that the right of interment shall be restricted to direct descendants of a person/s interred within Hortontown Cemetery. A direct descendant is defined as a person who is in direct line to an ancestor, such as a child, grandchild, great-grandchild *ad infinitum*. They are the offspring of parents, grandparents. A direct/lineal descendant is distinguished from an indirect/collateral descendant which would be a relative descended from a brother or sister of an ancestor, and thus a cousin, niece, nephew, aunt, or uncle. Any direct/lineal descendant must show their line of descent, which is the order or series of persons who have descended one from the other or all from a common ancestor, placed in a line in the order of their birth showing the connection of all blood relatives.

Four exceptions that may be considered for interment are as noted:

- (1) A pastor (and spouse) who has served SPLC continuously for a period of over 20 years or a pastor (and spouse) who is currently serving SPLC at the time of death;
- (2) A SPLC member who has served in a leadership position at SPLC and /or St. Martin for a period of over 20 years and has closely worked at St. Martin on a continuous basis – must be approved by the St. Martin Committee;
- (3) Future descendants of “interment exceptions” - must be approved by the St. Martin Committee;
- (4) Any SPLC member showing meritorious service to SPLC and/or its properties and/or goodwill to the community - must be approved by the St. Martin Committee.

If applying as a direct descendant of a person/s interred within Hortontown Cemetery, please list your line of descendants on a separate paper.

If applying as a pastor (and spouse) who has served SPLC continuously for a period of over 20 years, please state your dates of service.

If applying as a SPLC member who has served in a leadership position at SPLC and/or St. Martin Church, for over 20 years, please state your qualifications in the areas served on a separate paper.

If applying as a descendant of an interment exception, please state the family member's name who is interred and the relationship to you.

If applying as a SPLC member showing meritorious service to SPLC and/or its properties and/or the community, please state your qualifications in the areas served on a separate paper.

Full name of deceased: _____

Date of birth: _____ Date of death: _____

Date of interment at Hortontown Cemetery: _____

Hortontown Cemetery lot number: _____

Point of contact for the deceased: Name : _____

Address: _____

Phone: _____ email: _____