

CHAPTER 306

PUBLIC CEMETERIES

306.241 Deposit of net proceeds from lot resales.
 306.242 Title to burial lots regained by association
 after 60 years.

306.241 DEPOSIT OF NET PROCEEDS FROM LOT REALES.

All of the proceeds from the subsequent resale of any lots or parcels the title to which has been revested in the corporation pursuant to sections 306.21 to 306.24, or section 306.242, less the costs and expenses incurred in such proceedings approved by the district court, shall become a part of the permanent care and improvement fund of the corporation.

History: 1983 c 149 s 1

306.242 TITLE TO BURIAL LOTS REGAINED BY ASSOCIATION AFTER 60 YEARS.

Subdivision 1. **Scope.** As an alternative to the procedure in sections 306.21 to 306.241, a cemetery association incorporated in Minnesota may use the procedures in this section to reinvest itself with the title to a portion of a cemetery which was conveyed by deed to a person but which has not been used for the purposes of burial for more than 60 years.

Subd. 2. **Required statement of owner's interest.** The governing board of a cemetery association may pass a resolution demanding that the owner of a portion of a cemetery which has been unused for more than 60 years express an interest in the cemetery plot. The board must then personally serve a copy of its resolution on the owner in the same manner as personal service of process in a civil action. The resolution must notify the owner that the owner must, within 60 days of service of the resolution on the owner, express an interest in retaining the cemetery plot and submit satisfactory evidence of an intention to use the plot for a future burial.

Subd. 3. **Published notice; substitute service.** If the owner cannot be personally served with the resolution of the board, as required in subdivision 2, because the owner cannot be found in this state or for another valid reason, the board must publish its resolution for three successive weeks in a legal newspaper published in the county and must mail a copy of the resolution within 14 days after the third publication to the owner's last known address.

Subd. 4. **Reinvestment.** If for 60 days after the service or publication of the board's resolution the owner or person with a legal interest in the cemetery plot fails to state a valid interest in the use of the cemetery plot for burial purposes, the owner's rights are terminated and that portion of the cemetery once again belongs to the cemetery association.

History: 1983 c 149 s 2; 1983 c 216 art 2 s 13