

**HOLY ANGELS CEMETERY
ASSOCIATION
ALPINE, TEXAS
BY-LAWS**



May 2025

BY-LAWS ADOPTED BY THE "HOLY ANGELS CEMETERY" ASSOCIATION, GOVERNING THE OWNERSHIP AND OPERATION OF THE PROPERTY IN THE SUBDIVISION KNOWN AS THE HOLY ANGELS CEMETERY

The following By-Laws pertaining to and governing the operation of Holy Angels Cemetery, are hereby adopted. All persons owning any lot or lots therein, and making interment therein, and by making use of the cemetery, shall be bound by and shall observe the By Laws hereby stated, as follows:

PURPOSE

These By-Laws are designed for the protection of owners of interment rights as a group. They are intended not as restraining, but rather as preventing the inconsiderate from taking unfair advantage of others. Their enforcement will help protect the cemetery, to create and preserve its beauty. These By-Laws are hereby adopted and known as the rules and regulations of the Holy Angels Cemetery Association. These By-Laws are applicable to all owners of interment rights, visitors, Funeral Homes, and contractors performing work within the cemetery. All are subject to said rules and regulations; amendments or revisions as shall be adopted by the Holy Angels Cemetery Association as deemed necessary.

DEFINITIONS

The term "cemetery", as used in these By-Laws, shall mean only the Holy Angels Cemetery subdivision, and used in conjunction with property usage.

The term "association", as used by these By-Laws, shall mean, and include owners, and employees as duly approved by the association.

The term "owner" shall mean the owner to rights of interment by ownership of a plot or plots.

The term "internment" shall mean cremation and inurnment, entombment, or burial of the remains of a deceased person.

The term "memorial" shall mean any marker or structure upon or in any plot or niche, placed upon, therein, or partially for the purpose of identification or in memory of the interred.

The term "contractor", as used in these By-Laws, shall mean any person, firm, corporation, or any individual engaged in placing, erecting, repairing any memorial or performing any work in the cemetery grounds, other than an employee of the association.

The term "approved by the association" shall mean approval by a majority of the duly elected officials during a regularly scheduled public association meeting.

The term "association members" shall mean a person or persons who have ownership rights within the cemetery.

The term "ownership" for any property, plot, plots, or interment rights must be supported by a duly notarized deed for said plot or plots, or substantiated documentation approved by the association.

OWNERSHIP

Persons shall not be restricted from acquiring title or ownership to interment rights or be possessed of any lot or lots in this cemetery because of race, ethnicity, background or religious affiliation. The cemetery shall be used for no other purpose than the burial of the human dead or memorial services for those so interred.

OFFICERS

The officers of this association shall be a President, Vice President, and Treasurer who shall hold office for a period of two years, or until their successors shall have qualified.

The duties of the **President** shall be to preside at all meeting, to enforce obedience to the constitution and the By-Laws, to decide all points of order, to sign all deeds and contracts, to sign drafts for duly authorized appropriations, and to have general supervision of the affairs of the association.

The duties of the **Vice-President** shall be to preside, and in all matters, act for the President in-the absence or inability of the President to act, to keep a list of all members of this association, to receive memorial gifts, and to render statements of account to the association.

The duties of the **Treasurer** shall be to keep a true and accurate account of all moneys received and expended for and on behalf of the association, to pay all just debts and obligations and, when authorized to do so by the President, to issue and receive receipts, to render statements of accounts to the association, and to do all things usually incumbent upon such office.

The officers shall be elected every two years.

Special Meetings may be held at any time on call of the President, or on call of the Vice President in the absence or inability of the President to act.

The presence of two (2) officers at any meeting shall constitute a quorum for the transaction of business.

SUPERVISION OF THE CEMETERY

This association reserves the right to compel any person entering the cemetery to obey all rules and regulations adopted.

Persons visiting the cemetery grounds shall only use the avenues, walkways, and roads.

Vehicles within the cemetery shall not be driven at a speed greater than fifteen miles per hour (15 mph) and must be kept on the right-hand side of cemetery roadways. Vehicles are not allowed to turn around (U-turn) on driveways or roadways. Vehicles are not allowed to park or come to a complete stop in front of an open grave unless such vehicles are directly involved with the family in attendance at the funeral.

The association shall take reasonable precautions to protect owners and property rights of same, within the cemetery, from loss or damage. The association distinctly disclaims all responsibility for loss or damage from causes beyond reasonable control. These causes include - but are not limited to - damage caused by the elements, an act of God, thieves, vandals, malicious mischief makers, orders of any legal military or civil authority, whether the damage be direct or collateral, other than as herein provided.

The association reserves and shall have the right to correct any errors that may be made by the association in making interments, disinterment, grave markers/memorials placements or removals and improper descriptions.

The association expressly reserves the right to enlarge, reduce, replat or change the boundaries or grading of the cemetery or of a section or sections, including the removal, regrade and resurface of roads, drives, and walkways. Also, reserved is the right to lay, maintain, operate, and alter pipelines, gutters, watering systems and drainage provisions.

The association reserves the right to use cemetery property, not sold to individual owners, for cemetery purposes. This includes but is not limited to interring and

preparation for interment of dead human bodies, or for anything necessary, incidental, or convenient thereto.

The association reserves to itself: and to those lawfully entitled, a perpetual right of entry and exit over lots for the purpose of passage to and from other lots.

SALE, PURCHASE AND MAINTENANCE OF INTERMENT RIGHTS

The claim of ownership for any property, plots, or interment rights - whether by original sale from the association or individual resale - must be supported by a duly deed or substantiated documentation on forms approved by the association. The sale or transfer of any property or interment right by any owner or purchaser shall not be binding upon the association unless same shall first be duly approved in and accompanied by appropriate deed transfer or other substantiated documentation approved by the association. The association will then issue a deed to the new owner. This is required so that the cemetery will have a complete and accurate record of all owners and purchasers.

Price for plots is \$1,100 for 20x20, \$900 for 10x20, \$800 10x10 with curb. Plots without curbing are \$600 20x20, \$400 10x20, \$300 10x10.

For purchase information a person may contact the President.

The association may refuse claim to ownership of a plot, plots, or other property rights within the cemetery without substantiated documentation approved by the association. Each owner is vested with the ownership of his/her interment right. If the owner dies intestate, the interment rights will descend to his/her heirs according to the laws of descent.

If the ownership of properties within the cemetery desire ground maintenance above and beyond that provided by the association, a contract between the owner and the contractor, duly approved by the association, be placed on file with the association. No other person(s) other than the association employees or the owner(s) shall be allowed

to perform any work on any grave or lot within the grounds, The responsibility of payment for charges levied by the association remains the responsibility of principle owner. The association will water trees along fence line and perform ground maintenance outside plot curbing.

If any tree, shrub, or plant standing upon any lot(s), by means of its roots, branches, or otherwise, be or become, detrimental to adjacent lots or avenues, roads, or if any reason it's removal is deemed necessary, the association shall have the right to remove same or correct the existing situation as in their judgment seems best.

MEMORIALS

HACA does not allow flag poles nor trees in any plots only shrubs or flowers. Only one grave memorial will be permitted on one grave space. No memorial may be set to embrace two or more grave spaces, except for a companion or a family memorial, nor shall more than one family name be permitted on any memorial, unless approved in writing, by the association at the time the interment rights are granted.

All memorials shall be set on uniform lines as prescribed by the association, to conform to the general plan of the cemetery.

INSTALLATION AND FOUNDATIONS

The association shall not be liable for any defective materials or defective workmanship beyond replacement or repair of such materials as may have been furnished by the association.**FUNERAL REGULATIONS**

All inventory and equipment to Holy Angels Cemetery must remain on the cemetery grounds and must be maintained in working order.

GENERAL REGULATIONS

Animals - loose animals, other than those required for disabled or handicapped persons, are not permitted within the cemetery grounds unless on a leash.

Bringing food or intoxicating beverages within the cemetery grounds is forbidden. Unless the association is having a function such as fundraisers, etc.

The association is not responsible for theft or damage to anything placed on graves or lots.

Any person(s) desiring to remove a body from a grave site must have all approved and applicable documentation required by the State of Texas, Brewster County and Alpine legal authority to do same.

Transfer of burial plot ownership requires submission of a transfer form by owner. If the owner is deceased the surviving family members need to present a copy of a legal will indicating assignment of rights; if there is no will a statutory declaration with all the details of the owner, relationship of the owner, renunciation forms from living relatives (children and grandchildren) or similar documents.

With the exception of a Military Guard of Honor, under the direction of an officer in charge, during a Military service, or law authorities engaged in official law enforcement duties, no one will be permitted to bring firearms within the cemetery grounds. All persons are reminded that the cemetery grounds are sacredly- devoted to the burial of the dead and that all provisions and penalties of the law, as provided by statute, will be strictly enforced in all cases of wanton injury, disturbance and disregard of the rules.

MODIFICATIONS AND AMENDMENTS TO BY-LAWS

The association expressly reserves the right, at any time, with or without written or verbal notice to owners, to adopt new rules, change existing rules, or to amend, alter, repeal any rules, section or paragraph within these By-Laws. This will be done only in accordance with "approved by the association" as defined in definitions. Special cases may arise where literal enforcement of a rule or regulation within these By-Laws could

impose unnecessary hardships. The association reserves the right by association approval to make exceptions, suspensions, or modifications when, in the association judgment, the same appears advisable. Such temporary exceptions,

suspensions, or modifications shall in no way be construed as affecting the general application of such.

The above By-Laws, rules, regulations, restrictions, and by-laws were approved and adopted by the Holy Angel Cemetery Association, this May 7, 2025.

1. President: _____ Jesusita (Susie)
Gonzales

2. Vice President: _____ Diana Gonzales

3. Treasurer: _____ Epi Galindo

Board Members:

4. _____ Norma Bermudez

5. _____ Duvy Garcia

6. _____ Rena Gallego

7. _____ Velma Valero

8. _____ Lea Catano

9. _____ Kirk Caughman

10. _____ Virginia Lujan

11. _____ Jean Sierra