

The owner of burial rights can authorize burials in his/her lot or transfer ownership of the burial rights. If the owner of the burial rights is deceased, the burial rights become part of the estate to be devised by will or pass under the laws of intestacy. If there is a will, a copy must be provided along with a disposition report or order from the probate court which affirms the distribution in accordance with the will or states how the property is devised if different from the language of the will.

If there is no known will, heirs must be declared in an "Affidavit of Heirs" (form provided by the City) and authorizations obtained from each person named in order to effectuate a transfer. If an heir is deceased, then that heir's heirs must be named. It is incumbent upon the heirs of the "original owner" to settle the estate and bring to the City a sufficient court document (judgment or order) which delineates who now owns the burial rights.

Instructions for authorizing a burial when the owner of the burial rights is deceased:

1. Only one heir to the lot owner must complete the "Affidavit of Heirs". The names, addresses, ages, and relationships of the heirs to the owners must be provided on this form. The purpose of the "Affidavit of Heirs" is to notify the City of the heirs of the owner of the burial rights. By signing this document, one heir is assuming responsibility for notification of the other heirs, if any.
2. The Affidavit must be signed by one heir and properly notarized.
3. Authorization forms (copies provided by the City) must be signed and dated by all heirs named on the Affidavit.
4. The completed Affidavit and authorization forms must be returned to the Cemetery Coordinator.
5. The authorization process is complete.

Instructions for transferring ownership of cemetery spaces when lot owner is deceased:

Note: Perpetual Care is required for the space/lot prior to transfer.

1. Only one heir to the lot owner must complete the "Affidavit of Heirs". The names, addresses, ages, and relationships of the heirs to the owners must be provided on this form. The purpose of the "Affidavit of Heirs" is to notify the City of the heirs of the owner of the burial rights. By signing this document, one heir is assuming responsibility for notification of the other heirs, if any.
2. The Affidavit must be signed by one heir and properly notarized.
3. The completed "Affidavit of Heirs" along with the applicable fee (see below) must be returned to the Cemetery Coordinator.
4. The heir must also provide ownership transfer instructions, e.g., transfer ownership of Spaces 1 and 2 to John Doe and transfer ownership of Spaces 3 and 4 to Jane Doe, etc.
5. Upon receiving the "Affidavit of Heirs", applicable fee, and transfer instructions, the City will send a Quit Claim Deed to each person named on the "Affidavit of Heirs".
6. When all the signed, witnessed and notarized Quit Claim Deeds are returned, a new certificate(s) of interment rights will be issued.

Fee: \$18.50 plus \$6.25 for each Quit Claim Deed. If two heirs are listed on the "Affidavit of Heirs", the fee will be \$18.50 plus \$12.50 (\$6.25 for each) for a total of \$31.00. Checks should be made payable to the City of Gainesville.

Effective 10/1/2009