

LEGISLATURE OF NEBRASKA  
ONE HUNDRED FOURTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 241**

Introduced by Stinner, 48.

Read first time January 14, 2015

Committee: General Affairs

- 1 A BILL FOR AN ACT relating to cemeteries; to amend sections 15-241,
- 2 16-243, 17-941, and 17-945, Reissue Revised Statutes of Nebraska; to
- 3 change provisions relating to conveyances of cemetery lots; and to
- 4 repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

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

3 15-241 A ~~primary~~ city of the primary class may convey cemetery lots  
4 owned by such city by certificates signed by the mayor and countersigned  
5 by the clerk under seal of the city, specifying that the person to whom  
6 the same is issued is owner of the lot or lots described therein by  
7 number as laid down on such plat or map, for the purpose of interment.  
8 Such certificate shall vest in the proprietor, his or her heirs and  
9 assigns, a right in fee simple to such lot or lots for the sole purpose  
10 of interment under the regulations of the city council. ~~Such certificate~~  
11 ~~shall be entitled to be recorded in the office of the register of deeds~~  
12 ~~of the proper county without further acknowledgment, and such description~~  
13 ~~of lots shall be deemed and recognized as sufficient description thereof.~~

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

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

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

30 17-941 The mayor and council or board of trustees may convey  
31 cemetery lots by certificate signed by the mayor and chairperson

1 ~~chairman~~, and countersigned by the clerk, under the seal of the city or  
2 village, specifying that the person to whom the same is issued is the  
3 owner of the lot or lots described therein by number as laid down on such  
4 map or plat, for the purpose of interment; and such certificate shall  
5 vest in the proprietor, his or her heirs and assigns, a right in fee  
6 simple to such lot for the sole purpose of interment, under the  
7 regulation of the city council or board of trustees. ~~Such certificate~~  
8 ~~shall be entitled to be recorded in the office of the register of deeds~~  
9 ~~of the proper county without further acknowledgment, and such description~~  
10 ~~of lots shall be deemed and recognized as a sufficient description~~  
11 ~~thereof.~~

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

14       17-945 Upon the formation of such cemetery association, the lot  
15 owners in such cemetery shall elect five of their number as trustees, to  
16 whom shall be given the general care, management, and supervision of such  
17 cemetery. The mayor or chairperson ~~chairman~~ of such city or village  
18 shall, by virtue of his or her office, be a member of the board of  
19 trustees, and it shall be his or her duty to make, execute, and deliver  
20 to purchasers of lots deeds therefor, when requested by such board of  
21 trustees. Such deed shall be executed under the corporate seal of such  
22 city, and countersigned by the clerk, specifying that the person to whom  
23 the same is issued is the owner, for the purposes of interment, of the  
24 lot or lots described therein by numbers, as laid down on the map or plat  
25 of such cemetery. Such deed shall vest in the proprietor, his or her  
26 heirs or assigns, a right in fee simple to such lot for the sole purpose  
27 of interment, under the regulations of the board of trustees. ~~;~~ ~~and such~~  
28 ~~deed shall be entitled to be recorded in the office of the county clerk~~  
29 ~~of the proper county without further acknowledgment or authentications,~~  
30 ~~and such description of lots shall be deemed and recognized as a~~  
31 ~~sufficient description thereof.~~

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