



# AFFIDAVIT OF HEIRS TO CEMETERY PLOT

## VILLAGE OF CHAGRIN FALLS EVERGREEN HILL CEMETERY



P. 440-247-1158 | F. 440-247-8947 | E. rob@chagrin-falls.org

THE UNDERSIGNED, hereinafter "Affiant", agrees and deposes and states as follows:

1. That my name is \_\_\_\_\_
2. That my date of birth is \_\_\_\_\_
3. That I currently reside at \_\_\_\_\_
4. That my phone number is \_\_\_\_\_
5. That I allege ownership of the right to bury to Section \_\_\_\_\_, Lot \_\_\_\_\_, Grave(s) \_\_\_\_\_ in the Village of Chagrin Falls Evergreen Hill Cemetery "Grave(s)" by virtue of inheritance.
6. That the right to bury is currently held in the name of \_\_\_\_\_ and, (if applicable) \_\_\_\_\_, ("Owner").
7. That Owner was related to me as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. That Owner died on or about \_\_\_\_\_ and \_\_\_\_\_ (death certificates must be provided). The Owner's last will and testament names me, or the persons named in Paragraph 8 below as the beneficiary of the residue of the Owner's estate(s) and such will does not specifically devise or bequeath the Grave(s) to anyone else, or if applicable the owner died intestate, without a will, and that anyone else who is within two degrees of kinship who has a right to claim any interest, right or title to the Grave(s) has waived, relinquished and assigned to me their interest in the Grave(s).
9. That any succeeding or intervening generations between Owner and the Affiant are stated below and did not convey, assign, gift or by will devise or bequeath the Grave(s) to anyone else not referenced in Paragraph 7 above: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. That I am asserting the right to utilize the Grave(s) based on my relationship to the Owner and claim that I have all right, title and interest in and to the Grave(s) by virtue of being an heir to the Owner.
11. I represent that I am the only heir, other than the persons who assigned their interest in the Grave(s) to me as noted in Paragraph 7, of the person(s) listed in Paragraph 8 who have an interest in utilizing the Grave(s) for personal purposes.

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12. I represent that I have contacted all other known relatives or heirs of the parties referenced in Paragraph 8 to determine whether in fact they have any interest in utilizing the Grave(s) for personal use. I represent that all heirs and relatives of the parties referenced above have declined or stated no interest in use of said burial Grave(s) for personal purposes.
13. I further represent that at no time in the past have the Grave(s) been probated as part of any individual's estate named above and that same have remained in the name of the Owner since the date of his/her death.
14. I represent that if any other relative or heir of the parties named above indicate an interest in personal use of the Grave(s) that I will immediately notify the Village of Chagrin Falls ("Village") of said claim of interest.
15. I recognize that if the Village offers to me or other members of my family the right to utilize the Grave(s) that I will irrevocably hold harmless and indemnify the Village from any and all claims, actions, liability, damages, costs and attorney fees incurred by or imposed upon the Village as a result of the use of the Grave(s) by me, and further, that this representation forms an agreement with the Village regarding this matter.
16. That the Village may rely upon the representations contained herein as true, the Affiant having fully disclosed the facts and circumstances pertaining to the Grave(s).
17. That in the event there is a conflict or claim regarding the Grave(s) and my right to use same or to grant the use of same to other members of my family, or other heirs of the Owner, I agree that I will forthwith terminate any further claim of right or title until I have resolved said conflict to the satisfaction of the Village and at my own expense, including all attorney fees and costs, so as to provide the Village with appropriate documentation or court orders which will finally adjudicate and determine the rights of the respective parties with respect to the use, ownership and holding of the Grave(s).
18. This affidavit and agreement is made by the Affiant so as to induce the Village to allow the Affiant, or the designated members of Affiant's family, as Affiant directs, to use and possess the Grave(s) and to transfer title to Affiant in the event the Village determines that such is in its best interest.
19. That the consideration for this affidavit and agreement is the promises and conveyances contained herein and the right to use and possess the Grave(s). This affidavit and agreement shall be binding on Affiant, and Affiant's heirs, executors, administrators, successors and assigns, and inure to the benefit of the Village.

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**NOTARY**

THIS AFFIDAVIT AND AGREEMENT is executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_,  
by the undersigned.

\_\_\_\_\_  
Signature of Affiant

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
, Notary Public

\_\_\_\_\_ County, \_\_\_\_\_ State

My commission expires: \_\_\_\_\_

Accepted:  
VILLAGE OF CHAGRIN FALLS

By: \_\_\_\_\_

Its: