

# Stafford Memorial Park

## POLICY OF INSTRUCTIONS TO TRANSFER (Assignment) LOT(s)/BURIAL RIGHT (Interment Right)

### IN GENERAL

The Rules and Regulations of Stafford Memorial Park govern the Assignment of any Interment Right. The following policy of instructions to transfer must be met for an Assignment to be valid.

Upon Completion of all applicable requirements as listed below, Stafford Memorial Park will record the new ownership on the books and records of Stafford Memorial Park, maintain the originals of those documents in our office provide and provide copies of the fully executed documents to the new owner for their records.

\*\*Please note that if you have legally changed your name (by marriage, divorce, court order etc.) you must furnish certified court documents that show the change from your name as it appears on the official records of Stafford Memorial Park to your current legal name. \*\*

### SPECIFIC REQUIREMENTS FOR DIFFERENT TYPES OF ASSIGNMENTS

#### **By Sale:**

Stafford Memorial Park does not involve itself in the financial transaction between owner(s)/seller and buyer. Once the owner(s) has found a buyer they will need to follow the instructions for by gift, agreement or donation:

#### **By gift, agreement or donation:**

Once owner(s) decides on the person or entity to receive their ownership interest, the owner(s) will need to:

- 1) Make a request on our website at [www.staffordmemorialpark.com](http://www.staffordmemorialpark.com) under the heading Request for Transfer. We will then prepare the legal forms for Transfer (assignment). Forms will be prepared and mailed to owner(s)/seller along with an invoice for the applicable fee(s) (see general price list for current fee schedule);
- 2) Owner(s)/Seller, upon receipt of the assignment forms, must have **each** form:  
**a)** signed and acknowledged before a witness and **b)** notarized;
- 3) Buyer is required to sign assignment form(s) only as an acknowledgement;
- 4) Completed assignment forms are to be returned to the Stafford Memorial Park Office with the invoice payment attached;
- 5) Stafford Memorial Park will update all of our records to properly reflect the transfer (assignment) and mail copies of completed documents to the new owner(s).

#### **After death of owner(s):**

Stafford Memorial Park is unable to provide any legal advice for handling estate issues. This is a guide for information we require to execute an assignment from a decedent's estate. We have listed instructions based on the two most prevalent types of estates. If neither of these are applicable, please consult an attorney.

**(A) By Will**

- 1) Executor or Executrix must:  
Make a request on our website at [www.staffordmemorialpark.com](http://www.staffordmemorialpark.com) under the heading Request for Transfer. You will also need to mail or deliver the originals of the following documents:
  - a) a certified copy of the owner(s) death certificate;
  - b) a certified copy of the Executor or Executrix's Qualification (if no one qualifies as executor or executrix then you must follow the instructions in B);
- 2) Stafford Memorial Park will prepare and mail the assignment forms to the Executor(s) or Estate Administrator(s) together with an invoice for the applicable fee(s) (see general price list for current fee schedule);
- 3) Executor(s) or Estate Administrator(s), upon receipt of the assignment form(s) must have **each** form: **a)** signed and acknowledged before a witness and **b)** notarized;
- 4) Beneficiary is required to sign assignment form(s) only as an acknowledgement;
- 5) Completed assignment forms are to be returned to the Stafford Memorial Park Office with the invoice payment attached;
- 6) Stafford Memorial Park will update all of our records to properly reflect the transfer (assignment) and mail copies of completed documents to the new owner(s).

**(B) Without a Will (Intestate):** Requestor must:

- 1) Make a request on our website at [www.staffordmemorialpark.com](http://www.staffordmemorialpark.com) under the heading Request for Transfer. You will also need to mail or deliver the originals of the following documents:
  - a) a certified copy of the owner(s) death certificate;
  - b) a properly executed and notarized Virginia Small Estate Affidavit for the deceased (A link to The Virginia Small Estate Affidavit Act Form is located on the Rules & Regulations page of our website under the title Transfers or you may copy and paste this link in your browser:  
<http://www.pwcgov.org/government/courts/circuit/documents/12874.pdf>)
- 2) An invoice for the applicable fee(s) will be sent to requestor (see general price list for current fee schedule);
- 3) Upon receipt of the invoice payment, Stafford Memorial Park will update all of our records to properly reflect the new owner(s) and mail copies of the completed Virginia Small Estate Affidavit to the new owner(s).

**After divorce of owners:**

**\*\*Please note that if you have legally changed your name (by marriage, divorce, court order etc.) you must furnish certified court documents that show the change from your name as it appears on the official records of Stafford Memorial Park to your current legal name. \*\***

**(A) With a divorce decree (if the cemetery property was specifically listed in the decree)**

- 1) Make a request on our website at [www.staffordmemorialpark.com](http://www.staffordmemorialpark.com) under the heading Request for Transfer. You will also need to mail or deliver the originals of the following documents:

– a certified copy of the divorce decree that specifically identifies the disposition instructions for the cemetery property right(s);

- 2) An invoice for the applicable fee(s) will be sent to requestor (see general price list for current fee schedule);
  - 3) Upon receipt of the invoice payment, Stafford Memorial Park will update all of our records to properly reflect the new owner(s) and mail copies of the completed Virginia Small Estate Affidavit to the new owner(s).
- (B) Without a divorce decree** (or if the interment right(s) are not specifically identified in the divorce decree), proceed with the instruction for assignment **By, gift, agreement or donation.**