





# Taber Memorial Gardens

## Burial Contract & Promissory Note



### PRE-NEED CONTRACTS

This Application is a contract between the Applicant and the Town for the right to use the plot(s)/niche(s) described only for the burial of human remains.

The plot(s)/niche(s) remain the property of the Town of Taber.

The Applicant releases The Town and its representatives from all claims, demands and rights of action which the applicant may have against The Town in future for loss or damages resulting from the theft or vandalism to the monument(s)/grave markers(s) or flowers placed on the plot(s)/niche door.

The Applicant understands that this Application is issued under The Town of Taber Cemetery Bylaw and amendments thereto, and that the provisions of such Bylaw apply to this agreement. A copy of the Bylaw will be provided with all pre-need sales.

The contract is binding on the Applicant, his/her/their respective heirs, executors, administrators, successors, and assigns.

### RIGHT TO CANCEL BY PURCHASER

You may cancel this contract at any time for any reason. You may cancel without charge or penalty at any time during the period from the day you enter into the contract until 30 days after you receive a copy of the contract. If you cancel after 30 days you may still have to pay for interment space and for any cemetery supplies and cemetery services that have already been supplied, performed or delivered, as the case may be.

If you cancel this contract, the seller has 15 days to refund any money you are owed. To cancel, you must give a notice of cancellation to The Town of Taber at the address shown in the contract. You should give notice of cancellation by a method that will allow you to prove that you gave notice, such as registered mail, fax, and courier or by personal delivery.

### RESALE OF INTERMENT SPACE

After the penalty-free 30-day cancellation period is over, the Town of Taber **will** allow you to resell your interment space on the open market. The Town of Taber (the seller) will buy back the unused interment space from you, if you wish, and will refund 85% of its original purchase price or 35% of the current selling price, whichever is the greater amount.

### DISPOSITION OF REMAINS (WHO MAY CONTROL DISPOSITION)

Sometimes family members cannot agree about how to dispose of a body or cremains. In these cases the regulation states that, in the absence of a court order, the people in the following order of priority can make the decision:

- the personal representative designated in the will of the deceased;
- the spouse of the deceased if the spouse was living with the deceased at the time of death, or a person who had been living with the deceased at the time of death as spouse for a continuous period of a least 2 years;
- an adult child of the deceased;
- a parent of the deceased;
- a guardian of the deceased under the Dependent Adults Act or, if the deceased is a minor, under the Child Welfare Act of the Domestic Relations Act;
- an adult grandchild of the deceased;
- an adult brother or sister of the deceased;
- an adult nephew or niece of the deceased;
- an adult next of kin of the deceased determined on the basis provided by section 8 and 9 of the Intestate Succession Act;
- the Public Trustee;
- an adult person having some relationship with the deceased not based on blood ties or affinity;
- the Minister of Family and Social Services.

**NOTE:** The Applicant or his/her representative declares that approval has been received for the interment of the person named by the registered owner of the said plot.

### TABER MEMORIAL GARDENS CONTACT INFORMATION

Town of Taber  
4900A 50 Street  
Taber, AB T1G 1T1

Ph: 403-223-5500  
Fax: 403-223-5530

Email: [cemetery@taber.ca](mailto:cemetery@taber.ca)

The personal information collected is authorized under Section 4(c) of the Protection of Privacy Act and is managed in accordance with the Act. It will be used to process your application and for administrative purposes directly related to the program or service for which you are applying. If you have questions about the collection or use of your personal information, please contact the Access to Information Coordinator at 403-223-5515.