

Vermont Attorneys Title Corporation's Comments on H.25  
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§ 5323. NATURAL BURIAL GROUND DESIGNATION AND OPERATION

(a) A landowner establishing a natural burial ground shall designate that natural burial ground by recording a ~~document~~ **notice on** in the land records of the town in which the natural burial ground is located that depicts and describes the location and borders of the natural burial ground.

**Suggestion:** it should be required that the burial ground be surveyed and the survey recorded in the land records with the notice.

(c) A person shall not construct improvements on property designated as a natural burial ground, except for improvements that are educational or devotional in nature and are approved by the landowner establishing the designation or his or her successor in interest. **In the event the notice required in subsection (a) is not recorded a person who constructs improvements on a natural burial ground shall not be required to remove them.**

(d) A deed transferring rights in property designated as a natural burial ground shall state that the designation remains with the property in perpetuity and set forth the prohibition in subsection (c) of this section. **Failure to so state shall not invalidate an otherwise valid conveyance.**

(e) A landowner or other person shall establish a nonprofit corporation for operating the business or use of a designated natural burial ground pursuant to 19 Title 11B.

**Comment:** Is this subsection really necessary? What happens if the corporation lapses for failure to file an annual report with the Secretary of State?