



## BYLAWS OF THE LINDEN CEMETERY ASSOCIATION

### ARTICLE I

The Linden Cemetery Association, a tax-exempt, non-profit, unincorporated, voluntary association under the IRS Code Section 501(c)(13), oversees the Linden Cemetery.

### ARTICLE II

The purpose of the Linden Cemetery Association is to provide continuous care and upkeep of the Linden Cemetery presently located on the M. Powell Survey, A-858, Tr. 3-A consisting of 9.595 acres, the E. Williams Survey, A-1145, Tr. 10, consisting of 9.825 acres, and the M. Frazier Survey, A-354, Tr. 165-B-1, consisting of .43 acre; and the M. Powell Survey, A-858, consisting of .58 acre; to acquire additional land as needed; to sell lots; and to make a more attractive burial place for the deceased of this community at a reasonable cost and in an orderly manner.

### ARTICLE III

The Linden Cemetery Association shall hold four (4) meetings per year on the first Monday of February, May, August, and November. The November meeting shall be the annual meeting at which, in addition to regular business, the election of directors and Executive Board of Directors (officers) shall be conducted. Those elected will serve one-year terms. A majority of the Executive Board of Directors shall constitute a quorum. Meetings shall be held at Linden Methodist Church fellowship hall unless otherwise specified by the president. Notice of all meetings shall be published in the local paper at least one week prior to the meeting. Notice shall be posted at Linden City Hall and at Reeder Davis Funeral Home's Linden

location. Notices shall be posted by the secretary. Each member of the Association may have one (1) vote at any meeting, and no proxies shall be allowed.

#### ARTICLE IV

The Linden Cemetery Association shall have directors elected from the membership. Members are lot owners or lot owners' relatives by blood or marriage. In addition to these elected members, the Mayor of the City of Linden, Texas, and the President of the Garden Club of the City of Linden, Texas, will also be board members in ex officio status. A director may succeed himself/herself. From the Board of Directors, there shall be an Executive Board of four (4) elected positions: president, vice-president, secretary, and treasurer. Special meetings of the Board of Directors may be called by the president at any time. A majority of the Executive Board shall constitute a quorum. The Board shall have full authority and power to take possession of all property, real and personal, belonging to the Linden Cemetery Association and to disperse such money as deemed advisable in the furtherance of the continuous care, upkeep, improvement, and additions of the Linden Cemetery.

#### ARTICLE V

The president shall preside at all meetings of the members of the Association and all directors' meetings. The president may at any time call a special meeting of the Board of Directors or members of the Association. The president shall perform all other duties that usually pertain to the office or that may be delegated by the Board of Directors.

ARTICLE VI

The vice president shall in the case of absence or disability of the president perform the duties of the president. The vice president shall collect mail from the Association's box at Linden Post Office. The vice president shall deposit all checks or cash received by the Association and shall issue checks. In coordination with the secretary, the vice president shall mail donation receipt letters to donors.

ARTICLE VII

The treasurer shall maintain records of all monies and securities of the Association; present the annual budget; keep regular books; reconcile the bank accounts; provide financial reports at all regular meetings; oversee the PayPal account; advise the Executive Board of Directors of investment maturities and insurance renewals; provide for preparation of the annual IRS tax return as well as any 1099 or other forms required to be filed with the IRS; and assist the directors with fundraising efforts. The treasurer shall *not* have the ability to sign checks or transfer funds from the Association's bank accounts.

ARTICLE VIII

The secretary shall record minutes of each meeting and present them for approval at each subsequent meeting. As stated in Article III, the secretary shall post notice of the Association's quarterly meetings. The secretary shall handle correspondence as directed by the Executive Board of Directors and shall assist the vice president with donation receipt letters as stated in Article VI.

ARTICLE IX

All conveyances of cemetery lots and other property of the Association shall be signed by two (2) officers of the Association.

ARTICLE X

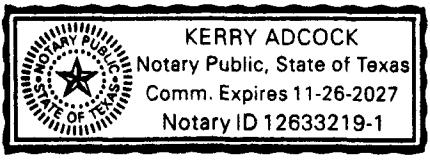
The Linden Cemetery Association shall be operated exclusively for the purposes stated in Article II. No part of the net earnings, properties, or assets of this Association, on dissolution or otherwise, shall inure to the benefit of any private person, individual, member, or director of this Association. On liquidation or dissolution, all properties and assets of the Association remaining after paying or providing for all debts and obligations shall be distributed and paid over to such fund, foundation, or corporation organized and operated for charitable or religious purposes as the Executive Board of Directors shall determine and as shall at the time qualify as a tax exempt organization under Internal Revenue Code, Section 501 (c) (3) or as the same may be amended. Dissolution or liquidation of the Linden Cemetery Association requires a unanimous vote of the members present at a regular meeting, provided that the members have received two (2) weeks' notice.

ARTICLE XI

These bylaws may be amended by a majority vote at a regular meeting, provided that the members have received two (2) weeks' prior notice.

Adopted February 5, 2024

President James A Penn  
Vice President Lynn Reynolds  
Secretary Kay Stephens  
Treasurer [Signature]



State of Tx  
County of Cass

This instrument was acknowledged before me  
on 5 day of Feb, 2024 by James Penny, Lynn Reynolds, Kay Stephens  
Dave Stewart

[Signature]  
Notary Public's Signature  
My Commission Expires 11-26-27

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

[Signature]

Amy L. Varnell, County Clerk  
Cass County, Texas  
February 08, 2024 11:30:36 AM

FEE: \$41.00      2024000646