

Sample Question for Estate-Planning Questionnaire

Yes

No

- Do you own a grave, niche, crypt, lawn crypt, or plot in a cemetery, whether used or not? If so, please produce a copy of the certificate of ownership.

Note: “Unless a plot owner who has the exclusive right of sepulture in a plot and who is interred in that plot has made a specific disposition of the plot by express reference to the plot in the owner’s will . . . (1) a grave, niche, or crypt in the plot shall be reserved for the surviving spouse of the plot owner; and (2) the owner’s children, in order of need, may be interred in any remaining graves, niches, or crypts of the plot without the consent of a person claiming an interest in the plot.” TEX. HEALTH & SAFETY CODE ANN. §711.0039(e).

Note: “The exclusive right of sepulture in an unused grave, niche, or crypt of a plot in which the plot owner has been interred may be conveyed only by . . . specific disposition of the unused grave, niche, or crypt by express reference to it in a will.” TEX. HEALTH & SAFETY CODE ANN. §711.0039(g).

Note: “Unless a deceased plot owner who has the exclusive right of sepulture in a plot and who is not interred in the plot has otherwise made specific disposition of the plot, the exclusive right of sepulture in the plot, except the one grave, niche, or crypt reserved for the surviving spouse, if any, vests on the death of the owner in the owner’s heirs-at-law and may be conveyed by them.” TEX. HEALTH & SAFETY CODE ANN. §711.0039(h).