

A JUDGMENT FOR THE SALE OF A BURIAL GROUND OR A DEED OR OTHER CONVEYANCING INSTRUMENT EXECUTED BY A TRUSTEE UNDER THIS SECTION PASSES TO THE BUYER OF THE BURIAL GROUND THE TITLE TO THE BURIAL GROUND FREE OF:

- (1) THE CLAIMS OF THE OWNERS OF THE BURIAL GROUND;
- (2) THE CLAIMS OF THE HOLDERS OF BURIAL LOTS; AND
- (3) THE INTENDED OR ACTUAL USE OR DEDICATION OF THE LAND IN THE BURIAL GROUND FOR BURIAL.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 16, § 120.

In subsections (a), (b), (c), (d), and (e) of this section, the former references to a "cemetery" and "other appropriate place of sepulture" are deleted as included in the reference to "burial ground" and to conform to language used in § 5-501 of this subtitle.

In the introductory language of subsection (a) of this section, the reference to the authority of a court to pass a judgment for sale of a burial ground for another purpose is added to state explicitly what only was implied in the former law.

In subsection (b)(2) of this section, the reference to conditions that are "harmful to the public health, safety, or welfare" is substituted for the former reference to a "public nuisance" to conform to subsection (a)(3)(ii) and (d)(3) of this section.

In subsection (e)(1) of this section, the former reference to "heirs, personal representatives, successors, or assigns" is deleted as needless. Similarly, in subsection (e)(2) of this section, the former reference to "heirs or assigns" is deleted.

As to the procedure for sale of burial grounds, see Md. Rules J70 through J73.

Defined terms: "Burial" § 5-101

"Person" § 1-101

SUBTITLE 6. MISCELLANEOUS PROVISIONS.

5-601. BURIAL OR FUNERAL PROCESSION IN DRUID HILL PARK.

(A) BURIAL PROHIBITED.

WITHIN 1,000 YARDS OF DRUID HILL PARK:

(1) A CEMETERY CORPORATION MAY NOT ALLOW BURIAL OR ESTABLISH OR MAINTAIN A CEMETERY; AND

(2) A PERSON MAY NOT PARTICIPATE IN ANY WAY IN A BURIAL IN A CEMETERY OF A CEMETERY CORPORATION.