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## HOUSE BILL NO. 1828

House Amendments in [ ] — January 27, 1997

A BILL to amend and reenact §§ 57-22 and 57-25 of the Code of Virginia, relating to cemeteries; title thereto.

Patrons—Callahan; Senator: Waddell

Referred to Committee on Counties, Cities and Towns

**Be it enacted by the General Assembly of Virginia:****1. That §§ 57-22 and 57-25 of the Code of Virginia are amended and reenacted as follows:**

§ 57-22. Conveyance of land to trustees or local governing body for cemetery use.

A. Land may be conveyed to trustees, not less than five nor more than nine in number, for the use of any city, town, county, magisterial district, cemetery association, ecclesiastical or other society, as a cemetery. It shall be held by such trustees and their successors for such use and no other.

B. Land may also be conveyed to a county, city or town, in the name of the county, city or town, for the use as a cemetery.

§ 57-25. Condemnation of land for cemeteries.

If it ~~be~~ is desired at any time to establish a cemetery, for the use of a city, town, county or magisterial district, or to enlarge any such cemetery already established, and the title to land needed cannot be otherwise acquired, land sufficient for the purpose may be condemned. Application for the condemnation shall be made by the governing body of the city or town, the attorney for the Commonwealth of the county, or any ten citizens of the magisterial district, as the case may be, to the circuit court of the county *or city* in which the land lies, and the proceedings shall be according to the provisions of Title 25 for condemnation of land thereunder, so far as they can be applied to the case. The title to any land acquired under the proceedings, if for the enlargement of an existing cemetery, shall vest in *the county, city or town, or in* the trustees of such cemetery, *as appropriate*; and if for the establishment of a new cemetery, the title shall vest in *the county, city or town, or in the* trustees to be appointed under § 57-23, *as appropriate*. The land shall be held [ ~~by the trustees and their successors~~ ] as provided by § 57-22.

ENGROSSED

HB1828E