

**8-5-2 Action in district court for title to lots.**

If either the grantee, or person claiming through the grantee, fails to comply with the demand or notice, the municipality or cemetery maintenance district may bring an action in the district court of the county in which the cemetery is located against all parties who have not responded to the notice for the purpose of terminating the rights of the parties in the lots or parcels and restoring the lots or parcels to the municipality or cemetery maintenance district free of any right, title, or interest of the grantee, persons claiming through the grantee, their heirs, or assigns. Any action to reclaim title to grave sites, parcels, or lots shall be brought and determined in the same manner as actions concerning other real property. The portion of any grave site, lot, or parcel in which a body is buried may not be included in any action to revest title to the lot, site, or parcel in the municipality or cemetery maintenance district, and the grave site in which a body is interred shall remain undisturbed together with any adjoining property so as to allow the proper approach to the grave site.

Amended by Chapter 123, 2002 General Session