

**DRAFT**

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February 2, 2023

HAND DELIVERED

The Honorable Sherman P. Lea, Sr.  
Mayor, City of Roanoke  
215 Church Avenue, SW, Room 456  
Roanoke, Virginia 24011

Re: FV Cemetery Company, Incorporated

Dear Mayor Lea:

I represent FV Cemetery Company, Incorporated (“FV Cemetery”). FV Cemetery is a non-profit corporation that owns and operates Fair View Cemetery on Melrose Avenue and Cedar Lawn Memorial Park on Cove Road. On December 15, 2022, the FV Cemetery Board of Directors voted to dissolve the corporation effective July 1, 2023. I have enclosed a copy of the Board’s December 15, 2022 resolution. Upon dissolution, FV Cemetery’s articles of incorporation require the transfer of its assets to the City of Roanoke, Virginia (“the City”). By this letter, FV Cemetery hereby formally offers such assets to the City.

Background

The history of Fair View Cemetery and Cedar Lawn Memorial Park are set forth in the resolution passed by FV Cemetery’s Board of Directors. In 1890, a group of community leaders founded Fair View Cemetery. Cedar Lawn was founded in 1930. Fair View acquired Cedar Lawn in 1965 and in 1982 these two cemeteries were placed under the current corporate umbrella, that is, FV Cemetery.

Assets to be Transferred

Historic Fair View Cemetery consists of approximately 57 acres. Cedar Lawn contains approximately 14 acres. Of Fair View’s 57 acres, 14 acres are undeveloped, that is, there are no graves or commitments for a grave. Cedar Lawn has 5 undeveloped acres. I have enclosed a map of each cemetery. The undeveloped areas are outlined in red.

Other assets include cash or its equivalent of \$3,183,641.43 as of January 1, 2023. FV Cemetery also owns vehicles and other heavy equipment used in operating a cemetery. In addition, a staff is currently in place running the cemeteries. The staff is well trained and with this group, a transition to the City would be seamless.

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The City as Custodian of the Cemeteries

The FV Board and I believe the City is the best steward for these cemeteries. Many communities across Virginia have come to the same conclusion. The Code of Virginia contemplates that owning and operating a cemetery is a core municipal function. The City has advantages in running these cemeteries that a private entity lacks – – less regulatory oversight (no requirement for maintaining trust accounts for future maintenance) and equipment already in place (for cutting grass and maintaining the grounds). If the City does not accept these assets, a receiver will likely be appointed. If that happens, we believe the cemeteries will find their way back to the City eventually, but without the current financial resources and in a deteriorated condition. Now is the best time for the City to accept this civic obligation.

FV Cemetery's Request

With this offer, FV Cemetery requests City Council to schedule a public hearing on whether these assets should be accepted. We think there will be significant public support for acceptance and the public hearing will show that.

Thank you for your consideration of this request.

Respectfully,

MARTIN, HOPKINS & LEMON, P.C.

William B. Hopkins, Jr.

WBHjr/scm

Enclosures

cc: Joseph L. Cobb, Vice Mayor (w/enclosures)  
Patricia White – Boyd, Council Member (w/enclosures)  
Peter J. Volosin, Council Member (w/enclosures)  
Stephanie Moon Reynolds, Council Member (w/enclosures)  
Luke W. Priddy, Council Member (w/enclosures)  
Vivian Sanchez –Jones, Council Member (w/enclosures)  
Robert S. Cowell, City Manager (w/enclosures)  
Timothy R. Spencer, Esq., City Attorney (w/enclosures)