

BEFORE THE ARKANSAS CEMETERY BOARD

CASE No. C-10-0151

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ARKANSAS SECURITIES DEPT.

IN THE MATTER OF:

**WE-PARADISE
GARDENS, LLC**

ORDER NO. C-10-0151-10-OR01

ORDER

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on December 8, 2010, pursuant to Ark. Code Ann. § 20-17-1005 and Rule 5 of the Rules of the Arkansas Cemetery Board. Among the matters considered was a request by WE-Paradise Gardens, LLC, to ratify a proposed permanent maintenance trust fund agreement. Upon consideration of the testimony of the witnesses, the exhibits, and all other matters presented, the Board hereby finds and concludes:

FINDINGS OF FACT

1. Paradise Gardens Cemetery (“Paradise Gardens”) is a perpetual care cemetery located in West Memphis, Arkansas. Paradise Gardens is licensed by the Board as a perpetual care cemetery as defined by the Cemetery Act for Perpetually Maintained Cemeteries, codified at Ark. Code Ann. §§ 20-17-1001 through 20-17-1029 (“Act”).
2. Paradise Gardens is owned and operated by WE-Paradise Gardens Cemetery, LLC.
3. On November 29, 2010, WE-Paradise Gardens, LLC filed a proposed permanent maintenance trust fund agreement with the Board. This permanent maintenance fund agreement would replace Paradise Garden’s current permanent maintenance trust fund agreement and would establish Regions Bank as trustee.

4. The proposed permanent maintenance trust fund agreement, which involves a change of trustee, meets all statutory requirements as set forth in Ark. Code Ann. § 20-17-1013(d)(1) and (2).

CONCLUSIONS OF LAW

5. A new permanent maintenance trust fund shall be executed in writing and approved by the Board. Ark. Code Ann. § 20-17-1013(d)(1) and (2).

ORDER

IT IS HEREBY ORDERED that the permanent maintenance trust fund agreement proposed by WE-Paradise Gardens, LLC establishing Regions Bank as trustee of Paradise Gardens' permanent maintenance trust fund is hereby approved.

IT IS SO ORDERED.

Dated this 17th day of December, 2010.

ARKANSAS CEMETERY BOARD



G. William "Bill" Booker, II
Chairperson, Arkansas Cemetery Board



A. Heath Abshure
Secretary, Arkansas Cemetery Board