

BEFORE THE ARKANSAS CEMETERY BOARD

CASE NO. C-12-0139

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ARKANSAS SECURITIES DEPT.

IN THE MATTER OF:

PINNACLE HILLS
MEMORIAL GARDENS
CEMETERY

ORDER NO. C-12-00139-OR01

ORDER

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on June 27, 2012, 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 Matt Goode on behalf of Pinnacle Hills Memorial Gardens Cemetery (“Pinnacle Hills”), located in Rogers, Arkansas, to construct a mausoleum at Pinnacle Hills. 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. Pinnacle Hills is a perpetual care cemetery located in Rogers, Arkansas. Pinnacle Hills is licensed by the Board as a perpetual care cemetery defined by the Cemetery Act for Perpetually Maintained Cemeteries, Ark. Code Ann. §§ 20-17-1001 through 20-17-1029 (“Act”).
2. Pinnacle Hills is owned and controlled by Pinnacle Hills Memorial Gardens, LLC.
3. Pinnacle Hills filed an application for amendment of its permit on June 7, 2012, in which it sought the authority to construct a mausoleum on the grounds of Pinnacle Hills. The original application has since been supplemented to include additional documents and information.

4. The application contains the required information and documentation as set forth in Ark. Code Ann. § 20-17-1011 and Rule 11 of the Rules of the Arkansas Cemetery Board and meets all statutory and regulatory requirements as set forth for the amendment of a permit of a perpetual care cemetery.

CONCLUSIONS OF LAW

5. A cemetery company proposing to amend its present permit under the Act shall file an application for amendment of the permit with the Board. Ark. Code Ann. § 20-17-1011(a) and Rule 11 of the Rules of the Arkansas Cemetery Board.

6. The application for amendment of a permit must contain various statements, documents, and other information necessary to provide justification for the amendment of the permit. Ark. Code Ann. § 20-17-1011.

7. If the Board finds that an existing permit should be amended, the Board shall issue a new permit. The new permit shall supersede the previous permit. Rule 11.07 of the Rules of the Arkansas Cemetery Board.

8. Pursuant to Rule 11.07 of the Rules of the Arkansas Cemetery Board, the cemetery company shall file the new amended permit with the County Clerk in the county in which the cemetery is located and a copy sent to the Department of Health.

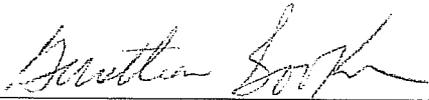
ORDER

The application to amend the permit of Pinnacle Hills to construct a mausoleum on the grounds of Pinnacle Hills is approved. The Staff shall be authorized to issue the amended permit to Pinnacle Hills. The amended permit shall supersede the existing permit. Pinnacle Hills Memorial Gardens, LLC is ordered to record the amended permit with the Benton County Clerk's office, and mail a copy to the Arkansas Department of Health.

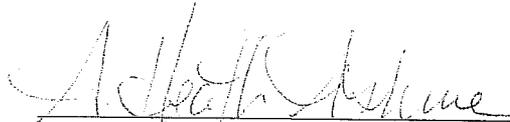
IT IS SO ORDERED.

Dated this 9th day of July, 2012.

ARKANSAS CEMETERY BOARD



G. William "Bill" Booker, II
Chairperson



A. Heath Abshure
Secretary