

**BEFORE THE ARKANSAS CEMETERY BOARD
CASE NO. C-14-0089**

IN THE MATTER OF:

**RUSSELLVILLE OAKLAND CEMETERY;
RUSSELLVILLE, ARKANSAS**

ORDER NO. C-14-0089-14-OR01

ORDER APPROVING APPLICATION TO EXTEND BOUNDARIES

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on September 12, 2014, pursuant to Ark. Code Ann. § 20-17-1005 and Rule 5 of the Rules of the Arkansas Cemetery Board. Among the matters considered was an application by the city of Russellville, that owns and operates Russellville Oakland Cemetery, to extend the boundaries of Russellville Oakland Cemetery. 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. Russellville Oakland Cemetery is a perpetual care cemetery located in Russellville, Arkansas and is owned and operated by the city of Russellville. Russellville Oakland Cemetery is licensed by the Board as a perpetual care cemetery as defined by the Cemetery Act for Perpetually Maintained Cemeteries, Ark. Code Ann. §§ 20-17-1001 through 20-17-1030 (“Act”).

2. On August 25, 2013, the city of Russellville submitted an application to the Board to extend the boundaries of Russellville Oakland Cemetery. The original application has since been supplemented to include documents and information requested by the Staff of the Arkansas Securities Department (“Staff”).

3. The application contains the required information and documentation necessary to approve same, pursuant to Ark. Code Ann. § 20-17-1008 and Rule 8 of the Rules of the Arkansas Cemetery Board. Said application meets all statutory and regulatory requirements necessary for approval of the proposed extension.

CONCLUSIONS OF LAW

4. Pursuant to Ark. Code Ann. § 20-17-1008, the person proposing to extend the boundaries of an existing cemetery must file an application seeking approval for the extension.

5. An application for the issuance of a permit for the extension of the boundaries of an existing perpetual care cemetery must contain various statements, documents, and other information to provide justification for the extension. Ark. Code Ann. § 20-17-1008 and Rule 8 of the Rules of the Arkansas Cemetery Board.

6. If the application for an extension of boundaries of an existing perpetual care cemetery holding a permit under the Act is approved, the Board shall issue a permit to the cemetery company setting forth the legal description of the property to be used as a cemetery. Rule 10.01 of the Rules of the Arkansas Cemetery Board.

7. Pursuant to Rule 10.02 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 forward a copy to the Department of Health.

ORDER

IT IS HEREBY ORDERED that the application to extend the boundaries of Russellville Oakland Cemetery shall be approved. The Staff is authorized to issue the permit to the city of Russellville. The city of Russellville is hereby ordered to record the

permit with the Pope County Clerk's office and mail a copy of the permit to the Arkansas Department of Health.

IT IS SO ORDERED.

Dated this 23rd day of September, 2014.

ARKANSAS CEMETERY BOARD



G. William "Bill" Booker, II
Chairperson



Stephen E. Whitwell
Board Member