

BEFORE THE ARKANSAS CEMETERY BOARD
CASE NO. C-14-0101

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ARKANSAS SECURITIES DEPT.

IN THE MATTER OF:

RANDOLPH MEMORIAL GARDENS;
POCAHONTAS, ARKANSAS

ORDER NO. C-14-0101-14-OR01

ORDER APPROVING APPLICATION TO AMEND PERMIT

The Arkansas Cemetery Board ("Board") held its quarterly meeting on December 16, 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 NEA Burial Services, Inc. that owns and operates Randolph Memorial Gardens to amend the permit to reduce the boundaries. 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. Randolph Memorial Gardens is a perpetual care cemetery located in Pocahontas, Arkansas and is owned and operated by NEA Burial Services, Inc. Randolph Memorial Gardens 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 20-17-1029 ("Act").

2. On December 1, 2014, NEA Burial Services, Inc. submitted an application to the Board to amend its permit to reduce the boundaries of Randolph Memorial Gardens. 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 to amend the permit of a perpetual care cemetery, pursuant to Ark. Code Ann. § 20-17-1011 and Rule 11 of the Rules of the Arkansas Cemetery Board and meets all statutory and regulatory requirements necessary for approval of the proposed permit amendment.

CONCLUSIONS OF LAW

4. Pursuant to Ark. Code Ann. § 20-17-1011, a cemetery company proposing to amend its present permit to reduce the boundaries of the cemetery must file an application for amendment of the permit.

5. An application for the amendment of the permit of a perpetual care cemetery must contain various statements, documents, and other information to provide justification for the amendment of the permit. Ark. Code Ann. § 20-17-1011 and Rule 11 of the Rules of the Arkansas Cemetery Board.

6. 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.

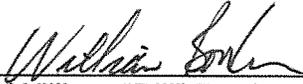
ORDER

IT IS HEREBY ORDERED that the application to amend the permit of NEA Burial Services, Inc. for Randolph Memorial Gardens shall be approved. The Staff is authorized to issue the amended permit to NEA Burial Services, Inc. NEA Burial Services, Inc. is hereby ordered that the amended permit shall supersede the existing permit, is ordered to record the permit with the Randolph County Clerk's office, and mail a copy to the Arkansas Department of Health.

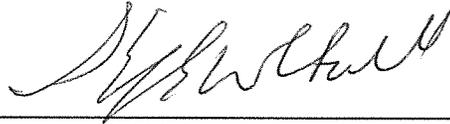
IT IS SO ORDERED.

Dated this 10th day of January 2015.

ARKANSAS CEMETERY BOARD



G. William "Bill" Booker, II
Chairperson



Stephen E. Whitwell
Board Member