

**BEFORE THE ARKANSAS CEMETERY BOARD  
CASE NO. C-15-0011**

**IN THE MATTER OF:**

**NEW ROSEMONT MEMORIAL PARK CEMETERY  
BENTON, ARKANSAS**

**ORDER NO. C-15-0011-15-OR01**

**ORDER APPROVING APPLICATION TO AMEND PERMIT**

The Arkansas Cemetery Board ("Board") held its quarterly meeting on May 8, 2015, 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 New Rosemont Corporation that owns and operates New Rosemont Memorial Park Cemetery ("New Rosemont") 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. New Rosemont is a perpetual care cemetery located in Benton, Arkansas and is owned and operated by New Rosemont Corporation. New Rosemont 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 April 21, 2015, New Rosemont Corporation submitted an application to the Board to amend its permit to reduce the boundaries of New Rosemont.

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**

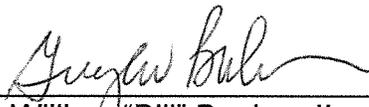
IT IS HEREBY ORDERED that the application to amend the permit of New Rosemont Corporation for Randolph Memorial Gardens shall be approved. The Staff is authorized to issue the amended permit to New Rosemont Corporation. New Rosemont Corporation is hereby ordered that the amended permit shall supersede the existing permit, is ordered to record the permit with

the Saline County Clerk's office, and mail a copy to the Arkansas Department of Health.

IT IS SO ORDERED.

Dated this 26<sup>th</sup> day of May 2015.

**ARKANSAS CEMETERY BOARD**

  
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G. William "Bill" Booker, II  
Chairperson

  
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B. Edmond Waters  
Secretary