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ARKANSAS SECURITIES DEPT.

BEFORE THE ARKANSAS CEMETERY BOARD

CASE NO. C-15-0055

IN THE MATTER OF:

**EAST MEMORIAL GARDENS;
TEXARKANA, ARKANSAS**

ORDER NO. C-15-0055-15-OR01

ORDER APPROVING APPLICATION FOR TRANSFER OF OWNERSHIP

The Arkansas Cemetery Board ("Board") held its quarterly meeting on December 16, 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 for transfer of ownership of East Memorial Gardens ("East Memorial") from Serenity Cemeteries I, LLC ("Seller") to the Texarkana Funeral Home, Inc. ("Purchaser"). Seller sold all assets in East Memorial to the Purchaser. 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. East Memorial is a perpetual care cemetery located in Texarkana Arkansas and is owned and operated by Serenity Cemeteries, LLC. East Memorial 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 November 30, 2015, the Seller and Purchaser submitted an application to the Board proposing a transfer of ownership of East Memorial to the Purchaser. The original application has since been supplemented to include documents and information requested by the Staff of the Arkansas Securities Department ("Staff").

3. The Seller and Purchaser have submitted all documents and information required for a transfer of ownership of a perpetual care cemetery, pursuant to Ark. Code Ann. §§ 20-17-1012(b)(2)(A)—(M) and Rule 12 of the Rules of the Arkansas Cemetery Board and meet all statutory and regulatory requirements necessary for approval of the proposed transfer of ownership.

CONCLUSIONS OF LAW

4. Ark. Code Ann. § 20-17-1012(b)(1)(A) states that when a change is proposed in the controlling interest or ownership of a perpetual care cemetery or any cemetery company, the cemetery that holds the current permit and the individual or organization proposing to obtain ownership or gain control of the cemetery shall file an application for the issuance of a new permit.

5. An application for transfer of ownership of a perpetual care cemetery must contain certain specified fees, documents, statements, and accountings. Ark. Code Ann. § 20-17-1012(b)(2) and Rule 12 of the Rules of the Arkansas Cemetery Board.

6. If the Board finds that the seller and purchaser have complied with the Act and the Rules of the Arkansas Cemetery Board, the Board shall order the issuance of a new permit to the purchaser. Rule 12.07 of the Rules of the Arkansas Cemetery Board.

ORDER

IT IS HEREBY ORDERED that the transfer of ownership application for East Memorial is approved. The Staff is authorized to issue a new permit to the Purchasers for the operation of East Memorial. Texarkana Funeral Home, Inc. is ordered to record the

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

IT IS SO ORDERED.

Dated this 29th day of December 2015.

ARKANSAS CEMETERY BOARD



G. William "Bill" Booker, II
Chairperson



B. Edmond Waters
Secretary