

**BEFORE THE ARKANSAS CEMETERY BOARD
CASE NO. C-16--0054**

IN THE MATTER OF:

**BENTON COUNTY MEMORIAL
PARK; ROGERS, ARKANSAS**

ORDER NO. C-16-0054-16-OR01

ORDER

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on April 15, 2016, 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 Lowell-Phillips Company on behalf of Benton County Memorial Park to ratify a proposed change in trustee from Regions Bank as bank trustee to Live Oak Bank as bank trustee. 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. Benton County Memorial Park is located in Rogers, Arkansas and 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—20-17-1029, (“Act”).
2. The cemetery is owned and controlled by Lowell-Phillips Company.
3. On April 5, 2016, Lowell-Phillips Company filed a proposed permanent maintenance trust fund agreement with the Board. This permanent maintenance trust fund agreement would replace the cemetery’s current permanent maintenance trust fund agreement and would establish Regions Bank as trustee.

4. The proposed permanent maintenance trust fund agreement, which involves a change of trustee, meets all statutory requirements as set forth in Ark. Code Ann. § 20-17-1013(d)(1) and (2).

CONCLUSIONS OF LAW

5. A new permanent maintenance trust fund shall be executed in writing and approved by the Board. Ark. Code Ann. § 20-17-1013(d)(1) and (2).

ORDER

The permanent maintenance trust fund agreement proposed by Lowell-Phillips Company establishing Live Oak Bank as trustee of the Benton County Memorial Park permanent maintenance trust fund agreement is hereby approved.

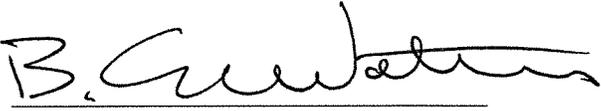
IT IS SO ORDERED.

Dated this 6th day of May, 2016.

ARKANSAS CEMETERY BOARD



G. William "Bill" Booker, II
Chairperson



B. Edmond Waters
Secretary