

**BEFORE THE ARKANSAS CEMETERY BOARD  
CASE NO. C-16--0099**

**IN THE MATTER OF:**

**RANDOLPH MEMORIAL GARDENS;  
POCAHONTAS, ARKANSAS**

**ORDER NO. C-16-0099-16-OR01**

**ORDER**

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on August 31, 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 Mr. Michael Johnson on behalf of Randolph Memorial Gardens to ratify a proposed change in trustee from First National Bank of Lawrence County as bank trustee to RiverBank as a 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. Randolph Memorial Gardens is located in Pocahontas, 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 NEA Burial Services.
3. On August 23, 2016, Michael Johnson 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 RiverBank as trustee.

4. RiverBank will comply with the requirements of an individual trustee as required in Ark. Code Ann. 20-17-1014(b)(3).

5. 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).

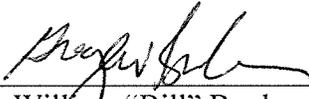
**ORDER**

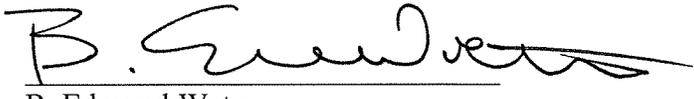
The permanent maintenance trust fund agreement proposed by Michael Johnson on behalf of NEA Burial Services establishing RiverBank as trustee of the Randolph Memorial Gardens permanent maintenance trust fund agreement is hereby approved.

IT IS SO ORDERED.

Dated this 17<sup>th</sup> day of October, 2016.

**ARKANSAS CEMETERY BOARD**

  
\_\_\_\_\_  
G. William "Bill" Booker, II  
Chairperson

  
\_\_\_\_\_  
B. Edmond Waters  
Secretary