

BEFORE THE ARKANSAS CEMETERY BOARD

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ARKANSAS SECURITIES DEPT.

IN THE MATTER OF:

**MEMORIAL PARK GARDENS,
PINE BLUFF, ARKANSAS**

ORDER NO. C-09-085-09-OR01

ORDER

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on December 10, 2009, pursuant to Ark. Code Ann. § 20-17-1005 and Rule 4 of the Rules of the Arkansas Cemetery Board. Among the matters considered was a request by Memorial Park Gardens (“Memorial Park”) located in Pine Bluff, Arkansas, to ratify a proposed permanent maintenance trust fund agreement. 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. Memorial Park is a perpetual care cemetery located in Pine Bluff, Arkansas. Memorial Park 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 17, 2009, Memorial Park filed a proposed permanent maintenance trust fund agreement with the Board. This permanent maintenance trust fund agreement would replace Memorial Park’s current permanent maintenance trust fund agreement and would establish BancorpSouth, as trustee.

3. The proposed permanent maintenance trust fund agreement meets all statutory requirements as set forth in Ark. Code Ann. § 20-17-1013(d)(1).

CONCLUSIONS OF LAW

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

ORDER

IT IS HEREBY ORDERED that the permanent maintenance trust fund agreement proposed by Memorial Park establishing BankcorpSouth as trustee of Memorial Park's permanent maintenance trust fund is hereby approved.

IT IS SO ORDERED.

Dated this 10th day of January, 2010.



G. William "Bill" Booker, II
Chairperson, Arkansas Cemetery Board



A. Heath Abshure
Secretary, Arkansas Cemetery Board