

**BEFORE THE ARKANSAS CEMETERY BOARD**

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**IN THE MATTER OF:**

**CRESTLAWN MEMORIAL  
PARK, CONWAY, ARKANSAS**

**ORDER NO. C-08-061-08-OR01**

**ORDER APPROVING APPLICATION FOR AMENDMENT TO PERMIT**

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on September 30, 2008, pursuant to Ark. Code Ann. § 20-17-1005, and Rule 4 of the Rules of the Arkansas Cemetery Board. Among the matters considered was an application for amendment of the permit to construct a mausoleum at Crestlawn Memorial Park (“Applicant”). 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. The Applicant proposes an amendment to the permit of a perpetual care cemetery within the meaning of the Cemetery Act for Perpetually Maintained Cemeteries Ark. Code Ann. §§ 20-17-1001 through 20-17-1029 (“Act”). The proposed amendment of the permit seeks the authority to construct a mausoleum on the grounds of the cemetery under the name of the cemetery.
2. The Applicant filed its application for amendment to its permit on August 18, 2008.
3. The Applicant supplemented its application with additional materials on August 28, 2008.

4. The application contains the required information and documentation as set forth in Ark. Code Ann. § 20-17-1011, except as noted in Paragraph 5, below.
5. The Applicant has not submitted documentation representing that construction will be done in a good and workmanlike manner and that the structure will be fireproof as required by Ark. Code Ann. § 20-17-1011(b)(4)(J).
6. Upon receipt of documentation that construction will be done in a good and workmanlike manner and that the structure will be fireproof, the Applicant will have met all requirements of Ark. Code Ann. § 20-17-1011, and Rule 12 of the Rules of the Arkansas Cemetery Board set forth for the amendment of a permit of a perpetual care cemetery.

#### **CONCLUSIONS OF LAW**

7. A cemetery company proposing to amend its present permit under the Act shall file an application for amendment of the permit with the Board. Ark. Code Ann. § 20-17-1011(a), and Rule 12, Rules of the Arkansas Cemetery Board.
8. The application for amendment of a permit must contain various statements, documents, and other information necessary to provide justification for the amendment of the permit. Ark. Code Ann. § 20-17-1011.

9. 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 12.05, Rules of the Arkansas Cemetery Board.

**ORDER**

The Board hereby orders that the application for approval to amend the permit of the Applicant shall be approved conditioned upon the receipt of documentation from the Applicant that the construction will be done in a good and workmanlike manner and that the structure will be fireproof. Upon receipt of the aforementioned item, the staff of the Arkansas Securities Department shall be authorized to issue the new permit. The new permit shall supersede the existing permit, and the Applicant shall record the permit with the Faulkner County Clerk's office and mail a copy of the permit to the Arkansas Department of Health.

IT IS SO ORDERED.

Dated: November 8, 2008.

**ARKANSAS CEMETERY BOARD**

  
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BETTY FINLEY  
Chairperson

  
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A. HEATH ABSHURE  
Secretary