

BEFORE THE ARKANSAS CEMETERY BOARD

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IN THE MATTER OF:

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**PINNACLE HILLS
MEMORIAL GARDENS, LLC
ROGERS, ARKANSAS**

ARKANSAS SECURITIES DEPT.

ORDER NO. C-08-083-08-OR01

ORDER APPROVING APPLICATION FOR AMENDMENT TO PERMIT

The Arkansas Cemetery Board ("Board") held its quarterly meeting on December 8, 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 to amend the permit of Pinnacle Hills Memorial Gardens, LLC ("Pinnacle Hills"). Pinnacle Hills is seeking to remove land from its permit for Pinnacle Hills Memorial Gardens Cemetery ("Pinnacle Hills Cemetery"). 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. Pinnacle Hills Cemetery is a perpetual care cemetery located in Rogers, Arkansas owned and controlled by Pinnacle Hills. Pinnacle Hills Cemetery 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"). The proposed amendment seeks the authority to remove land from the existing boundaries of Pinnacle Hills Cemetery.
2. Pinnacle Hills filed an application for amendment of its permit on November 17, 2008. The original application has since been

supplemented to include documents and information requested by the staff of the Arkansas Securities Department (“Staff”).

3. Pinnacle Hills is seeking to remove 9.6 acres of land from the existing boundaries of Pinnacle Hills Cemetery.
4. Pinnacle Hills has submitted all documents and information required for an amendment of a permit of a perpetual care cemetery, pursuant to Ark. Code Ann. §§ 20-17-1011 and Rule 12 of the Rules of the Arkansas Cemetery Board.

CONCLUSIONS OF LAW

5. 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.
6. If the Board finds that an applicant has met all the requirements of Ark. Code Ann. § 20-17-1011 and Rule 12 of the Rules of the Arkansas Cemetery Board, then 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 Pinnacle Hills by removing 9.6 acres of land from the existing boundaries of Pinnacle Hills Cemetery shall be approved, and the Staff shall issue the amended permit amending the boundaries of Pinnacle Hills Cemetery. The amended permit shall supersede the

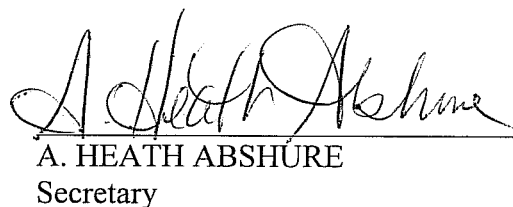
existing permit, and Pinnacle Hills shall record the amended permit with the Benton County Clerk's office and file a copy of the permit with the Arkansas Department of Health.

IT IS SO ORDERED.

Dated: December ____, 2008.

ARKANSAS CEMETERY BOARD


BETTY FINLEY
Chairperson


A. HEATH ABSHURE
Secretary