

**BEFORE THE ARKANSAS CEMETERY BOARD**

RECEIVED

10 JUL 22 PM 4:12

ARKANSAS SECURITIES DEPT.

**IN THE MATTER OF:**

**REST HAVEN MEMORIAL  
GARDENS PERPETUAL  
CARE CEMETERY TRUST**

**ORDER NO. C-10-0039-10-OR01**

**ORDER**

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on June 7, 2010, 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 Rest Haven Memorial Gardens (“Rest Haven”), located in El Dorado, 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. Rest Haven is a perpetual care cemetery located in El Dorado, Arkansas. Rest Haven is licensed by the Board as a perpetual care cemetery as defined by the Cemetery Act for Perpetually Maintained Cemeteries, codified at Ark. Code Ann. §§ 20-17-1001 through 20-17-1029 (“Act”).
2. On May 5, 2010, Rest Haven filed a proposed permanent maintenance trust fund agreement with the Board. This permanent maintenance fund agreement would replace Rest Haven’s current permanent maintenance trust fund agreement and would establish BancorpSouth Asset Management and Trust (“BancorpSouth”) as trustee.
3. 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**

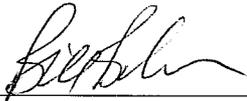
4. A new permanent maintenance trust fund shall be executed in writing and approved by the Board. Ark. Code Ann. § 20-17-1013(d)(1) and (2).

**ORDER**

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

IT IS SO ORDERED.

Dated this \_\_\_\_\_ day of July, 2010.



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



\_\_\_\_\_  
A. Heath Abshure  
Secretary, Arkansas Cemetery Board