

**BEFORE THE ARKANSAS CEMETERY BOARD**

**CASE NO. C-11-0261**

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ARKANSAS SECURITY'S DEPT.

**IN THE MATTER OF:**

**GREENE COUNTY  
MEMORIAL GARDENS,  
PARAGOULD, ARKANSAS**

**ORDER NO. C-11-0261-11-OR01**

**ORDER APPROVING APPLICATION FOR TRANSFER OF OWNERSHIP**

The Arkansas Cemetery Board ("Board") held a meeting on March 30, 2011, pursuant to Ark. Code Ann. § 20-17-1005 and Rule 5 of the Rules of the Arkansas Cemetery Board. Among the matters considered was an application for transfer of ownership of Greene County Memorial Gardens ("Greene County"). Greene County is currently owned by McDonald Investment Properties ("Seller"). The application proposes a sale of Greene County to Serenity Cemeteries V, LLC ("Purchaser"). Appearing on behalf of Seller and Purchaser was Steve McDonald. 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. Greene County is a perpetual care cemetery located in Paragould, Arkansas. Greene County 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 March 2, 2011, the Seller and Purchaser submitted an application to the Board proposing a transfer of ownership of Greene County to the Purchaser. The original

application has since been supplemented to include documents and information requested by the Staff of the Arkansas Securities Department (“Staff”).

3. The Seller and Purchaser have submitted all documents and information required for a transfer of ownership of a perpetual care cemetery, pursuant to Ark. Code Ann. §§ 20-17-1012(a)(2)(A)—(M) and Rule 12 of the Rules of the Arkansas Cemetery Board and meet all statutory and regulatory requirements necessary for approval of the proposed transfer of ownership.

### **CONCLUSIONS OF LAW**

4. Ark. Code Ann. § 20-17-1012(a)(1) states that when a change is proposed in the controlling interest or ownership of a perpetual care cemetery or any cemetery company, the cemetery that holds the current permit and the individual or organization proposing to obtain ownership or gain control of the cemetery shall file an application for the issuance of a new permit.

5. An application for transfer of ownership of a perpetual care cemetery must contain certain specified fees, documents, statements, and accountings. Ark. Code Ann. § 20-17-1012(a)(2) and Rule 12 of the Rules of the Arkansas Cemetery Board.

6. If the Board finds that the seller and purchaser have complied with the Act and the Rules of the Arkansas Cemetery Board, the Board shall order the issuance of a new permit to the purchaser. Rule 12.07 of the Rules of the Arkansas Cemetery Board.

### **ORDER**

IT IS HEREBY ORDERED that the transfer of ownership application for Greene County is approved. The Staff is authorized to issue a new permit to the Purchaser for the operation of Greene County. Serenity Cemeteries V, LLC is ordered to record the

permit with the Greene County Clerk's office, and mail a copy to the Arkansas  
Department of Health.

April 21, 2011.

**ARKANSAS CEMETERY BOARD**



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G. William "Bill" Booker, II  
Chairperson



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A. Heath Abshure  
Secretary