

**BEFORE THE ARKANSAS CEMETERY BOARD  
CASE NO. C-13-0148**

**IN THE MATTER OF:**

**FOREST HILLS MEMORIAL PARK;  
ALEXANDER, ARKANSAS**

**ORDER NO. C-13-0148-13-OR01**

**ORDER APPROVING APPLICATION TO AMEND PERMIT**

The Arkansas Cemetery Board ("Board") held its quarterly meeting on November 13, 2013, 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 by Forest Hills Cemetery, LLC that owns and operates to amend the permit of Forest Hills Memorial Park. 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. Forest Hills Memorial Park is a perpetual care cemetery located in Alexander, Arkansas and is owned and operated by Forest Hills Cemetery, LLC. Forest Hills 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 11, 2013, Forest Hills Cemetery, LLC submitted an application to the Board to amend its permit to reduce the boundaries of Forest Hills Memorial Park. The original application has since been supplemented to include documents and information requested by the Staff of the Arkansas Securities Department ("Staff").

3. The application contains the required information and documentation to amend the permit of a perpetual care cemetery, pursuant to Ark. Code Ann. § 20-17-1011 and Rule 11 of the Rules of the Arkansas Cemetery Board and meets all statutory and regulatory requirements necessary for approval of the proposed permit amendment.

### **CONCLUSIONS OF LAW**

4. Pursuant to Ark. Code Ann. § 20-17-1011, a cemetery company proposing to amend its present permit to reduce the boundaries of the cemetery must file an application for amendment of the permit.

5. An application for the amendment of the permit of a perpetual care cemetery must contain various statements, documents, and other information to provide justification for the amendment of the permit. Ark. Code Ann. § 20-17-1011 and Rule 11 of the Rules of the Arkansas Cemetery Board.

6. 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 11.07 of the Rules of the Arkansas Cemetery Board.

### **ORDER**

IT IS HEREBY ORDERED that the application to amend the permit of Forest Hills Cemetery, LLC for Forest Hills Memorial Park shall be approved. The Staff is authorized to issue the amended permit to Forest Hills Cemetery, LLC. Forest Hills Cemetery, LLC is hereby ordered that the amended permit shall supersede the existing permit, is ordered to record the permit with the

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

IT IS SO ORDERED.

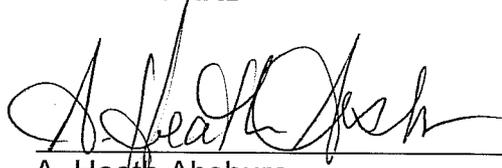
Dated this 4<sup>th</sup> day of December 2013.

**ARKANSAS CEMETERY BOARD**



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G. William "Bill" Booker, II  
Chairperson



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A. Heath Abshure  
Secretary