

RECEIVED

15 JAN -6 PM 1:02

**BEFORE THE ARKANSAS CEMETERY BOARD
CASE NO. C-14-0102**

ARKANSAS SECURITIES DEPT.

IN THE MATTER OF:

**RANDOLPH MEMORIAL GARDENS;
POCAHONTAS, ARKANSAS**

ORDER NO. C-14-0102-14-OR01

ORDER APPROVING APPLICATION FOR TRANSFER OF OWNERSHIP

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on December 16, 2014, 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 NEA Burial Services, Inc., the sole owner of Randolph Memorial Gardens from Steve Johnson (“Seller”) to Michael Johnson. (“Purchaser”). Seller transferred all of the outstanding interest in NEA Burial Services, Inc. to the Purchaser. 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. Randolph Memorial Gardens is a perpetual care cemetery located in Pocahontas, Arkansas and is owned and operated by Steve Johnson. Randolph Memorial Gardens 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 20-17-1030 (“Act”).

2. On December 1, 2014, the Seller and Purchaser submitted an application to the Board proposing a transfer of ownership of Randolph Memorial Gardens 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(b)(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, except for a clear title opinion.

CONCLUSIONS OF LAW

4. Ark. Code Ann. § 20-17-1012(b)(1)(A) 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(b)(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

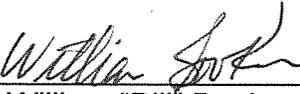
IT IS HEREBY ORDERED that the transfer of ownership application for Randolph Memorial Gardens is approved conditioned upon receipt of a clear title opinion and a satisfactory review of the annual report by the Staff. The Staff is authorized to issue a new permit to the Purchasers for the operation of Randolph Memorial Gardens.

Michael Johnson is ordered to record the permit with the Randolph County Clerk's office, and mail a copy to the Arkansas Department of Health.

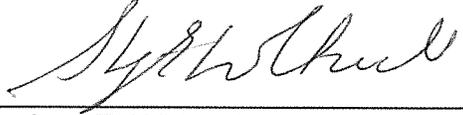
IT IS SO ORDERED.

Dated this 10th day of January 2015.

ARKANSAS CEMETERY BOARD



G. William "Bill" Booker, II
Chairperson



Stephen E. Whitwell
Board Member