

**BEFORE THE ARKANSAS CEMETERY BOARD**

**CASE NO. C-17-0113  
ORDER NO. C-17-0113-17-OR01**

**IN THE MATTER OF:**

**MEMORY GARDENS  
CEMETERY; HOPE, ARKANSAS**

**ORDER**

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on September 21, 2017, pursuant to Ark. Code Ann. § 20-17-1005 and Rule 5 of the Rules of the Arkansas Cemetery Board. Among the matters considered was a request by FFH Arkansas Cemetery Group, LLC on behalf of Memory Gardens Cemetery to ratify a proposed amendment to the Memory Gardens Cemetery Trust 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. Memory Gardens Cemetery is located in Hope, Arkansas and 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—20-17-1030, (“Act”).
2. The cemetery is owned and controlled by FFH Arkansas Cemetery Group, LLC after Board approval at the January 31, 2017 quarterly meeting.
3. On September 19, 2017, FFH Arkansas Cemetery Group, LLC filed a proposed amended trust fund agreement with the Board. This proposed permanent maintenance trust fund agreement would amend the cemetery’s current permanent maintenance trust fund agreement and would establish Regions Bank as trustee.

4. Regions Bank will comply with the requirements of an individual trustee as required in Ark. Code Ann. § 20-17-1014(b)(3).

5. 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) pending receipt of the final permanent maintenance trust fund agreement.

**CONCLUSIONS OF LAW**

5. 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**

The permanent maintenance trust fund agreement proposed by FFH Arkansas Cemetery Group, LLC establishing Regions Bank as trustee of the Memory Gardens Cemetery permanent maintenance trust fund agreement is hereby approved.

IT IS SO ORDERED.

Dated this 15<sup>th</sup> day of March, 2018 ~~December, 2017~~.

**ARKANSAS CEMETERY BOARD**



G. William "Bill" Booker, II  
Chairperson



B. Edmond Waters  
Secretary