

**BEFORE THE ARKANSAS CEMETERY BOARD
CASE NO. C-14-0049**

IN THE MATTER OF:

**CENTER VALLEY MEMORIAL GARDENS;
POPE COUNTY, ARKANSAS**

ORDER NO. C-14-0049-14-OR01

ORDER

The Arkansas Cemetery Board (“Board”) held its quarterly meeting on June 12, 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 a request by Humphrey Family Properties, LLC (“HFP”), to approve an application for the establishment of a perpetual care cemetery to be located in Pope County, Arkansas, and to be known as Center Valley Memorial Gardens. 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. HFP proposes the establishment of a new cemetery under the jurisdiction of the Cemetery Act for Perpetually Maintained Cemeteries, Ark. Code Ann. §§ 20-17-1001—20-17-1030 (“Act”). The proposed location of Center Valley Memorial Gardens is in Pope County, Arkansas.
2. Center Valley Memorial Gardens will be operated for profit and will have a permanent maintenance fund and is owned by HFP.
3. The managing members of HFP is Jim Bob Humphrey and Betty Humphrey.
4. HFP is a limited liability organized under Arkansas law.
5. HFP filed an application for a perpetual care permit on March 7, 2014.

6. HFP has not submitted proof of an initial deposit of five thousand dollars (\$5,000) into the permanent maintenance fund.

7. Other than proof of the initial deposit, HFP has submitted all other documents and information required for the issuance of a perpetual care cemetery permit, pursuant to Ark. Code Ann. § 20-17-1008 and Rule 8 of the Rules of the Arkansas Cemetery Board and meet all statutory and regulatory requirements necessary for approval of the permit.

CONCLUSIONS OF LAW

8. A cemetery company proposing to create a new cemetery under the Act shall file an application for the issuance of a permit with the Board. Ark. Code Ann. § 20-17-1008(b)(1).

9. An application for a permit to operate a perpetual care cemetery must contain various statements, documents, and other information necessary to provide justification for the permit. Ark. Code Ann. § 20-17-1008(b) and Rule 8 of the Rules of the Arkansas Cemetery Board.

10. Ark. Code Ann. § 20-17-1008(c) requires an application for a permit to operate a perpetual care cemetery be filed not less than twenty days prior to the Board meeting at which the application is to be considered.

11. The Act requires that an initial deposit of at least five thousand dollars (\$5,000) be made into the permanent maintenance fund prior to issuance of a permit. Ark. Code Ann. § 20-17-1010(c)(1).

12. Rule 8.01(C) of the Rules of the Arkansas Cemetery Board requires a cemetery company to place a minimum of twenty percent (20%) of the gross sales price of each lot into the permanent maintenance fund.

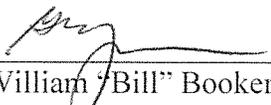
ORDER

IT IS HEREBY ORDERED that the application to operate a perpetual care cemetery is appropriate and should be approved. Issuance of the permit shall be conditioned upon production of proof to the Board that the initial principal deposit of at least five thousand dollars has been made to the permanent maintenance fund. It is further ordered that HFP deposit no less than twenty percent of the gross sales price of lot sales to the perpetual care fund for each such paid-in-full burial space contract sold in Center Valley Memorial Gardens.

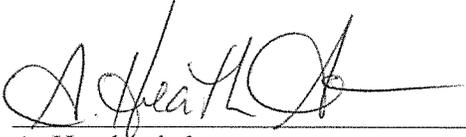
IT IS SO ORDERED.

Dated this 20th day of June, 2014.

ARKANSAS CEMETERY BOARD



G. William "Bill" Booker, II
Chairperson



A. Heath Abshire
Secretary