

**LR-2023-0024**

**RHONDA SULLIVAN  
CIRCUIT CLERK & RECORDER**

**CROSS COUNTY AR  
RECORDED ON  
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REC FEE: 25.00  
PAGES: 3**

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Prepared by:  
AL.BERTELLI LAW  
1 INFORMATION WAY  
SUITE 201  
LITTLE ROCK, AR 72202  
(501) 406-0855  
ALAW File 22-013306

**MORTGAGEE'S NOTICE OF DEFAULT AND INTENTION TO SELL  
YOU MAY LOSE YOUR PROPERTY IF YOU DO NOT TAKE IMMEDIATE ACTION  
IF THIS PROPERTY IS SOLD YOU WILL REMAIN LIABLE FOR ANY DEFICIENCY  
WHICH THEN EXISTS AND AN ACTION TO COLLECT IT MAY BE BROUGHT AGAINST  
YOU**

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL  
BE USED FOR SUCH PURPOSE**

NOTICE IS HEREBY GIVEN that on March 9, 2023, at or about 11:30 AM, the subject real property described herein below will be sold at the Main Entrance of the Cross County Courthouse, 705 E. Union, Wynne, AR 72396 to the highest bidder for cash. The sale will extinguish all interests, including those of existing lien holders or previous owners in the property. THE TERMS OF SALE ARE CASH THE TIME OF SALE AND ALL TRANSFER TAXES WILL BE THE RESPONSIBILITY OF THE PURCHASER.

WHEREAS, the property secured under the Mortgage is located in Cross County, Arkansas more particularly described as follows:

THE FOLLOWING LAND LYING IN CROSS COUNTY, ARKANSAS, TO-WIT:

A PART OF THE NORTHWEST QUARTER (NW 1/4), SOUTHWEST QUARTER (SW 1/4), SECTION FIFTEEN (15), TOWNSHIP EIGHT (8) NORTH, RANGE THREE (3) EAST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER (NW 1/4), SOUTHWEST QUARTER (SW 1/4), SECTION FIFTEEN (15), THENCE SOUTH 89 DEGREES 08 MINUTES EAST 30.0 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ARKANSAS HIGHWAY NO. 1 AS RECORDED IN DEED BOOK 144 AT PAGE 364 OF THE RECORDS OF CROSS COUNTY, ARKANSAS; THENCE SOUTH 0 DEGREES 52 MINUTES EAST 225.0 FEET ALONG SAID EAST RIGHT OF WAY LINE TO THE NORTHWEST CORNER OF PROPERTY AS RECORDED IN DEED BOOK 417 AT PAGE

6362 OF THE RECORDS OF CROSS COUNTY, ARKANSAS; THENCE NORTH 89 DEGREES 08 MINUTES EAST 17.3 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ARKANSAS HIGHWAY NO.1 AS PER DEED BOOK 144 AT PAGE 364 AND THE POINT OF BEGINNING; THENCE FROM THE POINT OF BEGINNING, SOUTHWESTERLY 95.0 FEET ALONG SAID EAST RIGHT OF WAY LINE TO A POINT ON THE WEST PROPERTY LINE AS RECORDED IN DEED BOOK 417 AT PAGE 6362; THENCE SOUTH 7.0 FEET ALONG SAID EAST RIGHT OF WAY LINE TO THE SOUTHWEST CORNER OF SAID PROPERTY IN DEED BOOK 417 AT PAGE 6362; THENCE EAST 446.0 FEET ALONG THE SOUTH LINE OF SAID PROPERTY TO A POINT ON THE WEST RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD COMPANY; THENCE NORTH 8 DEGREES 56 MINUTES 54 SECONDS EAST 101.5 FEET ALONG SAID WEST RIGHT OF WAY LINE TO THE NORTHEAST CORNER OF SAID PROPERTY IN DEED BOOK 417 AT PAGE 6362; THENCE WEST 444.0 FEET ALONG THE NORTH LINE OF SAID PROPERTY TO THE POINT OF BEGINNING, CONTAINING A TOTAL OF 1.0 ACRES, MORE OR LESS

Street Address: 2638 Hwy 1 Cherry Valley AR 72324

WHEREAS on November 28, 2007, Michael Kirk McClain and Kayce M. McClain, husband and wife, executed a Mortgage in favor of Mortgage Electronic Registration Systems, Inc., as nominee for Pulaski Mortgage Company said Mortgage was recorded on November 29, 2007, in Book 424 Page 5630 in the real property records of Cross County, Arkansas. Mortgage was subsequently assigned to U.S. Bank National Association by virtue of an assignment dated January 22, 2014, and recorded on January 30, 2014, as instrument number LR-2014-0223 in the real property records of Cross County, Arkansas. The party initiating foreclosure can be contacted at or in care of its servicer initiating foreclosure at: U.S. Bank National Association 4801 Frederica Street Owensboro KY 42301 at Telephone No. 800-365-7772; and

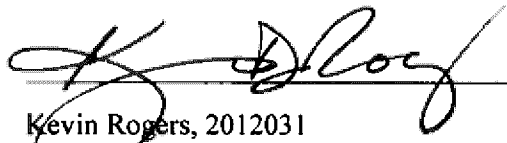
WHEREAS, there may be tenants that claim an interest in the real property herein based upon said tenancy; and

WHEREAS, the undersigned is the attorney for the mortgagee and is acting on and with the consent and authority of the mortgagee who is exercising its power of sale under Ark. Code Ann. §18-50-115 which implies a power of sale in every mortgage of real property situated in this state that is duly acknowledged and recorded; and default has occurred in the payment of said indebtedness, specifically the installment due November 1, 2018, and each subsequent payment to date are now due; and the holder of the debt has requested the undersigned to sell the property to satisfy said indebtedness. This sale is subject to all matters shown on any applicable recorded plat or bill(s) of assurance; any restrictive covenants, easements, set back liens or encroachments; any unpaid and/or delinquent taxes or special assessments; any statutory redemption rights of any governmental entity; any prior liens or encumbrances as well as any priority created by a UCC or fixture filing; and, to any matter that an accurate survey of the property might disclose. This property is being sold "as is" with no representation as the condition of any structure(s) thereon or the accuracy of the above legal description. Transfer taxes and recording fees are the responsibility of the purchaser.

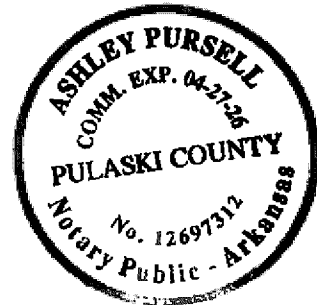
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WITNESS my hand this 5 day of Jan, 2023.

U.S. Bank, National Association, by its attorney-in-fact, Albertelli Law

  
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Kevin Rogers, 2012031  
Information Way  
Suite 201  
Little Rock, AR 72202  
501-406-0855  
A LAW No. 22-013306

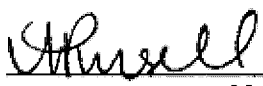


ACKNOWLEDGEMENT

STATE OF ARKANSAS           §  
COUNTY OF PULASKI       §

On this 5<sup>th</sup> day of January, 2023, before me, the undersigned officer,  
personally appeared Kevin Rogers, known to me to be the person who subscribed to the within  
instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 4-27-26