

2024-00810

Certificate of Record
FORT SMITH DISTRICT
SEBASTIAN COUNTY, ARKANSAS
SHARON BROOKS, CO CLERK & RECORDER
01/12/2024 03:44:50 PM
RECORDING FEE 35.00
Pages: 2

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Prepared by:
ALBERTELLI LAW
1 INFORMATION WAY
SUITE 201
LITTLE ROCK, AR 72202
(501) 406-0855
ALAW File 23-015999

**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 18, 2024 at or about 1:00PM, the subject real property described herein below will be sold at the Main Entrance of the Sebastian County Courthouse, 35 South 6th Street, Fort Smith, AR 72902 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 Sebastian County, Arkansas more particularly described as follows:

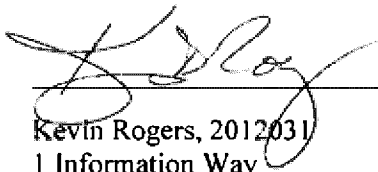
LOT 89 REMINGTON PLACE, AN ADDITION TO THE CITY OF FORT SMITH,
SEBASTIAN COUNTY, ARKANSAS, AS SHOWN BY PLAT FILED SEPTEMBER 20, 1995.
Street Address: 5412 Catina Ct Fort Smith AR 72916

WHEREAS on April 2, 2021 Kevin L. Cawthon and Olivia Ray Cawthon, husband and wife, executed a Mortgage in favor of Mortgage Electronic Registration Systems, Inc., as nominee for The First National Bank of Fort Smith. Said Mortgage was recorded on April 7, 2021 as Instrument No. 2021-08885 in the real property records of Sebastian County, Arkansas. Mortgage was subsequently assigned to Citizens Bank, N.A. by virtue of an assignment dated June 21, 2023 and recorded on June 21, 2023 as Instrument No. 2023-12183 in the real property records of Sebastian County, Arkansas. The party initiating foreclosure can be contacted at or in care of its servicer initiating foreclosure at: Citizens Bank NA f/k/a RBS Citizens NA 1 Citizens Plaza Providence RI 02903 at Telephone No. 877-745-7364; 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 July 1, 2023, 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.

WITNESS my hand this 11th day of January, 2024, for Citizens Bank NA f/k/a RBS Citizens NA, by its attorney-in-fact, Albertelli Law



Kevin Rogers, 2012031
1 Information Way
Suite 201
Little Rock, AR 72202
501-406-0855
A LAW No. 23-015999

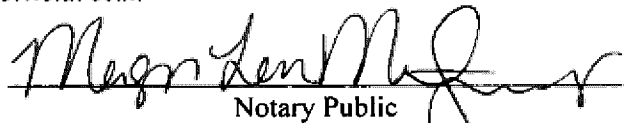
ACKNOWLEDGEMENT

STATE OF ARKANSAS
COUNTY OF PULASKI

§
§
OF

On this 11th day of January, 2024, 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: 1/14/2033

