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Prepared by:  
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1 INFORMATION WAY  
SUITE 201  
LITTLE ROCK, AR 72202  
(501) 406-0855  
ALAW File 19-021446

**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 November 26, 2019 at or about 1:30PM, the subject real property described herein below will be sold at the Main Entrance of the Sebastian County Courthouse, 35 South 6<sup>th</sup> Street, Fort Smith, Arkansas 72901 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 141, SOUTH MEADOW ESTATES, PHASE III, OF LOTS 96-148, AN ADDITION TO THE CITY OF FORT SMITH, SEBASTIAN COUNTY, ARKANSAS. ACCORDING TO PLAT FILES JUNE 21, 2006. SUBJECT TO EASEMENTS, RIGHTS OF WAY AND COVENANTS OF RECORD, IF ANY.

Street Address: 400 Bordeaux Cir, Fort Smith, AR 72908

WHEREAS on April 30, 2008 John P. Eubanks, a single person, executed a Mortgage in favor of Benefit Bank. Said Mortgage was recorded on May 6, 2008 as instrument number F-7242327 in the real property records of Sebastian County (Fort Smith), Arkansas. The Mortgage was subsequently assigned to U.S Bank N.A by virtue of an assignment dated April 30, 2008 and recorded on July 2, 2008 as instrument number 7246484 in the real property records of Sebastian County (Fort Smith), 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, and the same is now therefore wholly 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 25<sup>th</sup> day of September, 2019.

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



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501-406-0855  
A LAW No. 19-021446

#### ACKNOWLEDGEMENT

STATE OF ARKANSAS                   §  
COUNTY OF PULASKI               §

On this 25<sup>th</sup> day of September, 2019, before me, the undersigned officer, personally appeared James McPherson, 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:

4-27-2026