

Jeannie Pike - Circuit Clerk
Garland, AR
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02/06/2020 11:29AM

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Prepared by:
ALBERTELLI LAW
1 INFORMATION WAY
SUITE 201
LITTLE ROCK, AR 72202
(501) 406-0855
ALAW File 20-002599

**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 April 15, 2020 at or about 12:00PM, the subject real property described herein below will be sold at the Main Entrance of the Garland County Courthouse, 501 Ouachita, Hot Springs, AR 71901 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 Garland County, Arkansas more particularly described as follows:

A PART OF THE SW 1/4 OF THE NW 1/4 OF SECTION 21, TOWNSHIP 3 SOUTH RANGE 18 WEST, FIFTH PRINCIPAL MERIDIAN, GARLAND COUNTY, ARKANSAS, FURTHER DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID SW 1/4 NW 1/4; THEN SOUTH 7 DEGREES 39 MINUTES 19 SECONDS EAST 515.44 FEET; THEN NORTH 89 DEGREES 00 MINUTES 12 SECONDS WEST 790.80 FEET TO THE POINT OF BEGINNING AND A SET #4 REBAR W/CAP; THEN NORTH 89 DEGREES 00 MINUTES 12 SECONDS WEST 100.00 FEET TO A SET #4 REBAR W/CAP; THEN NORTH 0 DEGREES 59 MINUTES 48 SECONDS EAST 135 FEET TO THE ROW OF AN UNNAMED ROAD AND A SET #4 REBAR W/CAP; THEN SOUTH 89 DEGREES 00 MINUTES 12 SECONDS EAST 100 FEET ALONG SAID ROW TO A SET #4 REBAR W/CAP; THEN SOUTH 0 DEGREES 59 MINUTES 48 SECONDS WEST 135 FEET TO THE POINT OF BEGINNING. (ACCORDING TO SURVEY BY JOHN C. WILLIAMS, REGISTERED PROFESSIONAL LAND SURVEYOR, DATED DECEMBER 17, 2001.)

(ALSO BEING KNOWN AS LOT 5 OF NEWTON AKERS SUBDIVISION, UNRECORDED).

TOGETHER WITH:

ACCESS RD. EASEMENT DESCRIPTION:

A STRIP OF LAND 40' WIDE WITH THE CENTERLINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST R/W OF AKERS ROAD, SAID POINT BEING 1265.35 FEET WEST AND 314.68 FEET SOUTH OF THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 NORTHWEST 1/4 OF SECTION 21, TOWNSHIP 3 SOUTH, RANGE 18 WEST; THEN SOUTH 89 DEGREES 3 MINUTES 34 SECONDS EAST 225.12 FEET; THEN AROUND A CURVE TO THE RIGHT OF HAVING A RADIUS OF 300 FEET AND A LENGTH OF 45.71 FEET; THEN S 80 DEGREES 19 MINUTES 47 SECONDS EAST 74.83 FEET; THEN AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 300 FEET AND A LENGTH OF 45.41 FEET; THEN SOUTH 89 DEGREES 0 MINUTES 12 SECONDS EAST 694.52 FEET; THEN AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 55 FEET AND A LENGTH OF 94.03 FEET; THEN NORTH 06 DEGREES 57 MINUTES 35 SECONDS WEST 163.45 FEET TO THE END OF THE HEREIN DESCRIBED ACCESS EASEMENTS. (ACCORDING TO SURVEY BY JOHN C. WILLIAMS, REGISTERED PROFESSIONAL LAND SURVEYOR, DATED DECEMBER 17, 2001).

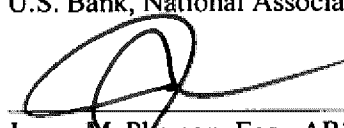
Street Address: 138 Merganser Trl Hot Springs AR 71901

WHEREAS on September 25, 2008 Sheila M. Foreman, executed a Mortgage in favor of U.S. Bank, National Association ND. Said Mortgage was recorded on October 14, 2008 in Book 3004 at Page 784 in the real property records of Garland 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, 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 6th day of February, 2020.
U.S. Bank, National Association, by its attorney-in-fact, Albertelli Law

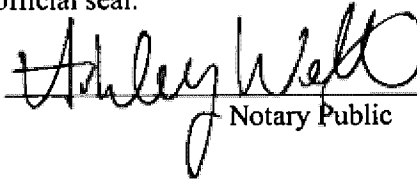

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Little Rock, AR 72202
501-406-0855
A LAW No. 20-002599

ACKNOWLEDGEMENT

STATE OF ARKANSAS §
COUNTY OF PULASKI §

On this 6th day of February, 2020, 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

