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Prepared by:  
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1 INFORMATION WAY  
SUITE 201  
LITTLE ROCK, AR 72202  
(501) 406-0855  
ALAW File 21-001729

**AMENDED 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**

The Notice of Default previously recorded on April 21, 2021 as instrument number 2021-10282, is being amended to correct the sale date from June 22, 2021 to August 24, 2021.

NOTICE IS HEREBY GIVEN that on August 24, 2021 at or about 1:30PM, the subject real property described herein below will be sold at the Sebastian County Courthouse, 35 South 6<sup>th</sup> Street, Fort Smith, AR 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 Deed of Trust is located in Sebastian County, Arkansas more particularly described as follows:

**LOT 4, CLAYTON HEIGHTS, LOTS 1 THRU 20, A SUBDIVISION TO THE CITY OF  
FORT SMITH, SEBASTIAN COUNTY, ARKANSAS ACCORDING TO PLAT FILED  
OCTOBER 13, 1995, LESS AND EXCEPT MINERALS AND MINERAL RIGHTS.**

Street Address: 3514 Clayton Ct., Fort Smith, AR 72904

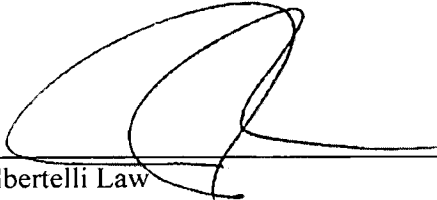
WHEREAS on November 12, 2014, Nikkie Niccum, a single woman, executed a Deed of Trust in favor of Joe Edwards, Jr., as trustee for Mortgage Electronic Registration Systems, Inc., as nominee for Benefit Bank, a Corporation. Said Deed of Trust was recorded on November 13, 2014 as instrument number 2014F-15993 in the real property records of Sebastian County (Fort Smith), Arkansas. The Deed of Trust was subsequently assigned to U.S. Bank National Association by virtue of an assignment dated December 23, 2015 and recorded on December 23, 2015 as instrument number 2015F-18300 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 substitute trustee and is acting on and with the consent and authority of the lender who is exercising its power of sale under Ark. Code Ann. §18-50-115 which implies a power of sale in every Deed of Trust 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 September 1, 2019, 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 17th day of June, 2021



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501-406-0855  
A LAW No. 21-001729

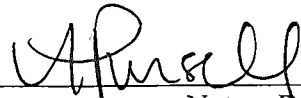


#### ACKNOWLEDGEMENT

STATE OF ARKANSAS           §  
COUNTY OF PULASKI       §

On this 17<sup>th</sup> day of June, 2021, 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: 4-27-26