

L202102701

MADISON CO. AR FEE \$195.00

PRESENTED & RECORDED

09/02/2021 13:01:45

JUDY FOSTER

CIRCUIT CLERK AND RECORDER

BY: ALLYSON WILSON

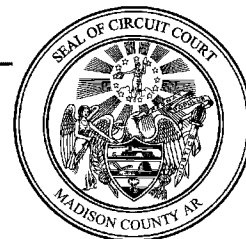
DEPUTY CLERK

NOTICE OF DEFAULT

3 Pages

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Prepared by:
ALBERTELLI LAW
1 INFORMATION WAY
SUITE 201
LITTLE ROCK, AR 72202
(501) 406-0855
ALAW File 21-005631



**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 18, 2021 at or about 11:00AM, the subject real property described herein below will be sold at the Madison County Courthouse, 201 West Main Street, Huntsville, AR 72740 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 Madison County, Arkansas more particularly described as follows:

PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) SECTION EIGHTEEN (18) TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWENTY-FOUR (24) WEST, FIFTH PRINCIPAL MERIDIAN, MADISON COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4), THENCE ALONG THE EAST LINE THEREOF SOUTH 02 DEGREES 12 MINUTES 33 SECONDS EAST 478.91 FEET, THENCE NORTH 76 DEGREES 37 MINUTES 00 SECONDS WEST 515.24 FEET TO THE CENTERLINE OF COUNTY ROAD NO. 223, THENCE ALONG SAID CENTERLINE NORTH 07 DEGREES 14 MINUTES 08 SECONDS WEST 307.05 FEET, NORTH 10 DEGREES 47 MINUTES 50 SECONDS EAST 47.14 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW1/4SE1/4) THENCE LEAVING SAID CENTERLINE AND ALONG SAID NORTH LINE

NORTH 89 DEGREES 03 MINUTES 48 SECONDS EAST 512.70 FEET TO THE POINT OF BEGINNING.

SUBJECT TO PREVIOUS GRANTOR RETAINING A RIGHT TO USE WATER FROM SPRING LOCATED ON THE ABOVE DESCRIBED PROPERTY FOR USE ON ADJACENT PROPERTY. SAID WATER RIGHT SHALL REMAIN IN EXISTENCE FOR SO LONG AS FREDDIE WAYNE HARGIS SHOULD OWN THE ADJACENT PROPERTY.

Street Address: 224 Madison 2425, Huntsville, AR 72740

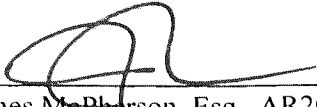
WHEREAS on February 10, 2012 Roy Hayes, a single person, executed a Mortgage in favor of Mortgage Electronic Registration Systems, Inc., as nominee for First National Bank. Said Mortgage was recorded on February 13, 2012 as instrument number L201200373 in the real property records of Madison County, Arkansas. The Mortgage was subsequently assigned to PHH Mortgage Corporation by virtue of an assignment dated August 5, 2014 and recorded on August 18, 2014 as instrument number L201401976 in the real property records of Madison County, Arkansas. The Mortgage was subsequently assigned to Lakeview Loan Servicing, LLC by virtue of an assignment dated February 10, 2017 and recorded on February 15, 2017 as instrument number L201700397 in the real property records of Madison County, Arkansas. The party initiating foreclosure can be contacted at or in care of its servicer initiating foreclosure at: Lakeview Loan Servicing LLC, 3637 Sentara Way, Virginia Beach, VA 23452 at Telephone No. 800-274-6600; 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, 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.

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WITNESS my hand this 2nd day of September, 2021.


James McPherson, Esq., AR2011038
1 Information Way, Suite 201
Little Rock, AR 72202
501-406-0855
A LAW No. 21-005631

ACKNOWLEDGEMENT

STATE OF ARKANSAS §
COUNTY OF PULASKI §

On this 2nd day of September, 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:

4-27-24

