

202201763

Date: 03/10/2022 12:39 PM

Certificate of Record
State of Arkansas, County of Cleburne
HEATHER SMITH, CIRCUIT CLERK
Filed and Recorded in Cleburne County
Fees: 25.00
ER

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Prepared by:
ALBERTELLI LAW
1 INFORMATION WAY
SUITE 201
LITTLE ROCK, AR 72202
(501) 406-0855
ALAW File 22-001749

**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 May 23, 2022, at or about 2:00PM, the subject real property described herein below will be sold at the Main Entrance of the Cleburne County Courthouse, 301 West Main St., Heber Springs, AR 72543 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 Cleburne County, Arkansas more particularly described as follows:

A TRACT SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE 1/4 SW 1/4), SECTION NINE (9), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST, CLEBURNE COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF THE AFORESAID NE 1/4 SW 1/4 AND PROCEEDING S 88 DEGREES 17 MINUTES 35 SECONDS E 433.50 FEET; THENCE S 01 DEGREES 47 MINUTES 37 SECONDS W 210.0 FEET; THENCE S 88 DEGREES 17 MINUTES 35 SECONDS E 210 FEET; THENCE SOUTH 01 DEGREES 47 MINUTES 37 SECONDS W 452.38 FEET; THENCE N 88 DEGREES 00 MINUTES 00 SECONDS W 165.01 FEET; THENCE N 01 DEGREES 47 MINUTES 37 SECONDS E 165.0 FEET; THENCE N 88

DEGREES 00' 00" W 45.0 FEET; THENCE N 01 DEGREES 47 MINUTES 37 SECONDS E 17.80 FEET; THENCE N 88 DEGREES 17 MINUTES 35 SECONDS W 433.50 FEET; THENCE N 01 DEGREES 47 MINUTES 37 SECONDS E 478.50 FEET TO THE POINT OF BEGINNING, CONTAINING 8.770 ACRES, MORE OR LESS.

SUBJECT TO ALL EASEMENTS, COVENANTS, CONDITIONS, RESERVATIONS, LEASES AND RESTRICTIONS OF RECORD, ALL LEGAL HIGHWAYS, ALL RIGHTS OF WAY, ALL ZONING, BUILDING AND OTHER LAWS, ORDINANCES AND REGULATIONS, ALL RIGHTS OF TENANTS IN POSSESSION, AND ALL REAL ESTATE TAXES AND ASSESSMENTS NOT YET DUE AND PAYABLE.

BEING THE SAME PROPERTY CONVEYED BY DEED RECORDED IN VOLUME 470, PAGE 545, OF THE CLEBURNE COUNTY, ARKANSAS RECORDS.

Street Address: 442 Brownsville Rd., Greers Ferry, AR 72067

WHEREAS on December 14, 2010, Duane L. Overby, now deceased, who is unmarried, executed a Mortgage in favor of U.S. Bank National Association ND. Said Mortgage was recorded on January 3, 2011, as instrument number 201100077 in the real property records of Cleburne 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

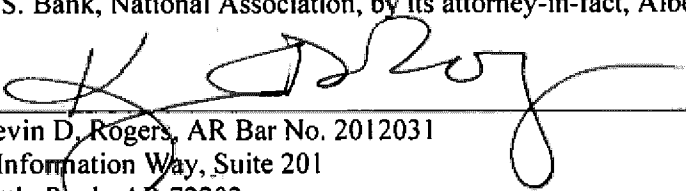
WHEREAS there may be tenants that claim an interest in the real property herein based upon said tenancy; and

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, specifically the installment due March 13, 2020, 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.

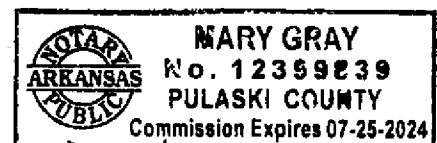
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WITNESS my hand this 10 day of MARCH, 2022.

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


Kevin D. Rogers, AR Bar No. 2012031
1 Information Way, Suite 201
Little Rock, AR 72202
501-406-0855
A LAW No. 22-001749

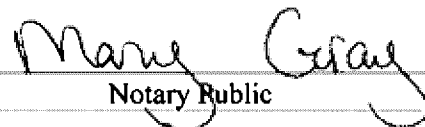
ACKNOWLEDGEMENT



STATE OF ARKANSAS §
COUNTY OF PULASKI §

On this 10 day of March, 2022, before me, the undersigned officer, personally appeared, Kevin D. 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: 7/25/2024