

**L202207254**

**BAXTER CO. AR FEE \$165.00**

PRESENTED & RECORDED

**07/01/2022 09:56:13**

**CANDA REESE**

COUNTY AND CIRCUIT CLERK

BY: AMANDA SCHILLING

DEPUTY

**FORECLOSURE**

**3 Pages**

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Prepared by:

ALBERTELLI LAW

1 INFORMATION WAY

SUITE 201

LITTLE ROCK, AR 72202

(501) 406-0855

ALAW File 22-005708

**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 September 14, 2022, at or about 10:00AM, the subject real property described herein below will be sold at the Main Entrance of the Baxter County Courthouse, One East 7th, Mtn. Home, AR 72653 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 Baxter County, Arkansas more particularly described as follows:

PARCEL 1: PART OF THE EAST HALF NW 1/4 FR 1.99 ACRES M/L SECTION 13, TOWNSHIP 21, RANGE 13.

PARCEL 1: BEING THAT PARCEL OF LAND CONVEYED TO DAVID C. PHILLIPS AND BRENDA G. PHILLIPS FROM DAVID C. HENSLEY AND BRENDA G. HENSLEY BY THAT DEED DATED 01/12/2001 AND RECORDED 01/12/2001 IN DEED BOOK 406, AT PAGE 2001 OF THE BAXTER COUNTY, AR PUBLIC REGISTRY.

PARCEL 2: PART OF THE E1/2 OF FRACTIONAL NW1/4 OF FRACTIONAL SECTION 13, TOWNSHIP 21 NORTH, RANGE 13 WEST, BAXTER COUNTY, ARKANSAS, DESCRIBED AS FOLLOWS: FROM THE SE CORNER OF SAID FRACTIONAL NW1/4 GO N. 83 DEG. 34' 13" WEST 744.20 FEET TO 3/8" REBAR ON THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD NO. 37, POINT OF BEGINNING OF TRACT BEING DESCRIBED; THEN

CONTINUE ALONG SAID RIGHT OF WAY LINE N. 87 DE. 29' 41" WEST 251.30 FEET TO A 3/8" REBAR ON THE EAST RIGHT OF WAY LINE OF A 30 FT. WIDE ROAD EASEMENT; THENCE LEAVING THE NORTH RIGHT OF WAY LINE OF COUNTY ROAD NO.37. GO ALONG THE EAST RIGHT OF WAY LINE OF SAID 30 FT. ROAD EASEMENT N. 12 DEG. 04' 11" EAST 404.53 FEET TO A 3/8" REBAR; THEN LEAVING THE ROAD EASEMENT GO S. 87 DEG. 48' 22" EAST 181.99 FEET TO A 3/8" REBAR; THEN GO S.02 DEG. 12' 26" 400.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2:BEING THAT PARCEL OF LAND CONVEYED TO DAVID C. PHILLIPS AND BRENDA G. PHILLIPS, HIS WIFE FROM DAVID C. HENSLEY AND BRENDA G. HENSLEY, HIS WIFE BY THAT DEED DATED 05/03/2001 AND RECORDED 05/08/2001 IN DEED BOOK 4599, AT PAGE 2001 OF THE BAXTER COUNTY, AR PUBLIC REGISTRY.

Street Address: 749 Cr 37, Clarkridge, AR 72623

WHEREAS on December 13, 2002, David C. Phillips and Brenda G. Phillips, his wife, executed a Mortgage in favor of Bank of America, N.A. Said Mortgage was recorded on December 18, 2002, as instrument number 13943-2002 in the real property records of Baxter County, Arkansas. The party initiating foreclosure can be contacted at or in care of its servicer initiating foreclosure at: Bank of America, N.A. 7105 Corporate Dr. Plano TX 75240 at Telephone No. 1-877-744-7691; and

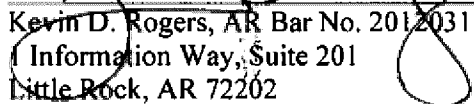
WHEREAS there may be tenants that claim an interest in the real property herein based upon said tenancy; and

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 November 1, 2021, 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.

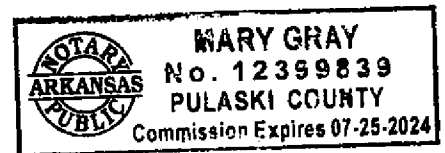
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WITNESS my hand this 1 day of July, 2022.

Bank of America, N.A., 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. 22-005708

ACKNOWLEDGEMENT



STATE OF ARKANSAS                   §  
COUNTY OF PULASKI               §

On this 1 day of July, 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