23R01284

I CERTIFY THIS INSTRUMENT WAS
FILED FOR RECORD ON
09/28/2023 01:54 PM
REGINA POWELL
MONTGOMERY COUNTY CLERK
MOUNT IDA, AR
RECORDING FEE: 25.00
PAGES: 3
BY: MSHORT

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Prepared by: ALBERTELLI LAW I INFORMATION WAY SUITE 201 LITTLE ROCK, AR 72202 (501) 406-0855 ALAW File 23-010092

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 December 13, 2023 at or about 10:00AM, the subject real property described herein below will be sold at the Main Entrance of the Montgomery County Courthouse, 105 Hwy. 270 E Mount Ida, Arkansas 71957 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 Montgomery County, Arkansas more particularly described as follows:

SITUATED IN THE COUNTY OF MONTGOMERY AND STATE OF ARKANSAS:

PART OF THE SOUTHEAST 1/4 SOUTHEAST 1/4, SECTION 23, TOWNSHIP 2 SOUTH, RANGE 25 WEST, MONTGOMERY COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT A FOUND REBAR WITH CAP, WHICH IS NORTH 65 DEGREES 57 MINUTES 20 SECONDS WEST 37.87 FEET FROM A FOUND MONUMENT AT THE SOUTHEAST CORNER OF THE SOUTHEAST SOUTHEAST; THENCE RUNNING NORTH 78 DEGREES 45 MINUTES 20 SECONDS WEST 156.51 FEET TO A FOUND REBAR WITH CAP; THENCE RUNNING NORTH 18 DEGREES 23 MINUTES 20 SECONDS EAST 128.82 FEET TO A SET REBAR WITH CAP; THENCE RUNNING SOUTH 62 DEGREES 19 MINUTES 10 SECONDS EAST 167.08 FEET TO A SET

REBAR WITH CAP ON THE EAST LINE OF THE SOUTHEAST SOUTHEAST; THENCE RUNNING SOUTH 25 DEGREES 01 MINUTES 40 SECONDS WEST 82.94 FEET TO THE POINT AND PLACE OF BEGINNING.

BEING SUBJECT TO A 15 FOOT UTILITY EASEMENT RUNNING ALONG THE WEST LINE OF THE HEREIN DESCRIBED PROPERTY AS SHOWN AND ALL OTHER MATTERS OF RECORD. ACCORDING TO A SURVEY BY ROBERT W. ZICKWOLF DATED OCTOBER 5, 2004. CONTAINING 0.39 ACRES.

Street Address: 227 Birch St Mount Ida AR 71957

WHEREAS on May 30, 2007 David W. Wood and Jean Wood, married individuals, executed a Mortgage in favor of U.S. Bank National Association N.D. The said Mortgage was recorded on July 2, 2007 as instrument number 07R01394 in the real property records of Montgomery County, Arkansas. The party initiating foreclosure can be contacted at or in care of its servicer initiating foreclosure at: U.S. Bank National Association 2800 Tamarack Road 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 February 1, 2023, 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 27th day of September, 2023, U.S. Bank, National Association, by its attorney-infact, Albertelli Law

Kevin Rogers, ABN 2012931

1 Information Way

Suite 201

Little Rock, AR 72202

501-406-0855

A LAW No. 23-010092

ACKNOWLEDGEMENT

STATE OF ARKANSAS COUNTY OF PULASKI

§ 8

On this 27th day of September, 2023, before me, the undersigned officer, personally appeared Kevin 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:

