

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS

REGIONS BANK

PLAINTIFF

v.

CASE NO. 60CV-17-3252-12

**PHOENIX EQUIPMENT BROKERAGE, LLC,
TRI-STAR PROPERTIES, LLC AND WALTER ANDERSON**

DEFENDANTS

NOTICE OF COMMISSIONER'S SALE

NOTICE IS GIVEN, that in pursuance of the authority contained in the Final Judgment and Decree of Foreclosure of the Pulaski County Circuit Court, dated May 2, 2018, and entered May 3, 2018 (the "**Judgment**"), the undersigned, as Commissioner of said Court, will offer for sale at public venue to the highest bidder, in the North Door Lobby of the Pulaski County Courthouse, in which said Court is held, in Pulaski County, City of Little Rock, Arkansas, within the hours prescribed by law for judicial sales at 12:00 NOON on June 14, 2018, the following described real estate, personal property and improvements on the real estate situated in Pulaski County, Arkansas and the improvements thereon:

(4200 Hoerner Property)

TRACT A:

A TRACT OF LAND IN THE NW 1/4 OF THE NW 1/4 OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 12 WEST, PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT ON THE NORTH LINE OF SAID SECTION 29, 379.4 FEET EAST OF THE NORTHWEST CORNER THEREOF; THENCE EAST ALONG THE NORTH LINE OF SAID SECTION 29, 372.2 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MISSOURI PACIFIC RAILROAD COMPANY AND CHICAGO, ROCK ISLAND AND PACIFIC RAILWAY COMPANY JOINT RIGHT-OF-WAY; THENCE SOUTH 23 DEGREES 57 MINUTES EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 684.3 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HOERNER STREET; THENCE WEST ALONG THE NORTH RIGHT-OF-WAY OF HOERNER STREET, A DISTANCE OF 650 FEET TO A POINT; THENCE NORTH 625.3 FEET

TO THE POINT OF BEGINNING. ALSO KNOWN AS A PART OF LOT D, LITTLE ROCK INDUSTRIAL DISTRICT, PULASKI COUNTY, ARKANSAS.

AND

TRACT B:

A TRACT OF LAND LOCATED IN THE NE 1/4 OF SECTION 30 AND THE NW 1/4 OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 12 WEST, PULASKI COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 29; THENCE EAST ALONG THE NORTH LINE OF SAID SECTION 29, 379.4 FEET; THENCE SOUTH 625.3 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF HOERNER STREET; THENCE WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, 313.6 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF PATTERSON AVENUE; THENCE NORTH 0 DEGREES 08 MINUTES EAST ALONG THE SAID EAST RIGHT-OF-WAY LINE, 48.0 FEET; THENCE CONTINUE ALONG SAID EAST RIGHT-OF-WAY LINE, NORTH 13 DEGREES 24 MINUTES WEST, 592.6 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 30; THENCE NORTH 89 DEGREES 21 MINUTES EAST, ALONG SAID NORTH LINE 71.3 FEET TO THE POINT OF BEGINNING. ALSO KNOWN AS A PART OF LOT D, LITTLE ROCK INDUSTRIAL DISTRICT, PULASKI COUNTY, ARKANSAS.

COMMONLY KNOWN AS 4200 Hoerner Road, Little Rock, Arkansas 72209.

(LOT 2 Property)

LOT 2, WHITE WAGON FARMS SUBDIVISION TO THE CITY OF MAUMELLE, PULASKI COUNTY, ARKANSAS, AND AS SHOWN ON PLAT RECORDED AS INSTRUMENT NO. 2014030885, RECORDS OF PULASKI COUNTY, ARKANSAS. SUBJECT TO A 20 FOOT INGRESS-EGRESS EASEMENT, THE CENTERLINE OF WHICH IS DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SW 1/4 SW 1/4 SECTION 17, TOWNSHIP 3 NORTH, RANGE 13 WEST, PULASKI COUNTY, ARKANSAS, THENCE SOUTH 00 DEGREES 49 MINUTES 52 SECONDS WEST (MEASURED SOUTH 02 DEGREES 27 MINUTES 41 SECONDS WEST) 450.76 FEET TO POINT IN THE CENTERLINE OF ARKANSAS STATE HIGHWAY NO. 365; THENCE NORTH 70 DEGREES 29 MINUTES 19 SECONDS WEST (MEASURED NORTH 68 DEGREES 51 MINUTES 20 SECONDS WEST)

214.97 FEET TO THE POINT OF BEGINNING OF SAID CENTERLINE; THENCE ALONG SAID CENTERLINE THE FOLLOWING BEARINGS AND DISTANCES: SOUTH 18 DEGREES 43 MINUTES 13 SECONDS WEST FOR 167.01 FEET; SOUTH 20 DEGREES 49 MINUTES 14 SECONDS WEST FOR 53.75 FEET; SOUTH 24 DEGREES 45 MINUTES 47 SECONDS WEST FOR 63.95 FEET; SOUTH 44 DEGREES 48 MINUTES 37 SECONDS WEST FOR 34.43 FEET; SOUTH 57 DEGREES 39 MINUTES 26 SECONDS WEST FOR 30.72 FEET; SOUTH 33 DEGREES 00 MINUTES 21 SECONDS WEST FOR 27.84 FEET; SOUTH 13 DEGREES 44 MINUTES 56 SECONDS WEST FOR 30.41 FEET; SOUTH 00 DEGREES 48 MINUTES 34 SECONDS WEST FOR 50.14 FEET TO THE TERMINATION OF SAID EASEMENT.

COMMONLY KNOWN AS 24621 Highway 365, Maumelle, Arkansas 72113.

(LOT 51 PROPERTY)

LOT 51, MOUNTAIN CREST ESTATES, PHASE II, AN ADDITION TO PULASKI COUNTY, ARKANSAS, AND AS SHOWN ON PLAT RECORDED AS INSTRUMENT NO. 2013022753, RECORDS OF PULASKI COUNTY, ARKANSAS.

COMMONLY KNOWN AS 15708 Summit View Lane, Maumelle, Arkansas.

(LOT 52 PROPERTY)

LOT 52, MOUNTAIN CREST ESTATES, PHASE II, AN ADDITION TO PULASKI COUNTY, ARKANSAS, AND AS SHOWN ON PLAT RECORDED AS INSTRUMENT NO. 2013022753, RECORDS OF PULASKI COUNTY, ARKANSAS.

COMMONLY KNOWN AS 15704 Summit View Lane, Maumelle, Arkansas.

The following personal property shall also be offered for sale:

(1586 PERSONALTY)

ALL INVENTORY, CHATTEL PAPER, ACCOUNTS, EQUIPMENT, GENERAL INTANGIBLES AND FIXTURES OF PHOENIX EQUIPMENT BROKERAGE, LLC.

(1586 ASSIGNMENT)

LIFE INSURANCE POLICY NO. LB06018385 ISSUED BY NORTH AMERICAN COMPANY FOR LIFE AND HEALTH INSURANCE

(8308 PERSONALTY)

ALL OF THE FOLLOWING PERSONAL PROPERTY OWNED BY PHOENIX EQUIPMENT BROKERAGE, LLC OR TRI-STAR PROPERTIES, LLC: ALL ASSETS, WHETHER NOW OWNED OR HEREAFTER ACQUIRED, INCLUDING, WITHOUT LIMITATION, ALL INVENTORY, EQUIPMENT, MACHINERY, FURNITURE, FIXTURES, GOODS AND OTHER TANGIBLE PROPERTY, ALL ACCOUNTS, ACCOUNTS RECEIVABLE, CONTRACTS, GENERAL INTANGIBLES, CHATTEL PAPER, INSTRUMENTS (INCLUDING BUT NOT LIMITED TO ALL PROMISSORY NOTES), LETTERS-OF-CREDIT RIGHTS, LETTERS OF CREDIT, DOCUMENTS, DEPOSIT ACCOUNTS, INVESTMENT PROPERTY, SECURITIES, MONEYS, OTHER RIGHTS TO PAYMENT AND PERFORMANCE, AND GENERAL INTANGIBLES (INCLUDING BUT NOT LIMITED TO ALL SOFTWARE AND ALL PAYMENT INTANGIBLES); ALL ATTACHMENTS, ACCESSIONS, ACCESSORIES, FITTINGS, INCREASES, TOOLS, PARTS, REPAIRS, SUPPLIES, AND COMMINGLED GOODS RELATING TO THE FOREGOING PROPERTY, AND ALL ADDITIONS, REPLACEMENTS OF AND SUBSTITUTIONS FOR ALL OR ANY PART OF THE FOREGOING PROPERTY; ALL INSURANCE REFUNDS RELATING TO THE FOREGOING PROPERTY; ALL GOODWILL RELATING TO THE FOREGOING PROPERTY; ALL RECORDS AND DATA AND EMBEDDED SOFTWARE RELATING TO THE FOREGOING PROPERTY, AND ALL EQUIPMENT, INVENTORY AND SOFTWARE TO UTILIZE, CREATE, MAINTAIN AND PROCESS ANY SUCH RECORDS AND DATA ON ELECTRONIC MEDIA; AND ALL SUPPORTING OBLIGATIONS RELATING TO THE FOREGOING PROPERTY; ALL WHETHER NOW EXISTING OR HEREAFTER ARISING, WHETHER NOW OWNED OR HEREAFTER ACQUIRED OR WHETHER NOW OR HEREAFTER SUBJECT TO ANY RIGHTS IN THE FOREGOING PROPERTY; AND ALL PRODUCTS AND PROCEEDS (INCLUDING BUT NOT LIMITED TO ALL INSURANCE PAYMENTS) OF OR RELATING TO THE FOREGOING PROPERTY.

(1033 PERSONALTY)

ALL OF THE FOLLOWING PERSONAL PROPERTY OWNED BY PHOENIX EQUIPMENT BROKERAGE, LLC OR TRI-STAR

PROPERTIES, LLC: ALL INVENTORY, EQUIPMENT, ACCOUNTS (INCLUDING BUT NOT LIMITED TO ALL HEALTH-CARE-INSURANCE RECEIVABLES), CHATTEL PAPER, INSTRUMENTS (INCLUDING BUT NOT LIMITED TO ALL PROMISSORY NOTES), LETTER-OF-CREDIT RIGHTS, LETTERS OF CREDIT, DOCUMENTS, DEPOSIT ACCOUNTS, INVESTMENT PROPERTY, MONEY, OTHER RIGHTS TO PAYMENT AND PERFORMANCE, AND GENERAL INTANGIBLES (INCLUDING BUT NOT LIMITED TO ALL SOFTWARE AND ALL PAYMENT INTANGIBLES); ALL FIXTURES; ALL ATTACHMENTS, ACCESSIONS, ACCESSORIES, FITTINGS, INCREASES, TOOLS, PARTS, REPAIRS, SUPPLIES, AND COMMINGLED GOODS RELATING TO THE FOREGOING PROPERTY, AND ALL ADDITIONS, REPLACEMENTS OF AND SUBSTITUTIONS FOR ALL OR ANY PART OF THE FOREGOING PROPERTY; ALL INSURANCE REFUNDS RELATING TO THE FOREGOING PROPERTY; ALL GOOD WILL RELATING TO THE FOREGOING PROPERTY; ALL RECORDS AND DATA AND EMBEDDED SOFTWARE RELATING TO THE FOREGOING PROPERTY, AND ALL EQUIPMENT, INVENTORY AND SOFTWARE TO UTILIZE, CREATE, MAINTAIN AND PROCESS ANY SUCH RECORDS AND DATA ON ELECTRONIC MEDIA; AND ALL SUPPORTING OBLIGATIONS RELATING TO THE FOREGOING PROPERTY; ALL WHETHER NOW EXISTING OR HEREAFTER ARISING, WHETHER NOW OWNED OR HEREAFTER ACQUIRED OR WHETHER NOW OR HEREAFTER SUBJECT TO ANY RIGHTS IN THE FOREGOING PROPERTY; AND ALL PRODUCTS AND PROCEEDS (INCLUDING BUT NOT LIMITED TO ALL INSURANCE PAYMENTS) OF OR RELATING TO THE FOREGOING PROPERTY.


The 1586 Personalty, the 1586 Assignment and the 1033 Personalty owned by Phoenix Equipment Brokerage, LLC is collectively referred to herein as the “**Phoenix Personalty.**” The 8308 Personalty and the 1033 Personalty owned by Tri-Star Properties, LLC is hereinafter collectively referred to as the “**Tri-Star Personalty.**”

TERMS OF SALE: The Phoenix Personalty shall be sold in one package. The Lot 2 Property, the Lot 51 Property and the Lot 52 Property shall be sold together in a separate package. The 4200 Hoerner Property and the Tri-Star Personalty shall be sold together separately as one package. *The Lot 2 Property, the Lot 51 Property and the Lot 52 Property shall be sold by the Commissioner subject to any mortgages recorded prior to December 12,*

2016. The real property and improvements thereon and the personal property described above will be sold on a credit of three (3) months and as otherwise provided for in the Judgment, the purchaser on the date of sale shall be required to pay the full purchase price or pay ten percent (10) percent of the purchase price which is non-refundable and to execute a bond for the remaining purchase price as required by law and the order and decree of said Court in said cause, with approved security, bearing interest at the rate of ten percent (10%) per annum from date of sale until paid, and a lien being retained on the premises sold to secure the payment of the purchase money. **ADDITIONAL INFORMATION ABOUT THE PROPERTY BEING SOLD CAN BE FOUND AT www.tranzon.com/taa-1821.**

Given under my hand this 8th day of May, 2018.


SHERRY MEANS
COMMISSIONER


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