

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 August 2, 2018, the following **personal property**:

(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: 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: 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 8088 and 1033 Personalty owned by Phoenix Equipment Brokerage, LLC is collectively referred to herein as the “**Phoenix Personalty.**” The following is a listing as to what has been identified as the remaining Phoenix Personalty:

<u>Quantity</u>	<u>Item & Description</u>
1	Kubota L3301 Loader Tractor
1	Land Pride RDF2060 Rotary Cutter
1	John Deere D110 Riding Mower
Multiple	Office – Chairs, Desks, Computers, Displays & File Cabinets
1	Office – Conference Table & Chairs
2	Shop – Fans
1	Shop – Air Compressor
3	Shop – Kobalt Toolboxes
1	Shop – Task Force Toolbox & Fan
1	Shop – JLG 2032 Scissor Type Manlift
1	Shop – Tennant S9 Walk Behind Sweeper
1	Shop – Tennant T12 XP Riding Sweeper
1	Shop – Toyota 8FGU18 Forklift
1	Shop - Vestil 5,000lb Shop Scales w/Digital Readout
1	Shop - Meiwa Automatic Stretch Wrap /Pallet Wrapping Machine
3	Shelving & Contents (Non Inventory)
1	Shelving – Shop Cabinet
Various	Parts Bins & Contents (Non Inventory)
1	Cabinets
Multiple	Pallet Racking
2	Wash/Service Stations
9	Service Stations
1	Ice Maker

Multiple Carts & Tables
 1 Pallet Jack & Dolly
 1 Banding Tools
 2 Rolling Ladders
Hundreds Inventory - Beverage Machines, Juice, Coffee, Tea, Hot Chocolate, etc.

TERMS OF SALE: The Phoenix Personalty shall be sold as one package. The Phoenix Personalty 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.

Given under my hand this 5th day of July, 2018.

/S/RHONDAWHARTON,
COMMISSIONER

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