

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
DIVISION TWELVE

ARVEST BANK

PLAINTIFF

VS.

CASE NO.: 60CV-2017-4195

JAMES D. MCDANIEL, INDIVIDUALLY;
ROBERT E. WADE, INDIVIDUALLY;
ANDREA MCDANIEL (GAITHER), INDIVIDUALLY;
ROSETTA WADE, INDIVIDUALLY;
TOMMIE FREEMAN, INDIVIDUALLY;
CENTRAL BANK;
PULASKI COUNTY, STATE OF ARKANSAS;
ARKANSAS STATE COMMISSIONER OF LANDS, JOHN THURSTON;
ARKANSAS DEPARTMENT OF FINANCE; AND
UNITED STATES DEPARTMENT OF TREASURY (IRS)

DEFENDANTS

NOTICE OF COMMISSIONER'S SALE

NOTICE IS GIVEN that in pursuance of the authority and terms of sale contained in the Order for Default Judgment against Defendants James D. McDaniel and Andrea McDaniel (Gaither) entered on October 11, 2017, and Agreed Order for Summary Judgment against Defendants Robert E. Wade and Rosetta Wade entered on May 7, 2018, in the Pulaski County Circuit Court, Case No. 60CV-17-4195, then pending therein between Arvest Bank, Plaintiff, and James D. McDaniel, individually; Robert E. Wade, individually; Andrea McDaniel (Gaither), individually; Rosetta Wade, individually; Tommie Freeman, individually; Central Bank; Pulaski County, State of Arkansas; Arkansas Commissioner of State Lands, John Thurston; Arkansas Department of Finance and Administration; and United States Department of Treasury (IRS), Defendants, the undersigned, as Commissioner of said Court, will offer for sale at public venue to the highest bidder, at the Front Entrance of the Pulaski County Courthouse, 401 West Markham Street, in which said Court is held, in the County of Pulaski, City of

Little Rock, Arkansas, within the hours prescribed by law for judicial sales at 12:00 noon, on Thursday the 2nd day of August 2018, the real estate, situated in Pulaski County, Arkansas, and more particularly described as follows:

Part of the SE14 of the NE1/4 of Section 25, T-1-N, R-12-W, Described as: Beginning at a point 598 feet west of the southeast corner of said SE1/4, NE1/4, run thence West 84.5 feet; thence North 120.6 feet; Thence east 84.5 feet; Thence South 118.7 feet to the point of beginning. Subject to an easement for ingress and egress over the west 15 feet thereof; and an easement for septic tank field lines over the East 10 feet of part of the SE1/4 NE1/4 of Section 25, T-1-N, R-12-W, Described as: Beginning 598 feet West of the Southeast Corner of said SE1/4, NE1/4, thence West 84.5 feet; thence North 120.6 feet to the point of beginning of the property herein described; thence North 190.4 feet; thence East 84.5 feet; thence South 192.3 feet; thence west 84.5 feet to the point of beginning, said easement ceasing to exist at such time as public sewer is available.

More commonly known as 6901 Hwy. 365, Sweet Home, Arkansas 72164.

TERMS OF SALE: Are as set forth within the orders and foreclosure decrees of the Pulaski County Circuit Court entered in Case No. 60CV-17-4195, including but not limited to the following—should any successful bidder fail to perform under the instructions of the Commissioner at time of sale, then that bid shall be void and set aside (except for the forfeited ten percent (10%) payment). The Commissioner thereafter shall find that the subject property be awarded to the next successive highest bidder, until performance is rendered.

Also, the purchaser being required to execute a bond with surety thereon to be approved by the Commissioner making the sale to assure the payment of the purchase price plus interest at the rate provided by the contract note or ten percent (10%) per annum whichever is greater, in any case not to exceed the rate provided under Article 19, Section 13 of the Arkansas Constitution, and a lien upon such property by Plaintiff

shall be retained to secure payment of the bond for the purchase money bid at such sale.

This sale is made subject to any and all stipulations in the Decretal Orders filed of record on October 11, 2017, and May 7, 2018. The Commissioner does not warrant title, boundary lines, taxes, liens, and/or improvements if any, or solid waste delinquent payments, on this property in Pulaski County, Arkansas.

Given under my hand this 20th day of June, 2018.

/s/Sherry Means

COMMISSIONER IN CIRCUIT COURT

Attorney for Plaintiff:

Kent Walker

Walker Law Firm, PLLC

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North Little Rock, AR 72116

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