

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
CIVIL DIVISION

**MOUNTAIN TERRACE ESTATES
HOMEOWNERS ASSOCIATION, INC.**

PLAINTIFF

VS.

CASE NO. 60CV-18-750

**LIFESTYLE COMMUNITIES, LLC;
DARYL BASSETT, DIRECTOR OF THE
ARKANSAS DEPARTMENT OF
WORKFORCE SERVICES; and LARRY
WALTHER, DIRECTOR OF THE
ARKANSAS DEPARTMENT OF
FINANCE AND ADMINISTRATION**

DEFENDANT

NOTICE OF COMMISSIONER'S SALE

NOTICE IS HEREBY GIVEN, that pursuant to the authority and directions contained in the decretal order of the Circuit Court of Pulaski County entered on the 29th day of August, 2018, in Case No. 60CV-18-750 then pending between Plaintiff Mountain Terrace Estates Homeowners Association, Inc. and Defendants Lifestyle Communities, LLC, Daryl Bassett, Director of Arkansas Department of Workforce Services and Larry Walther, Director of the Arkansas Department of Finance and Administration, the undersigned, as Commissioner of said Court, will offer for sale at

public venue to the highest bidder at the Pulaski County Courthouse, Little Rock, Arkansas at 12:00 noon., on the 27th day of September, 2018, the following described real estate, situated in Pulaski County, Arkansas, to wit:

A part of the Northwest Quarter of Section 32, Township 3 North, Range 13 West, Maumelle, Pulaski County, Arkansas, more particularly described as follows: Beginning at a found 3/8" rebar; said rebar being the Northeast corner of Tract A, Osage Falls to City of Maumelle; thence along a curve to the right having a radius of 835.14 feet, said curve having a chord direction of North 11 degrees 40 minutes 30 seconds West and a chord length of 590.37 feet to a found 1/2" rebar; thence North 12 degrees 07 minutes 07 seconds East a distance of 459.06 feet to a set 1/2" rebar; thence North 77 degrees 11 minutes 07 seconds West a distance of 208.57 feet to a set 1/2" rebar; thence North 34 degrees 46 minutes 26 seconds West a distance of 43.07 feet to a set 1/2" rebar; thence North 76 degrees 52 minutes 09 seconds West a distance of 194.42 feet to a set 1/2" rebar; thence North 16 degrees 03 minutes 17 seconds East a distance of 123.39 feet to a set 1/2" rebar; thence North 61 degrees 15 minutes 45 seconds East 40.02 feet to a set 1/2" rebar; thence South 79 degrees 05 minutes 35 seconds East 69.77 feet to a set 1/2" rebar; thence along a curve to the right having a radius of 75.00 feet, said curve having a chord direction of South 61 degrees 29 minutes 47 seconds East and a chord length of 45.35 feet to a set 1/2" rebar; thence North 53 degrees 45 minutes 41 seconds East a distance of 92.23 feet to a set 1/2" rebar; thence North 83 degrees 04 minutes 40 seconds East 104.65 feet to a set 1/2" rebar; thence South 77 degrees 52 minutes 53 seconds East a distance of 122.22 feet to a set 1/2" rebar; thence North 12 degrees 07 minutes 07 seconds East 146.71 feet to a set 1/2" rebar; thence North 79 degrees 05 minutes 34 seconds West a distance of 300.61 feet to a set 1/2" rebar; thence South 10 degrees 54 minutes 24 seconds West a distance of 180.04 feet to a set 1/2" rebar; thence North 79 degrees 05 minutes 35 seconds West a distance of 151.85 feet to a set 1/2" rebar; thence South 16 degrees 25 minutes 56 seconds West a distance of 400.05 feet to a set 1/2" rebar; thence South 02 degrees 22 minutes 11 seconds West a distance of 177.37 feet to a set 1/2" rebar; thence South 00 degrees 06 minutes 04 seconds West 94.22 feet to a set 1/2" rebar; thence South 03 degrees 31 minutes 47 seconds East a distance of 100.50 feet to a set 1/2" rebar; thence South 86 degrees 28 minutes 13 seconds West 161.63 feet to a set 1/2" rebar; thence North 78 degrees 48 minutes 58 seconds West 41.12 feet to a set 1/2" rebar; thence South 86 degrees 28 minutes 13 seconds West a distance of 206.14 feet to a set 1/2" rebar; thence South 05 degrees 06 minutes 39 seconds East 445.58 feet to a found 1/2" rebar; thence South 57 degrees 04 minutes 53 seconds East 73.96 feet to a set 1/2" rebar; thence South 52 degrees 38 minutes 08 seconds East 195.25 feet to a found 1/2" rebar; thence South 51 degrees 35 minutes 01

seconds East along the Northeast property line of Lot 7, Osage Falls, a distance of 108.31 feet to a found 1/2" rebar; thence South 51 degrees 31 minutes 40 seconds East, along the Northeast property line of Lot 6, Osage Falls, a distance of 96.56 feet to a found 1/2" rebar; thence South 66 degrees 49 minutes 33 seconds East along the Northeast property line of Lot 6 Osage Falls, a distance of 12.47 feet to a found 1/2" rebar; thence South 66 degrees 54 minutes 46 seconds East along the Northeast property line of Lot 5, Osage Falls, a distance of 102.62 feet to a found 1/2" rebar; thence South 66 degrees 41 minutes 17 seconds East along the Northeast property line of Tract C, Osage Falls, a distance of 5.11 feet to a found 1/2" rebar; thence South 66 degrees 41 minutes 14 seconds East, along the Northeast property line of Lot 4, Osage Falls, a distance of 41.13 feet to a found 1/2" rebar; thence North 76 degrees 25 minutes 04 seconds East, along the Northwest property line of Lot 4, Osage Falls, a distance of 60.92 feet to a found 1/2" rebar; thence North 78 degrees 04 minutes 34 seconds East along the Northwest property line of Lot 3, Osage Falls, a distance of 105.52 feet to a found 1/2" rebar; thence North 48 degrees 55 minutes 49 seconds East along the Northwest property line of Lot 2, Osage Falls, a distance of 109.16 feet to a found 2" pipe; thence North 49 degrees 29 minutes 33 seconds East along the Northwest property line of Lot 2, Osage Falls, a distance of 124.91 feet to a found 3/8" rebar; thence North 49 degrees 18 minutes 53 seconds East along the Northwest property line of Tract A, Osage Falls, a distance of 38.27 feet to the Point of Beginning, now known as Phase I, Mountain Terrace Estates, Townhomes, an Addition to the City of Maumelle, Arkansas, as shown on plat of record as Plat No. H-402, records of Pulaski County, Arkansas. LESS AND EXCEPT: Lots 1A, 1B, 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, 4A, 4B, 4C, 4D, 5A, 5B, 6A, 6B, 6C, 6D, 7A, 7B, 7C, 7D, 8A, 8B, 8C, 8D, 9A, 9B, 9C, 9D, 10A, 10B, 10C, 10D, 11A, 11B, 11C, 11D, 12A, 12B, 12C, 12D, 13A, 13B, 13C, 13D, 14A, 14B, 14C, 14D, 15A, 15B, 15C, 15D, 16A, 16B, 16C, 16D, 17A, 17B, 17C, 17D, 18A, 18B, 18C, 18D, 19A, 19B, 19C, 19D, 20A, 20B, 20C AND 20D, Phase I, Mountain Terrace Estates Townhomes, an addition to the City of Maumelle, Pulaski County, Arkansas, as shown on plat of record as Plat No. H-402, records of Pulaski County, Arkansas.

The Property includes, without limitation, the common areas and clubhouse of Mountain Terrace Estates Townhomes, an addition to the City of Maumelle.

TERMS OF SALE: The purchaser of the Property shall be required to pay the full purchase price or pay ten percent (10%) of the purchase price, which is non-refundable, and execute a corporate surety bond from a bonding company licensed in the State of Arkansas, bearing interest at the rate of ten percent (10%) per annum, with surety to be approved by the Commissioner and the Plaintiff and a lien shall be retained on the Property to secure the payment

of such purchase price. Provided, if the Plaintiff shall become the purchaser at such sale for a sum equal to or less than the Judgment, accrued interest and costs, the Plaintiff may (in lieu of bond) upon the confirmation of the sale, credit the amount of its bid, less the costs and the fee allowed the Commissioner by statute. Any such credit shall be a partial extinguishment to the extent of such credit. Should the Plaintiffs bid exceed the amount mentioned above, the Plaintiff shall not be required to execute bond for such excess.

Given my hand this 6th day of September, 2018.

/s/ Sherry Means,
COMMISSIONER

/s/ Amy C. Bagnall

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