

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
12th DIVISION**

**DEUTSCHE BANK TRUST COMPANY
AMERICAS, AS TRUSTEE FOR THE
REGISTERED HOLDERS OF WELLS FARGO
COMMERCIAL MORTGAGE SECURITIES, INC.,
COMMERCIAL MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2011-C3**

PLAINTIFF

VS.

CASE NO. 60CV-21-1680

PARK PLAZA MALL CMBS, LLC

DEFENDANT

NOTICE OF COMMISSIONER'S SALE

NOTICE IS HEREBY GIVEN that on October 28, 2021, at 12:00 p.m., pursuant to the authority contained in the Decree of Foreclosure entered on September 8, 2021 and filed on September 13, 2021, (the "Decree") of the Pulaski County Circuit Court in Case No. 60CV-21-1680, the undersigned Commissioner appointed by the Court will offer for sale at public auction the following described real estate, located at 6320 West Markham Street, Little Rock, Arkansas, 6000 West Markham Street, Little Rock, Arkansas, and a vacant parking lot identified as Lot C Park Plaza Addition to the City of Little Rock, Pulaski County, Arkansas, and more particularly described as follows:

Real property in the City of Little Rock, County of Pulaski, State of Arkansas, described as follows:

Tract 1:

Tract A, Park Plaza Addition to the City of Little Rock, Pulaski County, Arkansas and being shown on plat recorded as Plat No. C-519, records of Pulaski County, Arkansas, Less and Except Part of Tract A, Park Plaza Addition in the City of Little Rock, Pulaski County, Arkansas, as record as Plat No. C-519 being more particularly described as follows:

Beginning at the Southwest corner of the said Tract A, Park Plaza Addition; thence North 00 degrees 29 minutes 00 seconds East along the existing East right of way line of McKinley Street 210.6 feet; thence South 88 degrees 40 minutes 09 seconds East along the North line of said Tract A, 18.14 feet; thence along the proposed East right of way line of McKinley Street the following three courses and distances: 1) South 05 degrees 10 minutes 05 seconds East 67.00 feet 2) South 00 degrees 10 minutes 54 seconds West 124.18 feet; and 3) South 44 degrees 29 minutes 51 seconds East 28.43 feet to the North right-of-way line of West Markham Street; thence along said North right-of-way line North 88 degrees 43 minutes 26 seconds West 45.49 feet to the point of beginning.

Tract 2:

Part of Tract D, Park Plaza Addition to the City of Little Rock, Pulaski County, Arkansas and being shown on plat recorded as Plat No. C-519, records of Pulaski County, Arkansas, being more particularly described as follows:

A part of the Northeast Quarter of the Northeast Quarter, Section 1, Township 1 North, Range 13 West, Pulaski County, Arkansas, more particularly described as follows: From the Southeast corner of the said Northeast Quarter of the Northeast Quarter, run thence North 88 degrees 38 minutes 23 seconds West and along the South line of the said Northeast Quarter of the Northeast Quarter and the centerline of West Markham Street (of 60.0 foot width) for 651.67 feet; thence North 01 degrees 21 minutes 37 seconds East for 30.0 feet to the North right of way line of West Markham Street; thence North 88 degrees 38 minutes 23 seconds West and along the North right of way line of West Markham Street for 264.08 feet to the Point of Beginning; thence North 01 degrees 21 minutes 37 seconds East for 42.00 feet; thence North 88 degrees 38 minutes 23 seconds West for 250.64 feet; thence South 00 degrees 29 minutes West for 42.00 feet to the North right of way line of West Markham Street; thence South 88 degrees 38 minutes 23 seconds East and along the North right of way line of West Markham Street and parallel with the South

line of the Northeast Quarter of the Northeast Quarter for 250.00 feet, more or less, to the point of Beginning.

Tracts 1 and 2 above known as Tax Parcel Number 44L-001-03-001-00.

Tract 3:

Tract C, Park Plaza Addition to the City of Little Rock, Pulaski County, Arkansas and being shown on plat recorded as Plat No. C-519, records of Pulaski County, Arkansas.

Known as Tax Parcel Number 44L-001-03-003-00.

Tract 4:

Tract E, Park Plaza Addition to the City of Little Rock, Pulaski County, Arkansas and being shown on plat recorded as Plat No. C-519, records of Pulaski County, Arkansas.

Known as Tax Parcel Number 44L-001-03-005-00.

Being also described in accordance with a survey prepared by GLOBAL SURVEYING CONSULTANTS, INC., JOB NO. 11-1007.00, as follows:

Tract 1:

BEING A PART OF TRACT A, PARK PLAZA ADDITION TO THE CITY OF LITTLE ROCK, BEING SHOWN ON PLAT RECORDED AS PLAT NO. C-519, AND BEING LOCATED IN PART OF THE NORTHEAST $\frac{1}{4}$ NORTHEAST $\frac{1}{4}$, SECTION 1, TOWNSHIP 1 NORTH, RANGE 13 WEST, ALL IN PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST $\frac{1}{4}$ NORTHEAST $\frac{1}{4}$; RUN THENCE NORTH 88 DEGREES 38 MINUTES 23 SECONDS WEST AND ALONG THE SOUTH LINE OF THE SAID NORTHEAST $\frac{1}{4}$ NORTHEAST $\frac{1}{4}$ AND THE CENTERLINE OF WEST MARKHAM (OF 60 FOOT WIDTH) FOR 651.67 FEET; THENCE NORTH 01 DEGREE 21 MINUTES 37 SECONDS EAST FOR 30.0 FEET TO A FOUND COTTON PICKER SPINDLE (CPS) BEING ON THE NORTH RIGHT OF WAY LINE OF WEST MARKHAM STREET; THENCE NORTH 88 DEGREES

38 MINUTES 23 SECONDS WEST, ALONG SAID NORTH RIGHT OF WAY LINE, 264.08 FEET TO A FOUND ½ INCH REBAR WITH CAP; THENCE NORTH 01 DEGREE 21 MINUTES 37 SECONDS EAST, 42.00 FEET TO A FOUND COTTON PICKER SPINDLE; THENCE NORTH 88 DEGREES 38 MINUTES 23 SECONDS WEST, 250.40 FEET TO A FOUND CPS BEING THE POINT OF BEGINNING; THENCE NORTH 00 DEGREES 29 MINUTES 00 SECONDS EAST, 168.50 FEET TO A FOUND ½ INCH REBAR; THENCE NORTH 88 DEGREES 37 MINUTES 06 SECONDS WEST, 130.55 FEET TO THE EAST RIGHT OF WAY LINE OF MCKINLEY STREET; THENCE ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING COURSES: SOUTH 05 DEGREES 16 MINUTES 56 SECONDS EAST, 67.64 FEET TO A FOUND NAIL; SOUTH 00 DEGREES 00 MINUTES 02 SECONDS EAST, 124.13 FEET TO A FOUND PAINT SPOT; SOUTH 44 DEGREES 48 MINUTES 19 SECONDS EAST, 28.41 FEET TO A FOUND PAINT SPOT ON THE NORTH RIGHT OF WAY LINE OF WEST MARKHAM STREET (60' RIGHT OF WAY); THENCE SOUTH 88 DEGREES 52 MINUTES 53 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, 102.51 FEET TO A FOUND ½" REBAR WITH CAP; THENCE NORTH 00 DEGREES 29 MINUTES 00 SECONDS EAST, 42.00 FEET BACK TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 31,698 SQUARE FEET OR .728 ACRES MORE OR LESS, ACCORDING TO A SURVEY BY GLOBAL SURVEYING CONSULTANTS, JOB NO. 11-1007.00.

TRACT 2:

BEING A PART OF TRACT D, PARK PLAZA ADDITION TO THE CITY OF LITTLE ROCK, BEING SHOWN ON PLAT RECORDED AS PLAT NO. C-519, AND BEING LOCATED IN PART OF THE NORTHEAST ¼ NORTHEAST ¼; SECTION 1, TOWNSHIP 1 NORTH, RANGE 13 WEST, ALL IN PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST ¼ NORTHEAST ¼; RUN THENCE NORTH 88 DEGREES 38 MINUTES 23 SECONDS WEST AND ALONG THE SOUTH LINE OF THE SAID NORTHEAST ¼ NORTHEAST ¼ AND THE CENTERLINE OF WEST MARKHAM STREET (OF 60 FOOT WIDTH) FOR 651.67 FEET; THENCE NORTH 01 DEGREE 21 MINUTES 37 SECONDS EAST FOR 30.0 FEET TO A FOUND COTTON PICKER SPINDLE BEING ON THE NORTH RIGHT OF WAY LINE OF WEST MARKHAM STREET; THENCE NORTH 88

DEGREES 38 MINUTES 23 SECONDS WEST, ALONG SAID NORTH RIGHT OF WAY LINE, 264.08 FEET TO A FOUND ½ INCH REBAR WITH CAP BEING THE POINT OF BEGINNING; THENCE NORTH 01 DEGREE 21 MINUTES 37 SECONDS EAST, 42.00 FEET TO A FOUND COTTON PICKER SPINDLE; THENCE NORTH 88 DEGREES 38 MINUTES 23 SECONDS WEST, 250.40 FEET TO A FOUND CPS; THENCE SOUTH 00 DEGREES 29 MINUTES 00 SECONDS WEST, 42.00 FEET TO A FOUND ½ INCH REBAR WITH CAP ON THE NORTH RIGHT OF WAY LINE OF WEST MARKHAM STREET; THENCE SOUTH 88 DEGREES 38 MINUTES 23 SECONDS EAST, ALONG SAID RIGHT OF WAY LINE, 249.76 FEET BACK TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 10,503 SQUARE FEET OR 0.241 ACRES MORE OR LESS, ACCORDING TO A SURVEY BY GLOBAL SURVEYING CONSULTANTS JOB NO. 11-1007.00.

TRACT 3:

ALL OF TRACT C, PARK PLAZA ADDITION TO THE CITY OF LITTLE ROCK, BEING SHOWN ON PLAT RECORDED AS PLAT NO. C-519, AND BEING LOCATED IN THE PART OF THE NORTHEAST ¼ NORTHEAST ¼, SECTION 1, TOWNSHIP 1 NORTH, RANGE 13 WEST, ALL IN PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT C BEING A FOUND ½ INCH REBAR ON THE EAST RIGHT OF WAY LINE OF MCKINLEY STREET, THENCE NORTH 00 DEGREES 29 MINUTES 00 SECONDS EAST, ALONG SAID EAST RIGHT OF WAY LINE, 140.0 FEET TO A FOUND ½ INCH REBAR ON THE SOUTH RIGHT OF WAY LINE OF "C" STREET; THENCE SOUTH 88 DEGREES 50 MINUTES 28 SECONDS EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, 196.6 FEET TO A FOUND ½ INCH REBAR WITH CAP; THENCE SOUTH 00 DEGREES 26 MINUTES 31 SECONDS WEST, ALONG THE WEST LINE OF LOT 5, HENRY MELROSE ADDITION TO THE CITY OF LITTLE ROCK (PLAT BOOK 1 PAGE 62), 140.0 FEET TO A FOUND ½ INCH REBAR WITH CAP ON THE NORTH LINE OF A EAST-WEST ALLEY (20 FOOT WIDTH); THENCE NORTH 88 DEGREES 50 MINUTES 28 SECONDS WEST, ALONG THE NORTH LINE OF SAID EAST-WEST ALLEY, 196.7 FEET BACK TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 27,522 SQUARE FEET OR 0.632 ACRES MORE OR LESS, ACCORDING TO SURVEY BY GLOBAL SURVEYING CONSULTANTS INC. JOB NO. 11-1007.00.

TRACT 4:

BEING ALL OF TRACT E, PARK PLAZA ADDITION TO THE CITY OF LITTLE ROCK, BEING SHOWN ON PLAT RECORDED AS PLAT NO. C-519, AND BEING LOCATED IN PART OF THE NORTHEAST $\frac{1}{4}$ NORTHEAST $\frac{1}{4}$, SECTION 1, TOWNSHIP 1 NORTH, RANGE 13 WEST, ALL IN PULASKI COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST $\frac{1}{4}$ NORTHEAST $\frac{1}{4}$; RUN THENCE NORTH 88 DEGREES 38 MINUTES 23 SECONDS WEST AND ALONG THE SOUTH LINE OF THE SAID NORTHEAST $\frac{1}{4}$ NORTHEAST $\frac{1}{4}$ AND THE CENTERLINE OF WEST MARKHAM (OF 60 FOOT WIDTH) FOR 651.67 FEET; THENCE NORTH 01 DEGREE 21 MINUTES 37 SECONDS EAST FOR 30.0 FEET TO A FOUND COTTON PICKER SPINDLE (CPS) BEING ON THE NORTH RIGHT OF WAY LINE OF WEST MARKHAM STREET BEING THE POINT OF BEGINNING; THENCE NORTH 01 DEGREE 21 MINUTES 37 SECONDS EAST FOR 194.70 FEET TO A FOUND SCRIBED "X" IN CONCRETE; THENCE NORTH 88 DEGREES 38 MINUTES 23 SECONDS WEST, FOR 160.25 FEET TO A FOUND CPS WHICH IS IN LINE WITH THE EAST WALL OF A TWO STORY BRICK BUILDING OCCUPIED BY DILLARD DEPARTMENT STORES, INC.; THENCE NORTH 01 DEGREE 24 MINUTES 36 SECONDS EAST, ALONG SAID EAST WALL AND EAST WALL PROJECTED NORTH, FOR 573.88 FEET TO A FOUND CPS ON THE SOUTH LINE OF AN ALLEY (20' IN WIDTH); THENCE SOUTH 88 DEGREES 50 MINUTES 28 SECONDS EAST, ALONG SAID SOUTH LINE, 130.04 FEET TO A FOUND $\frac{1}{2}$ INCH REBAR WITH CAP; THENCE NORTH 00 DEGREES 24 MINUTES 21 SECONDS EAST, 46.2 FEET TO A FOUND CPS, THENCE SOUTH 89 DEGREES 01 MINUTES 54 SECONDS EAST, 622.33 FEET TO A FOUND PK NAIL ON THE WEST RIGHT OF WAY LINE OF UNIVERSITY AVENUE; THENCE SOUTH 00 DEGREES 01 MINUTE 49 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 54.98 FEET TO A FOUND CPS; THENCE NORTH 89 DEGREES 03 MINUTES 32 SECONDS WEST, 200.00 FEET TO A SCRIBED "X" IN CONCRETE; THENCE SOUTH 01 DEGREES 21 MINUTES 37 SECONDS WEST, 200.00 FEET TO A SCRIBED "X" IN CONCRETE; THENCE NORTH 88 DEGREES 38 MINUTES 23 SECONDS WEST, 59.44 FEET TO A SCRIBED "X" IN CONCRETE; THENCE SOUTH 01 DEGREES 26 MINUTES 04 SECONDS

WEST, 368.45 FEET TO A SCRIBED "X" IN CONCRETE; THENCE NORTH 88 DEGREES 38 MINUTES 23 SECONDS WEST, 69.98 FEET TO A FOUND SCRIBED "X"; THENCE SOUTH 01 DEGREES 21 MINUTES 37 SECONDS WEST, 150.0 FEET TO A FOUND COTTON PICKER SPINDLE; THENCE SOUTH 88 DEGREES 38 MINUTES 23 SECONDS EAST, 143.67 FEET TO A FOUND COTTON PICKER SPINDLE; THENCE NORTH 01 DEGREES 21 MINUTES 37 SECONDS EAST, 128.83 FEET TO A FOUND COTTON PICKER SPINDLE; THENCE SOUTH 88 DEGREES 38 MINUTES 23 SECONDS EAST, 199.95 FEET TO A FOUND SCRIBED "X" ON THE WEST RIGHT OF WAY LINE OF UNIVERSITY AVENUE; THENCE SOUTH 00 DEGREES 02 MINUTES 47 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 122.88 FEET TO A FOUND SCRIBED "X"; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 29.36 FEET, AN ARC LENGTH OF 46.66 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 45 DEGREES 37 MINUTES 42 SECONDS WEST, 41.91 FEET TO A FOUND ½ INCH REBAR; THENCE NORTH 88 DEGREES 31 MINUTES 36 SECONDS WEST, 159.92 FEET TO A FOUND ½ INCH REBAR; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 101.00 FEET, AN ARC LENGTH OF 65.98 FEET, AND A CHORD BEARING AND DISTANCE OF SOUTH 72 DEGREES 27 MINUTES 50 SECONDS WEST, 64.66 FEET TO A FOUND ½ INCH REBAR ON THE NORTH RIGHT OF WAY LINE OF MARKHAM STREET; THENCE NORTH 88 DEGREES 38 MINUTES 23 SECONDS WEST, ALONG SAID RIGHT OF WAY LINE, 359.30 FEET BACK TO THE POINT OF BEGINNING, SAID TRACT CONTAINING 414,485 SQUARE FEET OR 9.515 ACRES MORE OR LESS, ACCORDING TO A SURVEY BY GLOBAL SURVEYING CONSULTANTS, INC., JOB NO. 11-1007.00.

TRACT 5: (Easement)

Together with rights of ingress and egress as set forth in that certain Construction, Operation and Reciprocal Easement Agreement by and among Construction Developers, Incorporated, an Arkansas Corporation, Dillard Department Stores, Inc., a Delaware Corporation and Herring-Marathon Master Partnership B, a Texas General Partnership, filed for record December 31, 1986 and recorded as Instrument No. 86-82744; First Amendment thereto filed for record July 27, 1988 and recorded as Instrument No. 88-39542; Assignment and Assumption thereof filed for record February 15, 1996 and recorded as Instrument No. 96-13164; Assignment of Reciprocal Easement

Agreement recorded as Instrument No. 96-68743; Assignment of Reciprocal Easement Agreement recorded as Instrument No. 2000027336; further Assignment of Reciprocal Easement Agreement by Park Plaza Mall, LLC, a Delaware limited liability company to CBL/Park Plaza Mall, LLC, a Delaware limited liability company, filed for record June 23, 2004 and recorded as Instrument No. 2004050062 over and across the following described lands:

A part of the Northeast Quarter of the Northeast Quarter, Section 1, Township 1 North, Range 13 West, which includes a portion of "B" Street closed by City of Little Rock, Ordinance No. 11.439 and Lots 7 through 13 and Lots 14 through 26, inclusive, Henry Melrose Addition to the City of Little Rock, all being in Pulaski County, Arkansas, more particularly described as follows: From the Southeast corner of the said Northeast Quarter of the Northeast Quarter; run thence North 88 degrees 38 minutes 23 seconds West and along the South line of the said Northeast Quarter of the Northeast Quarter and the centerline of West Markham Street (of 60 foot width) for 651.67 feet; thence North 01 degrees 21 minutes 37 seconds East for 30.00 feet to the North right of way line of West Markham Street and the Point of Beginning; thence North 88 degrees 38 minutes 23 seconds West and along the North right of way line of West Markham Street for 264.08 feet; thence North 01 degrees 21 minutes 37 seconds East for 42.0 feet; thence North 88 degrees 38 minutes 23 seconds West for 250.64 feet; thence North 00 degrees 29 minutes East for 168.54 feet; thence North 88 degrees 37 minutes 06 seconds West for 150.11 feet to the East right of way line of McKinley Street (of 30.0 foot width) and a point 15.0 feet East of the West line of the Northeast Quarter of the Northeast Quarter; thence North 00 degrees 29 minutes East and along the East right of way line of McKinley Street and parallel with the West line of the Northeast Quarter of the Northeast Quarter for 556.51 feet to the Northwest corner of Lot 26, Henry Melrose Addition to the City of Little Rock (as recorded in Plat Book 1, Page 62) and the Southwest corner of an alley (of 20 foot width) running in an East-West direction; thence North 00 degrees 29 minutes East and along the East right of way line of McKinley Street and parallel with the West line of the Northeast Quarter of the Northeast Quarter for 20.0 feet to the Southwest corner of Lot 1, Henry Melrose Addition and the Northwest corner of the East-West alley; thence South 88 degrees 50 minutes 28 seconds East and along the South line of Lots 1, 2, 3, 4, 5, and 6, Henry Melrose Addition to the City of Little Rock, and the North line of the EastWest alley for 294.00 feet to the common South corner of Lots 6 and 7, Henry Melrose Addition to the City of Little Rock; thence North 00 degrees 29 minutes East and along the common

line of said Lots 6 and 7 for 140.00 feet to the common North corner of said Lots 6 and 7 and a point on the South right of way line of "C" Street (varying width right of way); thence South 88 degrees 50 minutes 28 seconds East and along the North line of Lots 7, 8, 9, 10, 11, 12, and 13, Henry Melrose Addition to the City of Little Rock and the South right of way line of "C" Street for 336.50 feet to the Northeast corner of said Lot 13 and the West right of way line of Arthur Street; thence South 00 degrees 29 minutes West and along the West right of way line of Arthur Street 140.00 feet to the Southeast corner of Lot 13, Henry Melrose Addition to the City of Little Rock, and a point on the East-West alley previously mentioned; thence North 88 degrees 50 minutes 28 seconds West and along the South line of Lots 13, 12 and 11, Henry Melrose Addition to the City of Little Rock and along the North line of said East-West alley for 114.11 feet to a point which is in line with the East wall of a two story brick building occupied by Dillard Department Stores, Inc.; thence South 01 degrees 24 minutes 36 seconds West and along the East wall and East wall line projected both North and South for 594.02 feet to a point; thence South 88 degrees 38 minutes 23 seconds East for 160.36 feet to a point; thence South 01 degrees 21 minutes 37 seconds West for 194.81 feet to the point of Beginning; less and except the East-West alley (of 20 foot width) running through Henry Melrose Addition to the City of Little Rock, more particularly described as follows:

Beginning at the Northwest corner of Lot 26, Henry Melrose Addition to the City of Little Rock (as recorded in Plat Book 1, Page 62) and the Southwest Corner of an alley (of 20 foot width) running in an East-West direction; thence North 00 degrees 29 minutes East and along the East right of way line of McKinley Street and parallel with the West line of the Northeast Quarter of the Northeast Quarter for 20.0 feet to the Northwest corner of the alley and the Southwest corner of Lot 1, Henry Melrose Addition; thence South 88 degrees 50 minutes 28 seconds East and along the north line of said East-West alley and the South line of lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, Henry Melrose Addition to the City of Little Rock, 516.39 feet; thence South 01 degrees 24 minutes 36 seconds West for 20.00 feet to a point on the North line of Lot 16, Henry Melrose Addition to the City of Little Rock and a point on the South line of said East-West alley; thence North 88 degrees 50 minutes 28 seconds West and along the North line of Lots 16 through 28, inclusive, Henry Melrose Addition to the City of Little Rock and the South line of said East-West alley for 516.07 feet to the Point of Beginning, Less and Except Part of Tract D, Park Plaza Addition in the City of Little Rock, Pulaski County, Arkansas, as

recorded in Plat Book C at Page 519, being more particularly described as follows:

Beginning at the Northwest corner of the Tract A, Park Plaza Addition; thence North 00 degrees 29 minutes 00 seconds East along the existing East right-of-way line of McKinley Street 183.00 feet; thence South 05 degrees 10 minutes 05 seconds East along the proposed East right-of-way line of McKinley Street 184.17 feet; thence North 88 degrees 40 minutes 09 seconds West 18.14 feet to the point of beginning.

Tract 6 (Easement)

Together with rights of ingress and egress as set forth in that certain Construction, Operation and Reciprocal Easement Agreement by and among Construction Developers, Incorporated, an Arkansas Corporation, Dillard Department Stores, Inc., a Delaware Corporation and Herring-Marathon Master Partnership B, a Texas General Partnership, filed for record December 31, 1986 and recorded as Instrument No. 86-82744; First Amendment thereto filed for record July 27, 1988 and recorded as Instrument No. 88-39542; Assignment and Assumption thereof filed for record February 15, 1996 and recorded as Instrument No. 96-13164; Assignment of Reciprocal Easement Agreement recorded as Instrument No. 96-68743; Assignment of Reciprocal Easement Agreement recorded as Instrument No. 2000027336; further Assignment of Reciprocal Easement Agreement by Park Plaza Mall, LLC, a Delaware limited liability company to CBL/Park Plaza Mall, LLC, a Delaware limited liability company, filed for record June 23, 2004 and recorded as Instrument No. 2004050062, over and across the following described lands: Tract F, Park Plaza Addition to the City of Little Rock, Pulaski County, Arkansas and being shown on plat recorded as Plat No. C-519, records of Pulaski County, Arkansas.

The above-described Property shall be sold on the courthouse steps of the Pulaski County Courthouse, 401 W. Markham Street, in the City of Little Rock, Pulaski County, Arkansas, where judicial foreclosure sales are regularly conducted at the date and time stated above. The terms of the foreclosure sale shall be for cash due to be paid by close of business on the day of sale or on credit terms up to

ninety (90) days with interest, except as to Deutsche Bank Trust Company Americas, as Trustee for the Registered Holders of Wells Fargo Commercial Mortgage Securities, Inc., Commercial Mortgage Pass-Through Certificates, Series 2011-C3, or its assignee RSS WFRBS2011-C3 – AR PPM, LLC (“Deutsche Bank”), which is entitled to offset bid against the judgment awarded in the Decree. In all sales on credit, except as to Deutsche Bank or its assignee, the purchaser shall execute a bond, with good surety, to be approved by the person making the sale, and the bond shall have the force of a judgment.

The sale shall be a sale to the highest bidder(s), as set forth above, with prompt performance due. If on the date of sale prompt performance is not made, Deutsche Bank or its assignee shall be entitled, but not required, to enforce performance or to take the second highest bid(s) (and so on until the Property is sold to a bidder) and all rights of Deutsche Bank or its assignee as to any non-performing bidders are reserved.


Upon confirmation of the sale herein ordered, the Pulaski County Commissioner shall execute and deliver to the purchaser(s) a Commissioner’s Deed, conveying all right, title and interest in and to the Property free and clear of all claims thereto.

The purchaser(s) shall, upon receipt of a Commissioner’s Deed, be entitled to immediate possession of the Property.

You are invited to review the entire Decree in the Pulaski County Circuit Court records in this case on file with the Clerk of the Court or by obtaining a copy from the undersigned counsel upon written request.

Any announcement made by Commissioner at the time of sale takes precedence over this Notice.

DATED this 4th day of October, 2021.



COMMISSIONER

Submitted by:

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Eric Berger (2004210)
Jacob P. Fair (2015167)
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