

**IN THE CIRCUIT COURT OF WASHINGTON COUNTY, ARKANSAS  
CIVIL DIVISION**

**ARVEST BANK  
An Arkansas Banking Corporation,**

**PLAINTIFF**

vs. **Case No. CV-2013-1043-5**

**CYRIL A. RABEN; CINDY RABEN; et al.**

**DEFENDANTS**

**AND**

**ARVEST BANK  
An Arkansas Banking Corporation,**

**PLAINTIFF**

vs. **Case No. CV-2013-1313-7**

**CYRIL A. RABEN AND CYNTHIA K. RABEN, et al.**

**DEFENDANTS**

**NOTICE OF COMMISSIONER'S SALE**

Notice is hereby given that pursuant to the authority and direction of a certain Judgment, decree and order of sale rendered in the Circuit Court of Washington County, Arkansas, on the 16th day of October 2013, in the cause of Arvest Bank vs. Cyril A. Raben, et al., Case No. CV-2013-1043-5 and Case No. CV-2013-1313-7, in which Arvest Bank recovered judgment against the Defendants, in the Judgment amounts as stated, and against the real property herein described, together with further interest thereon, until paid; including attorney's fees and costs and which Judgment appears of record in the proceedings of said court in the office of the Circuit Clerk and Ex Officio Recorder in said county and said judgment and costs not having been paid within the time required by said decree and said judgment having been declared a lien upon the real property hereinafter described and said real property ordered sold to satisfy the same.

NOW, THEREFORE, the undersigned, as Commissioner of said Court will, on the 2<sup>nd</sup> day of December 2013, at 10:30 o'clock a.m., expose for sale at public outcry to the highest bidder on a credit of three (3) months at the front steps of the Courthouse in the City of Bentonville, Benton County, Arkansas, between the hours prescribed by law for judicial sales the following described real estate situated in said county and state, to-wit:

Tract 5, Pointe Clear Heights, a subdivision of part of the S1/2 of the SE1/4 of Section 24, Township 19 North, Range 29 West, Benton County, Arkansas.

ALSO a part of Tract 5, Pointe Clear Heights, a subdivision of part of the S1/2 of the SE 1/4 of Section 24, Township 19 North, Range 29 West, Benton County, Arkansas, more particularly described as follows: Beginning at the SE corner of said Tract 5, thence N 71° 02' W 188.1 feet to the U.S. Government Take Line, thence N 43° 51' W 236.1 feet along said take line, thence N 0° 41' E 330.0 feet along said take line, thence S66° 59' E 46.2 feet (to subdivision line as originally platted), thence S 02° 13' W 314.8 feet (along

said subdivision line), thence S 42° 46' E 233.3 feet (along said subdivision line), thence S 68° 50' E 159.4 feet (along said subdivision line) to the point of beginning.

EXCEPT part of said Tract 5, described as beginning N 39° 40' E 257.1 feet and N 31° 08' E 140 feet from the SE corner of said Tract 5, thence N 66° 59' W 577.3 feet, thence N 2° 13' E 15.1 feet, thence S 65° 37' E 582.8 feet to the point of beginning.

AND ALSO EXCEPT part of Tract 5 described as from the SE corner of said Tract 5, running thence N 71° 02' W 188.1 feet to the U.S. Government Take Line, thence N 43° 51' W 236.1 feet along said Take Line, thence N 0° 41' E 330.0 feet along said Take Line, thence S 66° 59' E 257.5 feet to the point of beginning, thence N 66° 59' W 12 feet; thence Southwesterly 20 feet along a line parallel to the Northwesterly side of an existing Well House, thence Southeasterly 12 feet along a line parallel to the Southwesterly side of said Well House, thence North Northeasterly to the point of beginning, the intent of this legal description being to encompass said Well House. ("Property 2").

AND

A part of the SE1/4 of the NW1/4 of Section 8, Township 18 North, Range 28 West of the Fifth Principal Meridian in Benton County, Arkansas, being more particularly described as follows: Beginning at a stone for the NE corner of said SE1/4, NW1/4, thence S 02° 03' 31" W 174.56 feet to the centerline of County Road #757, also known as Pine Creek Hollow Road, thence along said centerline as follows: S 47° 59' 20" W 79.91 feet, thence S 36° 47' 54" W 124.29 feet, thence S 16° 37' 33" W 79.31 feet, thence S 03° 18' 47" W 92.79 feet; thence S 07° 54' 27" W 80.30 feet; thence S 17° 51' 01" W 70.37 feet to the boundary of Beaver Reservoir White River, Arkansas, as performed by the John E. Mahaffey & Assoc. Inc. under contract #DACW03-67-C-0031, thence leaving said centerline and following said Beaver Reservoir boundary as follows: N 42° 44' 05" W 213.52 feet to the C.O.E. (Corps of Engineers) Plate #1530-1-3, thence S 64° 47' 42" W 100.00 feet, thence leaving said lake boundary N 19° 21' 19" W 130.87 feet, thence S 65° 14' 04" W 212.86 feet, thence N 83° 29' 05" W 190.04 feet, thence S 36° 46' 18" W 50.00 feet, thence S 59° 07' 36" E 100.96 feet, thence S 84° 23' 38" E 243.01 feet to said lake boundary, thence along said lake boundary as follows: S 64° 47' 42" W 125.0 feet to the C.O.E. Plate #1530-1-2, thence S 15° 54' 37" W 680.09 feet to the C.O.E. Plate #1530-1-1, thence N 69° 39' 58" W 509.95 feet, thence leaving said lake boundary N 02° 05' 07" E 1154.84 feet, thence S 88° 24' 56" E 1299.22 feet to the point of beginning, as show in Plat Record "22L" at Page 65. ("Property 3").

The purchaser at said sale will be required to pay 10% of the purchase price down at the time of sale and to execute a bond with sufficient sureties thereon for the balance of the purchase price, bearing interest from the date of sale until paid at the rate of 10% per annum, due in three (3) months and a lien will be retained on said real property sold to secure payment of the purchase money.

/s/Brenda DeShields,  
CLERK-COMMISSIONER

10/29/2013