

**IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS
5th DIVISION**

FIRST FEDERAL BANK

PETITIONER

v.

CASE NO. CV 2013-703-5

**DTS BROKERAGE & DEVELOPMENT,
LLC; DONALD R. SIMS;
THOMAS H. SIMS A/K/A TOM SIMS;
SHARON K. SIMS;
JOHN T. LEE AS CHAPTER 7 PANEL
TRUSTEE;
BENTON COUNTY TAX COLLECTOR;
BANCORPSOUTH BANK;
TENANTS OF 3201 SW WARBERRY,
BENTONVILLE, ARKANSAS 72712;
HEARTH & HOME, INC.**

RESPONDENTS

NOTICE OF SALE

Notice is hereby given that the undersigned commissioner appointed by the Circuit Court of Benton County, Arkansas in cause No. CV 2013-703-5 will offer for public sale the following described lands lying in Benton County, Arkansas, to wit:

LOT 89, STONE MEADOW ADDITION, BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN ON THE FINAL PLAT OF SAID SUBDIVISION ON FILE IN THE OFFICE OF THE CIRCUIT CLERK AND EX-OFFICIO RECORDER OF BENTON COUNTY, ARKANSAS.

ALSO KNOWN AS

LOT 89, STONE MEADOW ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, AS SHOWN IN PLAT BOOK 2006 AT PAGE 954, 955, AND 956.

Such sale will be at the front door of the Benton County Courthouse in Bentonville, Arkansas, on September 23, 2013, at 10:00 a.m.

Sale will be to the highest bidder for cash in hand in the amount of the purchase price or on a credit of three months. All bidders must be pre-qualified subject to Petitioner's and

Commissioner's approval. Prior to the commencement of the sale, all cash buyers must present a certified cashier's check in the full amount of his/her/its bid, and all other bidders must present a letter of credit from a reputable lending institution subject to the approval of Petitioner and Commissioner. Bidders requiring financing must pay a deposit of 10% of the purchase price in cash or certified funds to the Commissioner at the time of sale and execute a proper bond, with security to be approved by the Petitioner, for payment of the balance of the purchase price payable together with interest at 10% per annum from date of sale until paid, with a lien being retained on the premises sold to secure the payment of the purchase money. The 10% deposit is nonrefundable and will be forfeited in the event the successful bidder fails to complete the purchase. The property will be sold subject to any real property taxes or assessments due on the property, and filing fees and costs of sale (including, but not limited to publication costs and commissioner's fees) shall be paid by the purchaser at said sale.

Brenda DeShields-Circuit Clerk
Commissioner

Date: September 5, 2013