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2015 SEP 28 AM 9 39

BRENDA DESHIELDS
CLERK AND RECORDER
BENTON COUNTY, AR.

COMMISSIONER'S SALE

NOTICE IS HEREBY GIVEN, pursuant to the authority and terms of sale contained in the decretal order of the Benton County Circuit Court entered in Case No. **04CV-14-794**^w pending between U.S. Bank National Association, Plaintiff, and David A. Dagley, *et al.*, Defendants, the undersigned, as Commissioner of the Court, will offer for sale, at vendue to the highest bidder, in the Lobby on the 2nd Floor Lobby of the Benton County Courthouse, Bentonville, Arkansas on Thursday, October 29th, 2015, at 9:30 o'clock a.m. the following-described real estate, situated in Benton County, Arkansas, to-wit:

The land referred to herein is situated in the State of AR, County of Benton described as follows:

PART OF THE FRACTIONAL SW 1/4 OF THE SW 1/4 OF SECTION 4, AND PART OF THE EAST 1/2 OF THE SE 1/4 OF SECTION 5, ALL IN T-18-N, R-32-W, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SE CORNER OF SAID SW 1/4 OF THE SW 1/4; THENCE N88 DEGREES 37 MINUTES 58 SECONDS W 1310.04 FEET; THENCE N05 DEGREES 35 MINUTES 07 SECONDS W 35.64 FEET; THENCE N11 DEGREES 00 MINUTES 14 SECONDS W 63.03 FEET FOR THE TRUE POINT OF BEGINNING; THENCE N14 DEGREES 36 MINUTES 05 SECONDS W 52.12 FEET; THENCE N15 DEGREES 47 MINUTES 01 SECONDS W 124.26 FEET; THENCE N11 DEGREES 49 MINUTES 40 SECONDS W 163.59 FEET; THENCE N01 DEGREES 27 MINUTES 13 SECONDS E 36.81 FEET; THENCE N81 DEGREES 49 MINUTES 30 SECONDS E 355.94 FEET; THENCE S08 DEGREES 10 MINUTES 30 SECONDS E 374.50 FEET; THENCE S81 DEGREES 49 MINUTES 30 SECONDS W 329.29 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 3.00 ACRES, MORE OR LESS, PROPERTY IS SUBJECT TO THE RIGHT-OF-WAY OF BRIGANCE ROAD ON THE WEST SIDE.

More commonly known as: 11958 S. BRIGANCE ROAD, GENTRY, AR 72734.

TERMS OF SALE: Are as set forth within the orders and foreclosure decree of the Benton

County Circuit Court entered in Case No. 04CV-14-794, 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. The Commissioner thereafter shall find that the subject property be awarded to the next successive highest bidder, until performance is rendered.

Also, on a credit of three months, the purchasers are required to execute a bond as required by law and the order and decree of the Court with approved security, bearing interest at the maximum rate allowed by Arkansas law from date of sale until paid, and a lien being retained on the premises sold to secure the payment of the purchase money.

This sale is made subject to any and all stipulations made in the decretal Order filed of record on the 28th day of April, 2015. The Commissioner does not warrant title, boundary lines, taxes, and or improvements, if any, on this property in Benton County, Arkansas.

Given under my hand this 28th day of September, 2015.

/s/ Brenda DeShields
BRENDA DESHIELDS, COMMISSIONER

