

**IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS  
THIRD DIVISION**

**FIRST NATIONAL BANK OF ROGERS,  
F/K/A BANK OF ROGERS, A DIVISION OF  
FIRST NATIONAL BANK OF FORT SMITH**

**PLAINTIFFS**

**VS.**

**CASE NO. CV-2010-3332-3**

**MELVIN CROWELL; JEAN CROWELL;  
LONNIE CROWELL; LONG BEACH  
MORTGAGE COMPANY; UNITED STATES  
OF AMERICA, DEPARTMENT OF THE  
TREASURY — INTERNAL REVENUE SERVICE;  
TIMOTHY J. LEATHERS, STATE OF ARKANSAS,  
DEPARTMENT OF FINANCE AND  
ADMINISTRATION; LITTON LOAN  
SERVICING LP (SIC); AND DEUTSCHE BANK  
NATIONAL TRUST COMPANY, AS TRUSTEE  
FOR LONG BEACH MORTGAGE LOAN TRUST  
2004-1, ASSET-BACKED CERTIFICATES,  
SERIES 2004-1 (SIC)**

**DEFENDANTS**

**OCWEN LOAN SERVICING, LLC, AS SUCCESSOR  
TO LITTON LOAN SERVICING LP, AS SERVICER  
FOR DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR LONG BEACH  
MORTGAGE LOAN TRUST 2004-1, ASSET-  
BACKED CERTIFICATES, SERIES 2004-1**

**COUNTERCLAIMANT**

**VS.**

**FIRST NATIONAL BANK OF ROGERS  
f/k/a BANK OF ROGERS**

**COUNTERDEFENDANT**

**OCWEN LOAN SERVICING, LLC, AS SUCCESSOR  
TO LITTON LOAN SERVICING LP, AS SERVICER  
FOR DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS TRUSTEE FOR LONG BEACH  
MORTGAGE LOAN TRUST 2004-1, ASSET-  
BACKED CERTIFICATES, SERIES 2004-1**

**CROSS-CLAIMANT**

**VS.**

**MELVIN CROWELL; JEAN CROWELL;  
LONNIE CROWELL; THE UNITED STATES OF  
AMERICA, DEPARTMENT OF THE TREASURY,  
INTERNAL REVENUE SERVICE; and  
STATE OF ARKANSAS, DEPARTMENT OF  
FINANCE AND ADMINISTRATION,  
COMMISSIONER OF REVENUES**

**CROSS-DEFENDANTS**

**NOTICE OF COMMISSIONER'S SALE**

NOTICE IS HEREBY GIVEN, that on November 7, 2013, at 10:00 a.m., pursuant to the authority contained in the Judgment and Decree of Foreclosure of this Court dated and filed October 8, 2013 (the "Decree") of the Benton County Circuit Court in Case No. CV-2010-3332-3, the undersigned Commissioner appointed by the Court will offer for sale at public auction the following described real estate, together with any improvements thereon (the "Property"), situated in Benton County, Arkansas, to-wit:

1. Real property commonly known as 10480 Esculapia Hollow Road, Rogers, Arkansas 72756, and more particularly described as follows:

A part of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  and a part of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 16, Township 19 North, Range 29 West of the Fifth Principal Meridian, Benton County, Arkansas, and being described as follows: Commencing at the Northwest corner of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 16, Township 19 North, Range 29 West, said point being the true point of beginning; thence South 85 degrees 19 minutes 21 seconds East 73.53 feet to a found iron pin; thence South 0 degrees 13 minutes 37 seconds East 762.25 feet to a found iron pin in the centerline of County Road 1301 (Esculapia Road); thence along the centerline of County Road the following calls: North 51 degrees 38 minutes 08 seconds West 41.47 feet; thence North 62 degrees 23 minutes 33 seconds West 303.82 feet; thence North 73 degrees 05 minutes 32 seconds West 130.67 feet; thence North 59 degrees 44 minutes 03 seconds West

243.19 feet; thence North 46 degrees 47 minutes 40 seconds West 101.76 feet; thence leaving said centerline of County Road 1301, North 2 degrees 14 minutes 36 seconds West 393.06 feet to a set iron pin; thence South 85 degrees 38 minutes 39 seconds East 653.05 feet to the true point of beginning, containing 9.91 acres, more or less, and subject to the right of way of County Road 1301 (Esculapia Road) on the Southerly side thereof, and subject to the rights of way and/or easements of record.

The above-described Property shall be sold at the Benton County Courthouse, in the City of Bentonville, Benton County, Arkansas, at the time stated above. The Court will confirm the sale that produces the highest gross recovery for the Property. The terms of the foreclosure sale shall be for cash due to be paid by close of business on the day of sales or on credit terms up to 90 days with interest, except as to Ocwen Loan Servicing, LLC, as successor to Litton Loan Servicing LP, as servicer for Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2004-1, Asset-Backed Certificates, Series 2004-1 ("Litton/Deutsche"), which is entitled to offset bid against its judgment awarded herein.

The foreclosure 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, Litton/Deutsche 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 Litton/Deutsche as to any non-performing bidders are hereby reserved as to non-performing bidders.

Upon confirmation of the sales herein ordered, the Benton County Commissioner shall execute and deliver to the purchaser(s) Commissioner's Deeds,

conveying all right, title and interest in and to the Property free and clear of all claims thereto.

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

You are invited to review the entire Decree in the Benton 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 announcements made by Commissioner at the time of sale take precedence over this Notice.

DATED this 22<sup>nd</sup> day of October, 2013.

Brenda DeShields-Clerk  
COMMISSIONER

Submitted by:

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By \_\_\_\_\_  
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Company, as Trustee for Long Beach Mortgage  
Loan Trust 2004-1, Asset-Backed Certificates,  
Series 2004-1