

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS

ARVEST BANK

PLAINTIFF

vs.

No. 04CV-17-342-2

CHARLES E. WARREN, III;
ANNETTE MARIE WARREN aka ANNETTE M. WARREN;
JPMORGAN CHASE BANK, N.A.;
UNITED STATES OF AMERICA,
acting by and through the INTERNAL REVENUE SERVICE;
LYNDEN P. POLK, as Successor Trustee of THE NORMAN W.
POLK TRUST, dated December 8, 1987;
and TENANTS OF 1400 PRAIRIE CREEK DRIVE,
ROGERS, AR, if any

DEFENDANTS

COMMISSIONER'S SALE

NOTICE IS GIVEN that in pursuance of the authority contained in the decretal order of the Benton County Circuit Court entered on the 6th day of June, 2017, in Case No. 04CV-17-342-2, then pending herein between Arvest Bank, Plaintiff, and CHARLES E. WARREN, III and ANNETTE MARIE WARREN aka Annette M. Warren, et al., Defendants, the undersigned, as Commissioner of said Court, will offer for sale at public venue to the highest bidder, in the lobby on the 2nd floor of the Benton County Courthouse, 102 NE A Street, Bentonville, Arkansas, in which said Court is held, in the County of Benton, City of Bentonville, Arkansas, within the hours prescribed by law for judicial sales at 9:15 a.m. on Thursday, the 20th day of July, 2017, the following described real estate, situated in Benton County, Arkansas, to wit:

TRACT 1:

A PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 5, TOWNSHIP 19 NORTH, RANGE 29 WEST OF THE FIFTH PRINCIPAL MERIDIAN AND A PART OF LOT 9 OF PRAIRIE CREEK VILLAGE SUBDIVISION AS DESIGNATED IN PLAT RECORD BOOK "E" AT PAGE 110, ALSO INCLUDED IN PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 5, TOWNSHIP 19 NORTH, RANGE 29 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ROGERS, BENTON COUNTY, ARKANSAS, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT A STONE FOUND FOR THE NE CORNER OF THE SE 1/4 OF THE SW 1/4 OF SECTION 5, TOWNSHIP 19 NORTH, RANGE 29 WEST; THENCE ALONG THE NORTHERLY BOUNDARY OF CREEKWOOD HILL ASSOCIATION, AS SHOWN IN PLAT RECORD BOOK "S" AT PAGE 333, NORTH 84 DEGREES 58 MINUTES 48 SECONDS WEST, 98.58 FEET; THENCE ALONG SAID NORTHERLY BOUNDARY, SOUTH 01 DEGREES 52 MINUTES 23 SECONDS WEST 456.68 FEET; THENCE ALONG SAID NORTHERLY BOUNDARY SOUTH 46 DEGREES 56 MINUTES 36 SECONDS WEST 215.09 FEET, THENCE ALONG SAID NORTHERLY BOUNDARY OF CREEKWOOD HILL ASSOCIATION, SOUTH 68 DEGREES 15 MINUTES 53 SECONDS WEST, 255.87 FEET TO THE TRUE POINT OF BEGINNING, SAID POINT BEING A SET IRON PIN; THENCE ALONG THE SAID NORTHERLY BOUNDARY OF

CREEKWOOD HILL ASSOCIATION, SOUTH 68 DEGREES 20 MINUTES 15 SECONDS WEST 82.27 FEET TO A FOUND IRON PIN; THENCE LEAVING SAID NORTHERLY BOUNDARY, SOUTH 69 DEGREES 22 MINUTES 11 SECONDS WEST, 186.05 FEET TO A SET IRON PIN; THENCE SOUTH 54 DEGREES 41 MINUTES 21 SECONDS WEST 153.99 FEET TO AN IRON PIN SET ON

THE NORTHERLY BOUNDARY OF CREEKWOOD HILL ASSOCIATION; THENCE ALONG THE SAID NORTHERLY BOUNDARY OF CREEKWOOD HILL ASSOCIATION, NORTH 82 DEGREES 54 MINUTES 31 SECONDS WEST 56.07 FEET TO A FOUND IRON PIN; THENCE ALONG SAID NORTHERLY BOUNDARY, SOUTH 75 DEGREES 27 MINUTES 44 SECONDS WEST, 152.88 FEET TO A FOUND IRON PIN; THENCE ALONG SAID NORTHERLY BOUNDARY, SOUTH 67 DEGREES 43 MINUTES 51 SECONDS WEST 288.99 FEET TO AN IRON PIN SET IN AN OLD FENCE LINE; THENCE LEAVING SAID NORTHERLY BOUNDARY OF CREEKWOOD HILL ASSOCIATIONS AND ALONG THE EASTERLY RIGHT OF WAY OF LAKE ATLANTA ROAD, NORTH 05 DEGREES 12 MINUTES 54 SECONDS EAST 83.70 FEET TO A SET IRON PIN; THENCE ALONG SAID EASTERLY RIGHT OF WAY, NORTH 11 DEGREES 36 MINUTES 48 SECONDS WEST, 157.06 FEET TO AN IRON PIN SET ON THE WEST BOUNDARY OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION; THENCE ALONG WESTBOUNDARY OF THE SE 1/4 OF THE SW 1/4 OF SAID SECTION, NORTH 02 DEGREES 55 MINUTES 21 SECONDS EAST 119.07 FEET TO A POINT ON THE CENTERLINE OF ARKANSAS STATE HIGHWAY 12; THENCE ALONG A CURVE TO THE LEFT, WITH A DELTA ANGLE OF 18 DEGREES 38 MINUTES 19 SECONDS, HAVING A RADIUS OF 1084.34 FEET AND A ARC LENGTH OF 352.74 FEET, WITH A CHORD BEARING AND DISTANCE OF NORTH 43 DEGREES 17 MINUTES 10 SECONDS EAST 351.19 FEET; THENCE ALONG THE SAID CENTERLINE OF THE HIGHWAY, NORTH 31 DEGREES 59 MINUTES 34 SECONDS EAST 36.35 FEET; THENCE LEAVING SAID CENTERLINE, SOUTH 58 DEGREES 00 MINUTES 26 SECONDS EAST, 39.94 FEET TO A FOUND IRON PIN, SAID IRON PIN BEING ON THE NORTHWESTERLY BOUNDARY OF PROPERTY CONVEYED FROM JIM L. BRYANT AND PAMELA K. BRYANT TO DENNIS W. COOK AND PEGGY J. COOK IN A WARRANTY DEED FOUND IN DEED RECORD BOOK 718 AT PAGE 868 AND SHOWN IN PLAT RECORD BOOK 18 AT PAGE 177; THENCE ALONG THE SOUTHWESTERLY BOUNDARY OF THE DENNIS W. COOK'S PROPERTY THE FOLLOWING COURSES, SOUTH 56 DEGREE 55 MINUTES 05 SECONDS EAST, 5.11 FEET TO A FOUND IRON PIN; THENCE SOUTH 32 DEGREES 26 MINUTES 19 SECONDS WEST 8.33 FEET TO A FOUND IRON PIN; THENCE SOUTH 43 DEGREES 22 MINUTES 48 SECONDS EAST 90.34 FEET TO A FOUND IRON PIN; THENCE SOUTH 54 DEGREES 19 MINUTES 19 SECONDS EAST, 55.29 FEET TO FOUND IRON PIN; THENCE SOUTH 79 DEGREES 46 MINUTES 26 SECONDS, EAST 42.48 FEET TO A FOUND IRON PIN; THENCE NORTH 85 DEGREES 24 MINUTES 22 SECONDS EAST 55.23 FEET TO A FOUND IRON PIN; THENCE NORTH 45 DEGREES 56 MINUTES 04 SECONDS EAST 75.70 FEET TO A FOUND IRON PIN; THENCE LEAVING SAID BOUNDARY OF DENNIS W. COOK'S PROPERTY AND ALONG THE SOUTHEASTERLY BOUNDARY OF WAYNE L. MATTHEW'S PROPERTY, NORTH 34 DEGREES 58 MINUTES 25 SECONDS EAST 91.28 FEET TO A SET IRON PIN; THENCE LEAVING SAID BOUNDARY OF WAYNE L. MATTHEW'S PROPERTY, SOUTH 39 DEGREES 54 MINUTES 18 SECONDS EAST, 170.14 FEET TO THE NORTHWESTERLY CORNER OF PROPERTY CONVEYED FROM THE NORMAN W. POLK TRUST TO CHARLES E. WARREN, JR. AND L. IRENE WARREN IN A WARRANTY DEED FOUND IN DEED BOOK 703 AT PAGE 479; THENCE ALONG THE SOUTHWESTERLY BOUNDARY OF THE CHARLES E. WARREN'S PROPERTY, SOUTH 39 DEGREES 54 MINUTES 18 SECONDS EAST 237.14 FEET TO THE TRUE POINT OF BEGINNING, AND BEING SUBJECT TO THE RIGHT OF WAY OF ARKANSAS STATE HIGHWAY 12, THE RIGHT OF WAY OF LAKE ATLANTA ROAD AND TO THE SEPTIC SYSTEM EASEMENT AS FOUND IN DEED RECORD

BOOK 716 AT PAGE 469, AND SUBJECT TO AN ACCESS EASEMENT AS SHOWN ON PLAT BOOK & PAGE 2005 1197.

TRACT 2:

A PART OF THE SE 1/4 OF THE SW 1/4 OF SECTION 5, TOWNSHIP 19 NORTH, RANGE 9 WEST OF THE FIFTH PRINCIPAL MERIDIAN, ROGERS, BENTON COUNTY, ARKANSAS, AND BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT A STONE FOUND FOR THE NE CORNER OF THE SE 1/4 OF THE SW 1/4 OF SECTION 5, TOWNSHIP 19 NORTH, RANGE 29 WEST; THENCE ALONG THE NORTHERLY BOUNDARY OF CREEKWOOD HILL ASSOCIATION, AS SHOWN IN PLAT RECORD BOOK "S" AT PAGE 333, NORTH 84 DEGREES 58 MINUTES 48 SECONDS WEST, 98.58 FEET; THENCE ALONG SAID NORTHERLY BOUNDARY, SOUTH 01 DEGREE 52 MINUTES 23 SECONDS WEST 456.68 FEET; THENCE ALONG SAID NORTHERLY BOUNDARY SOUTH 46 DEGREES 56 MINUTES 36 SECONDS WEST 215.09 FEET, THENCE ALONG SAID NORTHERLY BOUNDARY OF CREEKWOOD HILL ASSOCIATION, SOUTH 68 DEGREES 15 MINUTES 53 SECONDS WEST, 255.87 FEET TO A SET IRON PIN; THENCE ALONG SAID NORTHERLY BOUNDARY OF CREEKWOOD HILL ASSOCIATION, SOUTH 68 DEGREES 20 MINUTES 15 SECONDS WEST 82.27 FEET TO A FOUND IRON PIN, SAID IRON PIN BEING THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTHERLY BOUNDARY SOUTH 69 DEGREES 22 MINUTES 11 SECONDS WEST, 186.05 FEET TO A SET IRON PIN; THENCE SOUTH 54 DEGREES 41 MINUTES 21 SECONDS WEST 153.99 FEET TO AN IRON PIN SET ON THE NORTHERLY BOUNDARY OF CREEKWOOD HILL ASSOCIATION; THENCE ALONG THE SAID NORTHERLY BOUNDARY OF CREEKWOOD HILL ASSOCIATION; SOUTH 53 DEGREES 34 MINUTES 53 SECONDS EAST, 96.21 FEET TO A SET IRON PIN; THENCE ALONG SAID NORTHERLY BOUNDARY, NORTH 84 DEGREES 17 MINUTES 41 SECONDS EAST, 95.22 FEET TO A FOUND IRON PIN; THENCE ALONG SAID NORTHERLY BOUNDARY, NORTH 22 DEGREES 17 MINUTES 21 SECONDS EAST 108.19 FEET TO A SET IRON PIN; THENCE ALONG SAID NORTHERLY BOUNDARY OF CREEKWOOD HILLS ASSOCIATION, NORTH 40 DEGREES 17 MINUTES 37 SECONDS EAST 133.87 FEET TO THE POINT OF BEGINNING..
(a/k/a 1400 Prairie Creek Drive, Rogers, AR)

TERMS OF SALE: On a credit of three months, the purchaser being required to execute a bond as required by law and the order and decree of said Court in said cause, with approved security, bearing interest at the rate of 10.0 percent per annum from date of sale until paid, and a lien being retained on the premises sold to secure the payment of the purchase money.

Given under my hand this 22nd day of June, 2017.

COMMISSIONER IN CIRCUIT COURT

By: Brenda A. Shields

