

**IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS
4th DIVISION**

SIGNATURE BANK OF ARKANSAS

PETITIONER

v.

CASE NO. 04CV-17-1345-4

**NATHAN E. BINGHAM a/k/a NATHAN ERIC BINGHAM a/k/a
NATHAN BINGHAM AND
ALICIA BINGHAM, HUSBAND AND WIFE;
JILL JACOWAY IN HER CAPACITY AS TRUSTEE
OF IN RE: NATHAN ERIC BINGHAM AND
ALICIA BINGHAM, USBC CASE NO: 5:17-BK-70328;
BENTON COUNTY TAX COLLECTOR**

RESPONDENTS

NOTICE OF SALE

Notice is hereby given that the undersigned commissioner appointed by the Circuit Court of Benton County, Arkansas in cause No. 04CV-17-1345-4 will offer for public sale the following described lands lying in Benton County, Arkansas, to wit:

LOCATED IN A PART OF THE SE ¼ OF THE NW ¼ AND IN A PART OF THE SW ¼ OF THE NW ¼ OF FRACTIONAL SECTION 6, TOWNSHIP 18 NORTH, RANGE 28 WEST IN BENTON COUNTY, ARKANSAS, MORE PRECISELY DESCRIBED AS FOLLOWS: STARTING AT THE NW CORNER OF THE SW ¼ OF THE NW ¼ OF FRACTIONAL SECTION 6; THENCE SOUTH 00 DEGREES 35'51" WEST, 316.89 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 84 DEGREES 59'49" EAST, 1069.94 FEET; THENCE ALONG THE CENTERLINE OF A 30 FOOT WIDE ACCESS EASEMENT, SOUTH 04 DEGREES 55'28" EAST, 98.70 FEET; THENCE SOUTH 20 DEGREES 29'17" EAST, 71.70 FEET; THENCE SOUTH 37 DEGREES 30'52" EAST, 84.91 FEET; THENCE SOUTH 26 DEGREES 51'15" EAST, 77.79 FEET; THENCE SOUTH 18 DEGREES 12'24" EAST, 112.31 FEET; THENCE SOUTH 11 DEGREES 47'54" EAST 70.24 FEET; THENCE SOUTH 16 DEGREES 36'38" EAST, 102.11 FEET; THENCE SOUTH 42 DEGREES 17'56" EAST, 93.05 FEET; THENCE SOUTH 51 DEGREES 55'58" EAST, 134.07 FEET; THENCE LEAVING SAID ACCESS EASEMENT AND ALONG THE CENTERLINE OF BENTON COUNTY ROAD #94 (RAILROAD CUT ROAD), SOUTH 36 DEGREES 13'12" WEST 447.17 FEET; THENCE SOUTH 50 DEGREES 16'39" WEST, 16.44 FEET; THENCE LEAVING SAID CENTERLINE, NORTH 89 DEGREES 17'09" WEST, 543.30 FEET;


THENCE ALONG SAID CENTERLINE OF BENTON COUNTY ROAD #94. NORTH 53 DEGREES 53'31" WEST, 201.21 FEET; THENCE NORTH 33 DEGREES 08'18" WEST, 194.52 FEET; THENCE NORTH 38 DEGREES 34'56" WEST, 161.85 FEET; THENCE NORTH 60 DEGREES 43'06" WEST, 120.39 FEET; THENCE NORTH 66 DEGREES 49'33" WEST, 155.58 FEET; THENCE LEAVING SAID CENTERLINE, NORTH 00 DEGREES 35'51" EAST, 470.15 FEET TO THE TRUE POINT OF BEGINNING CONTAINING 25.722 ACRES MORE OR LESS AND BEING SUBJECT TO THE RIGHT OF WAY OF BENTON COUNTY ROAD #94 (RAILROAD CUT ROAD) ALONG THE SOUTH, A 30 FOOT WIDE ACCESS EASEMENT ALONG THE EAST, A 30 FOOT WIDE ACCESS EASEMENT ACROSS THE WEST AND ANY OTHER EASEMENTS OF RECORD. ALSO: LOCATED IN A PART OF THE SW ¼ OF THE NW ¼ OF SECTION 6, TOWNSHIP 18 NORTH, RANGE 28 WEST IN BENTON COUNTY, ARKANSAS MORE PRECISELY DESCRIBED AS FOLLOWS: STARTING AT THE SW CORNER OF THE SW ¼ OF THE NW ¼ OF SECTION 6 FOR THE TRUE POINT OF BEGINNING; THENCE NORTH 01 DEGREES 53'27" EAST 520.65 FEET TO THE CENTERLINE OF A COUNTY ROAD; THENCE ALONG SAID CENTERLINE SOUTH 66 DEGREES 49'33" EAST 155.58 FEET; THENCE SOUTH 60 DEGREES 43'06" EAST 120.39 FEET; THENCE SOUTH 38 DEGREES 34'56" EAST 161.85 FEET; THENCE SOUTH 33 DEGREES 08'18" EAST 194.52 FEET; THENCE SOUTH 53 DEGREES 53'31" EAST 201.21 FEET; THENCE LEAVING SAID CENTERLINE NORTH 89 DEGREES 18'13" WEST 635.09 FEET TO THE TRUE POINT OF BEGINNING CONTAINING 4.246 ACRES MORE OR LESS, AND BEING SUBJECT TO A COUNTY ROAD ALONG THE NORTH AND ANY EASEMENTS OF RECORD.

THE PROPERTY IS LOCATED IN BENTON COUNTY AT 16872 RAILROAD CUT RD. ROGERS, ARKANSAS 72756

Such sale will be at the front door of the Benton County Courthouse in Bentonville, Arkansas, on October 12, 2017 at 9:15 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.



Commissioner

Date: September 13, 2017