

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
16TH DIVISION

FIRST ARKANSAS BANK & TRUST

PLAINTIFF

VS.

CASE NO. 60CV-23-4276

WRIGHT'S CABINETS, INC.; RDH CABINETS LLC;
ROBERT E. HEARS; DONNA M. HEARD;
and H AND S INVESTMENT PROPERTIES LLC

DEFENDANTS

NOTICE OF COMMISSIONER'S SALE

NOTICE IS HEREBY GIVEN that on November 21, 2024, at 12:00 p.m., pursuant to the authority contained in the Judgment and Decree of Foreclosure signed and filed on October 2, 2024, (the "Judgment & Decree") of Pulaski County Circuit Court in Case No. 60CV-23-4276, the undersigned Commissioner appointed by the Court will offer for sale at public auction the following described real estate, commonly known as 2600 and 2609 Cory Drive, Jacksonville, AR 72076 (the "Cory Drive Property"), and more particularly described as follows:

Tract 1:

Part of Lot 1, Campbell's Industrial Addition to the City of Jacksonville, Pulaski County, Arkansas, said Lot 1, being recorded in Plat Book 25, Page 27, records of Pulaski County, Arkansas and is more particularly described as follows: Commencing at the Northeast Corner of said Lot 1; thence South 18°25'48" West and along the East line of said Lot 1, a distance of 628.67 feet; thence North 75°21'46" West, 177.11 feet to a point on the West line of said Lot 1; thence North 03°34'00" East and along said West line, a distance of 59.88 feet; thence continuing along said West line; North 03°20'00" East, 603.47 feet to the Northwest corner of said Lot 1, Campbell's Industrial Addition; thence South 71°32'48"

East and along the North line of said Lot 1, a distance of 349.25 feet to the point of beginning.

Part of the Northeast 1/4 of Section 26, Township 3 North, Range 11 West, Jacksonville, Pulaski County, Arkansas, which is more particularly described as follows: Commencing at the Northeast corner of said Section 26; thence South 03°20'00" West, a distance of 702.96 feet to a #4 rebar set 1.47 feet South of the South right of way line of Cory Drive for the point of beginning; thence North 71°34'00" West, 207.15 feet; thence South 03°20'00" West 1048.35 feet; thence South 87°56'00" East, 198.47 feet to the East line of said Section 26; thence North 03°34'00" East, 388.00 feet along said East line to a point; thence North 03°20'00" East, 602.00 feet to the point of beginning.

Tract 2:

Part of the NW1/4 NW1/4 of Section 25, Township 3 North, Range 11 West, Pulaski County, Arkansas, more particularly described as follows: Commencing at the Southwest corner of said NW1/4 NW1/4; thence North 03°20'00" East, 655.25 feet along the West line of the NW1/4 NW1/4 of said Section 25 to the point of beginning; said point being on the Northerly right of way line of a public road; thence South 71°34'00" East along said right of way line, 1106.74 feet to the intersection of the Northerly right of way of said public road and the Westerly right of way line of Redmond Road; thence North 05°02'00" West, 100.00 feet to a point on the Westerly right of way line of said Redmond Road; thence North 07°12'00" East, 100.00 feet to a point on the Westerly right of way line of said Redmond Road; thence North 23°42'00" East, 100.00 feet to a point on the Westerly right of way line of said Redmond Road; thence North 35°56'00" East, 100.00 feet to a point on the Westerly right of way line of said Redmond Road; thence North 45°52'00" East, 26.27 feet to a point on the Westerly right of way line of said Redmond Road; thence South 83°27'00" West, 653.96 feet; thence North 77°39'00" West, 524.89 feet to a point on the West line of said NW1/4 NW1/4; thence South 03°20'00" West, 80.52 feet to the point of beginning.

LESS AND EXCEPT:

Part of the NW1/4 NW1/4 of Section 25, Township 3 North, Range 11 West, Pulaski County, Arkansas, more particularly described as follows: Commencing at the Southwest corner of said NW1/4 NW1/4; thence North 03°20'00" East, 655.25 feet along the West line of the NW1/4 NW1/4 of said Section 25; thence South 71°39'22" East, 1106.74 feet to a point on the West right of way line of Redmond Road; thence along said West right of way line the following calls: North 05°18'52" West, 100.00 feet and North 07°17'21" East, 51.45 feet to the point of beginning; thence

continuing North 07°17'21" East, 46.41 feet; thence North 32°47'24" East, 100.00 feet; thence North 46°53'22" East, 26.27 feet; thence leaving said West right of way line, South 83°19'19" West, 201.87 feet; thence South 06°40'41" East, 222.99 feet to the centerline of a railroad; thence along said railroad spur centerline, North 86°46'54" East, 55.35 feet to the point of beginning.

AND LESS AND EXCEPT: CELL SITE

Part of the NW1/4 NW1/4 of Section 25, Township 3 North, Range 11 West, Pulaski County, Arkansas, more particularly described as follows: Commencing at the Southwest corner of said NW1/4 NW1/4; thence North 03°20'00" East, 735.77 feet along the West line of the NW1/4 NW1/4 of said Section 25; thence South 77°39'00" East, 524.76 feet; thence North 83°27'00" East, 382.69 feet; thence South 06°35'25" East, 11.89 feet to the point of beginning; thence North 82°58'50" East, 62.10 feet; thence South 06°17'55" East, 50.00 feet; thence South 83°18'25" West, 61.85 feet; thence North 06°35'25" West, 49.60 feet to the point of beginning. Containing 0.07 acres, more or less.

Tract 3:

Part of the NW1/4 NW1/4, Section 25 Township 3 North, Range 11 West, Pulaski County, Arkansas, more particularly described as follows: Commencing at the NE corner of the NW1/4 NW1/4 Section 25, T3N, R11W; thence South 04°04'47" West, 34.90 feet to a point; thence North 87°48'13" West, 195.50 feet; thence North 87°48'13" West, 235.05 feet to a point; thence North 88° 51'13" West, 121.03 feet to a point on the South right of way line of West Main Street; thence along said South right of way line the following calls: North 88°25'53" West, 28.14 feet to a point; thence North 87°38'20" West, 483.42 feet to a point; thence North 82°35'39" West, 172.22 feet to a 1/2" rebar found; thence leaving said South right of way line South 03°46'42" West, 518.86 feet to a 1/2" rebar and the point of beginning; thence continuing South 03°46'42" West, 51.56 feet to a 1/2" rebar; thence South 77°39'00" East, 428.31 feet to a 4" pipe; thence North 83°19'19" East, 153.36 feet to a 1/2" rebar; thence North 77°39'00" West, 580.83 feet to the point of beginning and containing 0.579 acres more or less. Basis of bearings is the West line of the NW1/4 NW1/4 Section 25, T3N, R11W, as shown on survey prepared by Donald L. Tripp dated July 25, 1980.

Tract 4:

A tract of land located in the NW1/4 NW1/4 of Section 25, T3N, R11W, in the city of Jacksonville, Pulaski County, Arkansas being more particularly described as follows: Commencing as the NW corner of Section 25, T3N, R11W; thence South 03°20' West, 518.57 feet; thence

South 77°39' East, 97.1 feet to the point of beginning; thence continue South 77°39' East, 580.83 feet; thence North 83°19'19" East, 92.0 feet; thence North 77°39' West, 672.34 feet; thence South 03°46'42" West, 30.34 feet to the point of beginning and containing 0.431 acres more or less.

The undersigned Commissioner appointed by the Court will also offer for sale at public auction the following described real estate, commonly known as 3509 South Ridge Drive, Jacksonville, AR 72076 (the "South Ridge Drive Property"), and more particularly described as follows:

LOT 49F, WESTERN HILLS SUBDIVISION PHASE II TO THE CITY OF JACKSONVILLE, PULASKI COUNTY, ARKANSAS AND BEING SHOWN ON PLAT RECORDED AS PLAT G-516, RECORDS OF PULASKI COUNTY, ARKANSAS.

The Cory Drive Property and the South Ridge Drive Property shall be first be auctioned separately and then auctioned together at the Pulaski County Courthouse, 401 W. Markham Street, Little Rock, Arkansas, where such sales are customarily conducted, in the City of Little Rock, Pulaski County, Arkansas, at the time stated above. Whichever sale (i) the sum of the high bids received from selling the two tracts separately, or (ii) the high bid received from selling the two tracts together as a single tract, generates the greatest aggregate sale proceeds, shall be reported to the Court in the Clerk's Report of Sale as the highest and best sale price. The terms of the foreclosure sale shall be for cash due to be paid by close of business on the day of sale or on credit, with interest, of not less than three (3) months nor more than six (6) months or on installments equivalent to no more than four (4) months' credit on the whole, and First Arkansas Bank & Trust ("FAB&T"), or its assignee, shall have the right to credit bid up to the full amount of the

judgment, interest, costs, and attorneys' fees. In all sales on credit, except as to FAB&T or its assignee, the purchaser shall execute a bond, with good surety, to be approved by the person making the sale and by FAB&T, and the bond shall have the force of a judgment.

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, FAB&T shall be entitled, but not required, to enforce performance or to take the second highest bid(s) (and so on until each property is sold to a bidder) and all rights of FAB&T as to any non-performing bidders are hereby reserved as to non-performing bidders.

Upon confirmation of the sales herein ordered, the Pulaski County Commissioner shall execute and deliver to the purchaser(s) a Commissioner's Deed for each property.

The purchaser(s) shall, upon receipt of a Commissioner's Deed, be entitled to immediate possession of each property.

You are invited to review the Judgment and Decree in the Pulaski County Circuit Court records in this case which is 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 23rd day of October 2024.

N. F. B.
COMMISSIONER

Submitted by:

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