

**IN THE CIRCUIT COURT OF SEBASTIAN COUNTY, ARKANSAS
FORT SMITH DISTRICT**

**ARTES CAPITAL SMA 1, LLC,
Individually and as Assignee of
ARTES CAPITAL REIT I, LLC**

PLAINTIFF

v.

CASE NO. 66FCV-24-329 VI

**BLUEFIN DEVELOPMENT, LLC;
BLUE CK 253 FORT SMITH, LLC;
BLUE CK JENNY LIND, LLC;
BLUE CK LINDSEY ROAD, LLC;
GAS EXPRESS, LLC d/b/a CIRCLE K;
FIRST STATE BANK; and
CDI CONTRACTORS, LLC**

DEFENDANTS

NOTICE OF COMMISSIONER'S SALE

NOTICE IS HEREBY GIVEN, pursuant to the authority contained in the decretal order of the Fort Smith District of the Sebastian County Circuit Court entered in case number 66FCV-24-329, styled as set forth above, the undersigned, as Commissioner of the Court, will offer for sale, at public venue to the highest bidder, at the Pulaski County Courthouse in which said Court is held, located in Little Rock, Arkansas, within the hours prescribed by law for judicial sales, on Thursday, April 17, 2025 A.D., at 12:00 p.m. all of the above-named Defendants' interest in and to the following described real properties (the "Properties") along with any and all improvements thereon, all situated in Pulaski County, Arkansas, to-wit:

The "Lindsey Property":

Tract 1:

Part of the NW1/4 Section 17, Township 1 North, Range 11 West, in the City of Little Rock in Pulaski County, Arkansas, more particularly described as follows: Beginning at a point of intersection of the North Right-of-Way line of the Little Rock Railroad and the West right of way line of Lindsey Road; thence along a curve to the West, pen to the North, with a radius of 863.12 feet and length of 76.28 feet for a chord bearing and distance of North 61 degrees 19 minutes 19 seconds West 76.26 feet; thence North 58 degrees 18 minutes 35 seconds West 254.63 feet; thence North 58 degrees 13 minutes 48 seconds West 277.24 feet; thence along the Little Rock Railroad right of way along a curve to the West, open to the South, with a radius of 751.93 feet and length of 88.74 feet for a chord bearing and distance of North 59 degrees 59 minutes 19 seconds West 88.69 feet; thence South 69 degrees 57 minutes 35 seconds East 125.94 feet; thence South 58 degrees 38 minutes 07 seconds East 187.30 feet; thence South 83 degrees 37 minutes 49 seconds East 182.50 feet; thence South 60 degrees 29 minutes 59 seconds East 116.70 feet to a point that is on the West Right-of-Way of Lindsey Road; thence along said West Right-of-Way South 13 degrees 46 minutes 11 seconds East 146.54 feet to the Point of Beginning.

Tract 2:

Part of the NW1/4 Section 17, Township 1 North, Range 11 West, in the City of Little Rock, in Pulaski County, Arkansas, more particularly described as follows: Beginning at the Northeast corner of Lot 2, Circle K Lindsey Addition to the City of Little Rock, Arkansas; thence North 88 degrees 53 minutes 25 seconds West 448.69 feet; thence North 01 degrees 48 minutes 57 seconds East 151.83 feet; thence North 88 degrees 48 minutes 03 seconds West 1569.51 feet; thence North 01 degrees 48 minutes 57 seconds East 252.49 feet; thence North 01 degrees 48 minutes 57 seconds East 101.60 feet; thence North 79 degrees 34 minutes 08 seconds East 204.31 feet; thence along the Little Rock Railroad right of way along a curve to the East, open to the North, with a radius of 559.53 feet and length of 276.93 feet for a chord bearing and distance of South 86 degrees 55 minutes 10 seconds East 274.11 feet; thence North 79 degrees 01 minutes 53 seconds East 136.03 feet; thence along a curve to the East, open to the South, with a radius of 690.38 feet and length of 261.30 feet for a chord bearing and distance of South 89 degrees 22 minutes 46 seconds East 259.74 feet; thence South 79 degrees 27 minutes 30 seconds East 300.32 feet; thence along a curve to the East, open to the South, with a radius of 691.93 feet and length of 270.30 feet for a chord bearing and distance of South 67 degrees 47 minutes 56 seconds East 268.58 feet; thence South 58 degrees 13 minutes 48 seconds East 277.24 feet; thence South 58 degrees 18 minutes 35 seconds East 254.63 feet; thence along a curve to the East, open to the North, with a radius of 923.12 feet and length of 131.78 feet for a chord bearing and distance of South 62 degrees 50 minutes 41 seconds East 131.67 feet to a point that is on the

West Right-of-Way of Lindsey Road; thence along said West Right-of-Way South 13 degrees 46 minutes 11 seconds East 99.2 feet to the point of beginning

and

Lot 1 and Lot 2, Circle K Lindsey Addition to the City of Little Rock, Pulaski County, Arkansas, (recorded as Instrument #2022008867, records of Pulaski Co., AR)

The Lindsey Property is more commonly known as 5615 Lindsey Road, Little Rock, Arkansas 72206.

The “Markham Property”:

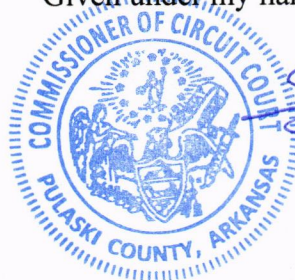
Tract A, Bairds Replat of Patton -Cella-Baird Subdivision of part of the SE1/4 of the NE1/4 of Section 1, Township 1 North, Range 13 West, in the City of Little Rock, Pulaski County, Arkansas, and being shown on plat recorded in Plat Book 20, Page 9, records of Pulaski County, Arkansas.

The Markham Property is more commonly known as 6317 W Markham Street, Little Rock, Arkansas 72205.

TERMS OF SALE: On a credit of ninety (90) days with ten percent (10%) of such bid being due on the date of sale and the purchaser being required to execute a bond as required by law and the decree of the Court and acceptable to the Commissioner and Plaintiff, with approved security, bearing interest at the maximum rate allowed by law from date of sale until paid, and a lien being retained on the Property so to secure the payment of the purchase money. The Properties described above will be sold subject to all real property taxes due and payable.

Any announcements made by the Commissioner at the time of sale will take precedence over this notice.

Given under my hand this 20th day of March, 2025.



Dawn Williams-Curt Administrator
Terri Hollingsworth, Commissioner

PUBLISH ONCE

Bill to:

Kyle T. Unser

Alex Mickel

KUTAK ROCK LLP

5111 W JB Hunt Drive, Suite 300

Rogers, Arkansas 72758

(479) 250-9700 Telephone

Kyle.Unser@KutakRock.com

Alex.Mickel@KutakRock.com

Attorneys for Plaintiff