

IN THE CIRCUIT COURT OF BENTON COUNTY, ARKANSAS
DIVISION 2

GARY FIELDS REVOCABLE TRUST, DATED
11/9/99 – GARY FIELDS, TRUSTEE

PLAINTIFF

BRENDA DESHIELDS
CLERK AND RECORDER
BENTON COUNTY, AR.

2015 SEP 1 PM 2 55

FILED

V.

CASE NO: CIV 2008-2587-2

DAYNE W. GALYEN and LYNDA L. GALYEN,
Husband and Wife; DAYNE W. GALYEN, JR. and
DEEANN GALYEN, Husband and Wife;
LYNN T. GALYEN and DOLLIE M. GALYEN,
Husband and Wife

DEFENDANTS

NOTICE OF COMMISSIONER'S SALE

NOTICE IS HEREBY GIVEN, pursuant to the authority contained in the decretal order of the Benton County Circuit Court entered in case number CV 2008-2587-2, 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 west steps of the main entrance of the Benton County Courthouse, 102 N.E. "A" St., Bentonville, Arkansas 72712, in the County of Benton, within the hours prescribed by law for judicial sales, on Thursday the 24th day of September, 2015 A.D., at 9:30 a.m. the following described real property along with any and all personal property, fixtures and improvements thereon, all situated in Benton County, Arkansas, to-wit:

Legal 1:

INTENTIONALLY OMITTED.

Legal 2:

The N 1/2 of the SW1/4 of Section 13, Township 21 North, Range 28 West of the 5th Principal Meridian, Benton County, Arkansas. Subject to the right of way of a County Road on the East side. Less and Except: Part of the N 1/2 of the SW1/4 of Section 13, Township 21 North, Range 28 West, Benton County, Arkansas, being more particularly described as follows: Beginning at a point which is 1371.35 feet North and 2296.94 feet East of a found iron pin, accepted as the Southwest Corner of the SW1/4 of said Section 13;

thence along an existing fence line North 01 degree 26 minutes 49 seconds East 360.53; thence to and along an existing fence South 88 degrees 54 minutes 45 seconds East 113.68 feet; thence along said fence North 04 degrees 28 minutes 21 seconds East 75.59 feet; thence along said fence South 83 degrees 16 minutes 53 seconds East 58.24 feet; thence along said fence South 49 degrees 58 minutes 53 seconds East 224.04 feet to the centerline of a public road; thence along said road South 0 degrees 14 minutes 26 seconds East 81.28 feet; thence along said road South 03 degrees 00 minutes 45 seconds West 79.49 feet; thence along said road South 20 degrees 55 minutes 06 seconds West 59.83 feet; thence along said road South 39 degrees 37 minutes 51 seconds West 80.43 feet; thence leaving said road South 89 degrees 08 minutes 15 seconds West 281.61 feet to the Point of Beginning.

Legal 3:

The West 660 feet of the SW1/4 of the SW1/4 of Section 13, Township 21 North, Range 28 West. Subject to the right of way of Highway 62 on the South side.

Legal 4:

All that part of the following land which lies South of the Center of Highway #62, The NE1/4 of the NE1/4 and part of the NW1/4 of the NE1/4 of Section 2, Township 20 North, Range 29 West, Benton County, Arkansas, described as follows: Beginning at the NE corner of said NW1/4 of the NE1/4, run thence West 32 rods, thence South 80 rods, thence East 32 rods, thence North 80 rods to the place of beginning. Subject to the right of way of a County Road on the North, East and traversing the Southeast corner.

LESS AND EXCEPT THOSE LANDS CONVEYED TO THE ARKANSAS STATE HIGHWAY COMMISSION, MORE PARTICULARLY DESCRIBED AS FOLLOWS: PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 20 NORTH, RANGE 29 WEST, BENTON COUNTY, ARKANSAS MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 5/8 INCH REBAR WITH CAP BEING USED AS THE EAST SIXTEENTH CORNER OF SECTION 2; THENCE NORTH 87°22'22" WEST ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2 A DISTANCE OF 30.09 FEET TO A POINT; THENCE N87°24'22"W ALONG SAID NORTH LINE A DISTANCE OF 22.55 FEET ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF RELOCATED U.S. HIGHWAY 62 AS ESTABLISHED BY AHTD JOB 090065 TO THE POINT OF BEGINNING; THENCE SOUTH 71°10'28" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 536.40 FEET TO A POINT; THENCE NORTH 02°08'51" EAST A DISTANCE OF 144.89 FEET TO A POINT; THENCE NORTH 02°09'15" EAST A DISTANCE OF 18.84 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF PEA RIDGE NATIONAL MILITARY PARK; THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID BOUNDARY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 2,564.90 FEET A DISTANCE OF 67.68 FEET HAVING CHORD BEARING NORTH 64°13'36" EAST A DISTANCE OF 67.68 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2; THENCE SOUTH 87°24'22" EAST ALONG SAID NORTH LINE A DISTANCE OF

441.07 FEET TO THE POINT OF BEGINNING AND CONTAINING 1.10 ACRES 48,107 SQUARE FEET MORE OR LESS AS SHOWN ON PLANS PREPARED BY THE AHTD REFERENCED JOB 090065. (AHTD JOB 090065, TCT 10XA) AND PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 20 NORTH, RANGE 29 WEST, BENTON COUNTY, ARKANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 5/8 INCH REBAR WITH CAP BEING USED AS THE EAST SIXTEENTH CORNER OF SECTION 2; THENCE SOUTH 87°24'32" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2 A DISTANCE OF 323.58 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF OLD WIRE ROAD (COUNTY ROAD 856) AS ESTABLISHED BY AHTD JOB 090065 FOR THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 87°24'32" EAST ALONG SAID NORTH LINE A DISTANCE OF 330.91 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF OLD WIRE ROAD (COUNTY ROAD 856) AS ESTABLISHED BY AHTD JOB 090065; THENCE SOUTH 03°12'35" WEST ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 220.06 FEET TO A POINT; THENCE NORTH 70°14'03" WEST A DISTANCE OF 115.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.21 ACRES OR 9,231 SQUARE FEET MORE OR LESS AS SHOWN ON PLANS PREPARED BY THE AHTD REFERENCED AS JOB 090065. (AHTD JOB 090065, TCT 10XB)

Legal 5:

The SW1/4 of the NE1/4 of Section 2, Township 20 North, Range 29 West, Except a tract described as follows: Starting at the SE corner of the SE1/4 of the NW1/4 of Fractional Section 2 for the true point of beginning; thence along the West line of the SW1/4 of the NE1/4; North 01 degree 52 minutes 15 seconds East 933.39 feet; thence along the existing fence South 84 degrees 30 minutes 19 seconds East 471.12 feet; thence South 00 degrees 32 minutes 45 seconds West 597.45 feet; thence South 33 degrees 29 minutes 55 seconds East 374.39 feet; thence North 88 degrees 12 minutes 47 seconds West 700.71 feet to the true point of beginning and as shown on plat record "20" at page 90. Subject to any easement of record.

AND ALSO:

Part of the NW1/4 of the NE1/4 of Section 2, Township 20 North, Range 29 West, Benton County, Arkansas, described as follows: Beginning at a point 32 rods West of the NE corner of said 40 acres, run thence South 80 rods more or less to the South line of said 40 acres, thence West 48 rods more or less to the SW corner of said 40 acres, thence North 62 rods more or less to the gravel road (Formerly Highway No. 62) thence in a Northeasterly direction 27 rods more or less to the North line of said NW1/4 of the NE1/4, thence East 29 rods to the place of beginning. Subject to the right of way of a gravel road on the North and Northwest side (formerly Highway 62). LESS AND EXCEPT: Part of the NW1/4 of the NE1/4 of Fractional Section 2, Township 20 North, Range 29 West, Benton County, Arkansas, being more particularly described as follows: Beginning at a fence corner post which is South 01°55'55" West 592.31 feet from the Northwest Corner of said NW1/4 of the NE1/4, thence on a line 300 feet South of and parallel with the centerline of

U.S. Highway 62 as it now exists North 54°02'04" East 292.01 feet to the beginning of a 4911.34 foot radius curve to the right, said curve having a chord of North 55°28'24" East 400.09 feet, thence along said curve an arc length of 400.20 feet, thence leaving said curve South 01°55'55" West 520.84 feet, thence North 87°13'23" West 552.07 feet to a found Corps of Engineers survey cap on the West line of the said NW1/4 of the NE1/4, thence along said West line North 01°55'55" East 95.57 feet to the point of beginning.

Also Except from this tract the following land: Beginning at a point 40 rods North of the SW corner of the NW1/4 of the NE1/4, run thence North 21 rods, more or less, thence Northeasterly 3 1/4 rods along the East side of the old gravel road (formerly Highway No. 62) thence East 5 rods, thence in a Southwesterly direction 24 rods more or less to the place of beginning.

Also Except: Beginning at a point 119.57 feet North of the SW corner of said NW1/4 of the NE1/4 run thence South 83 degrees East 256.2 feet; thence North 0 degrees 40 minutes 45 seconds East 546.5 feet; thence North 88 degrees 45 minutes 30 seconds West 256.3 feet to the West line of said 40 acres, thence South to the place of beginning.

Also Except: All that part of the said NW1/4 of the NE1/4 lying North and West of a line 300 feet South and East of and perpendicular to and parallel with the centerline of Highway No. 62.

And Also: A 20 foot right of way easement to Highway No. 62, centerline of said right of way to begin at a point on the centerline of Highway 62, 40.84 feet Southwesterly from the intersection of the centerline of Highway 62 and the North line of the NW1/4 of the NE1/4 running thence Southeasterly 300 feet perpendicularly to the center of Highway No. 62.

Also Except: A part of the NW1/4 of the NE1/4 of Fractional Section 2, Township 20 North, Range 29 West, Benton County, Arkansas, being more particularly described as follows: Beginning at the Northwest corner of the NW1/4 of the NE1/4 of said Section 2; thence South 01 degree, 55 minutes 55 seconds West 687.88 feet to a found corps of engineer's survey cap; thence South 87 degrees 13 minutes 23 seconds East 256.40 feet to a fence corner post at the point of beginning; thence South 87 degrees 13 minutes 23 seconds East 295.67 feet to a found iron pin; thence North 01 degrees 55 minutes 55 seconds East 520.84 feet to a found iron pin; thence North 60 degrees 51 minutes 54 seconds East 254.60 feet; thence South 02 degrees 29 minutes 00 seconds West 1127.89 feet; thence South 84 degrees 12 minutes 00 seconds West 509.56 feet; thence North 02 degrees, 08 minutes 51 seconds East 548.53 feet to the point of beginning.

Legal 6:

Part of the South 1/2 of the SW1/4 of Section 13 and part of the North 1/2 of the NW1/4 of Section 24, Township 21 North, Range 28 West, Benton County, Arkansas, described as beginning at the NW corner of the South 1/2 of the SW1/4 of Section 13; thence South 91 1/2 rods; thence East 152 rods to a point 8 rods West of the East line of the NW1/4; thence North 91 1/2 rods to a point 8 rods West of the NE corner of the South 1/2

of the SW1/4; thence West to the place of beginning. Subject to the right of way of Highway No. 62 on the South side.

Less and Except: The West 660 feet of the SW1/4 of the SW1/4 of Section 13 and the West 660 feet of the North 11 1/2 rods of the NW1/4 of the NW1/4 of Section 24, all in Township 21 North, Range 28 West, Benton County, Arkansas.

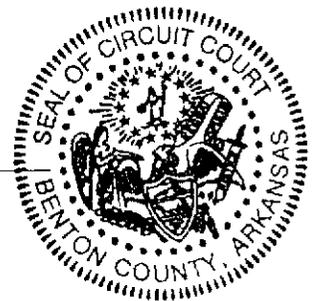
Also Less and Except: Beginning 8 rods West of the NE corner of the South 1/2 of the SW1/4 of Section 13, Township 21 North, Range 28 West, Benton County, Arkansas, thence West 290 feet; thence South 150 feet; thence East 290 feet; thence North 150 feet to the point of beginning.

TERMS OF SALE: On a credit of three (3) months, the purchaser being required to execute a bond as required by law and the decree of the Court, 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; provided, however, that if the Plaintiff, its successors or assigns, becomes the purchaser at such sale for an amount not in excess of its judgment, interest and costs herein, in lieu of giving bond, it may credit the amount of its bid, less the cost of these proceedings, including the Commissioner's fee on the judgment herein rendered at the time of confirmation of such sale, which credit shall be an extinguishment of its judgment to the extent of such credit. The property 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 1st day of September, 2015.

/s/ Brenda DeShields
Brenda Deshields, Commissioner



PUBLISH ONCE

Bill to:

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