

## COMMISSIONER'S SALE

NOTICE IS HEREBY GIVEN, Pursuant to the authority and terms of sale contained in the decretal order of the Benton County Circuit Court entered in Case No. **CV2012-1723-6** pending between The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series 2005-AB5, Plaintiff, and Ruben Sandoval, et al, Defendants, the undersigned, as Commissioner of the Court, will offer for sale, at vendue to the highest bidder, at the front entrance door of the Benton County Courthouse, Bentonville Bentonville, Arkansas on September 9, 2013 at 9:40a.m. the following-described real estate, situated in Benton County, Arkansas, to-wit:

**LOT 2 OF JOHN E. RODGER'S 2ND ADDITION EXCEPT A STRIP OF EQUAL AND UNIFORM WIDTH 712 FEET WIDE OFF THE EAST END THEREOF, BEING A PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 17 NORTH, RANGE 33 WEST, AS RECORDED AND DESIGNATED IN PLAT RECORDED A, PAGE 17, PLAT RECORDS OF BENTON COUNTY, ARKANSAS.**

**AND**

**THE EAST 149 FEET OF THE FOLLOWING: PART OF LOT 2 OF JOHN E. RODGER'S 2ND SUBDIVISION, SILOAM SPRINGS, DESCRIBED AS BEGINNING AT THE 20 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 2, THENCE SOUTH 0 DEGREES 10 MINUTES EAST 99.9 FEET, THENCE NORTH 89 DEGREES 54 MINUTES EAST, 282.7 FEET, THENCE NORTH 0 DEGREES 10 FEET, THENCE NORTH 89 DEGREES 53 MINUTES WEST 282.7 FEET TO THE POINT OF BEGINNING.**

**LESS AND EXCEPT: A PART OF LOT 2 OF JOHN E. RODGER'S 2ND SUBDIVISION, MORE PARTICULARLY DESCRIBED AS BEGINNING 822 FEET WEST OF SOUTHEAST CORNER OF SAID LOT 2, THENCE NORTH 0 DEGREES 10 MINUTES WEST 217-1/3 FEET, THENCE SOUTH 89 DEGREES 53 MINUTES WEST 39 FEET, THENCE NORTH 0 DEGREES 10 MINUTES WEST 76 FEET, THENCE NORTH 89 DEGREES 53 MINUTES EAST 149 FEET, THENCE SOUTH 0 DEGREES 10 MINUTES WEST 293-1/3 FEET, THENCE WEST 100 FEET TO THE POINT OF BEGINNING.**

**ALSO LESS AND EXCEPT: A PART OF JOHN E. RODGER'S SUBDIVISION DESCRIBED AS BEGINNING 822 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 2, THENCE NORTH 0 DEGREES 10 MINUTES WEST 217-1/3 FEET, THENCE SOUTH 134 FEET, THENCE WEST 133.7 FEET, THENCE SOUTH 83.43 FEET TO THE SOUTH LINE OF SAID LOT 2, THENCE EAST 172.7 FEET TO THE PLACE OF BEGINNING**

**ALSO LESS AND EXCEPT, STREET RIGHT OF WAY:**

**THE WEST 25 FEET OF THE DESCRIBED LANDS, AS STATED IN WARRANTY DEED IN BOOK 450, PAGE 44.**

**ALSO LESS AND EXCEPT: PART OF LOT 2 OF JOHN E. RODGER'S 2ND SUBDIVISION, SILOAM SPRINGS, DESCRIBED AS BEGINNING 20 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 2, THENCE SOUTH 0 DEGREES 10 MINUTES EAST 99.9 FEET, THENCE NORTH 89 DEGREES 54 MINUTES EAST 282.7 FEET, THENCE NORTH 0 DEGREES 10 MINUTES WEST 100 FEET, THENCE SOUTH 89 DEGREES 53 MINUTES WEST 282.7 FEET TO THE POINT OF BEGINNING LESS AND EXCEPT THE EAST 149 FEET.**

**More commonly known as: 2551 MT OLIVE ST, SILOAM SPRINGS, AR 72761\_  
TERMS OF SALE:**

Are as set forth within the orders and foreclosure decree of the Benton County Circuit Court entered in Case No. CV2012-1723-6, including but not limited to the following - should any successful bidder fail to perform under the instructions of the Commissioner at time of sale, then that bid shall be void and set aside. The Commissioner thereafter shall find that the subject property be awarded to the next successive highest bidder, until performance is rendered.

Also, on a credit of three months, the purchasers are required to execute a bond as required by law and the order and decree of the Court with approved security, bearing interest at the maximum rate allowed by Arkansas law 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 1<sup>st</sup> day of August, 2013.

/s/Brenda DeShields, COMMISSIONER