

Reserved for recording
purposes ONLY.

2025R-00005814
Recorded in WESTERN
10/13/2025 12:40 PM
SARA HUFFMAN
Circuit Clerk - CARROLL County, AR

THIS FORM PREPARED BY:

Timothy D. Padgett, P.A.
415 North McKinley
Ste 1177
Little Rock, AR 72205
(850) 422-2520
PLG 25-009066-2

Grantor: TIMOTHY D. PADGETT, P.A.
Grantee: NED WHITLOCK BRITTAIN
(or as otherwise noted by the recorder)

MORTGAGEE'S NOTICE OF DEFAULT AND INTENTION TO SELL

YOU MAY LOSE YOUR PROPERTY IF YOU DO NOT TAKE IMMEDIATE ACTION

NOTICE IS HEREBY GIVEN that on **December 17, 2025, at or about 12:00 PM**, the subject real property described herein below will be sold **at the Front Door of the Carroll County Circuit Court, 44 South Main Street, Eureka Springs, AR 72632** to the highest bidder for cash. The sale will extinguish the interests of existing lien holders or previous owners in the property. THE TERMS OF SALE ARE CASH AT THE TIME OF SALE UNLESS OTHERWISE AGREED TO BY MORTGAGEE AND ALL TRANSFER TAXES WILL BE THE RESPONSIBILITY OF THE PURCHASER.

WHEREAS, the property secured under the Mortgage is located in Carroll (Eureka Springs District) County, Arkansas more particularly described as follows:

Lots 30 and 31, Block 44, Clayton Addition, Eureka Improvement Company survey to the City of Eureka Springs, Arkansas, and an unlotted portion of Block 44; more particularly described as follows to-wit: Beginning at the Southwest corner of Lot 31, Block 44, Clayton or Eureka Improvement Company Survey; thence West along a prolongation of the South line of said Lot 31 to the East line of Fuller Street; thence North on the East line of Fuller Street to a point on the East line of Fuller Street where a prolongation of the North line of Lot 30, Block 44, intersects the East line of

Fuller Street; thence Easterly along said prolongation of the North line of said Lot 30, to the Northwest corner of said Lot 30; thence South along the West line of Lot 30 and 31 to the point of beginning. All in Block 44, Clayton or Eureka Improvement Company Survey to the City of Eureka Springs, Arkansas.

Street Address: 26 Linwood Avenue, Eureka Springs, AR 72632

WHEREAS on December 6, 2017, Ned Whitlock Brittain, a single person executed a Mortgage in favor of Arvest Bank, which was recorded on **December 7, 2017, in Book 2017, Page 8459**, in the real estate records of Carroll (Eureka Springs District) County, Arkansas. The party initiating foreclosure is Arvest Bank and can be contacted at or in care of its servicer initiating foreclosure at: Arvest Bank, 801 John Barrow, Suite 1, Little Rock, AR 72205, at Telephone Number 501-716-3894; and

WHEREAS, there may be tenants that claim an interest in the real property herein based upon said tenancy; and

WHEREAS, the undersigned is the attorney for the mortgagee and is acting on and with the consent and authority of the mortgagee who is exercising its power of sale under Ark. Code Ann. §18-50-115 which implies a power of sale in every mortgage of real property situated in this state that is duly acknowledged and recorded; and default has occurred in the payment of said indebtedness, and the same is now therefore wholly due; and the holder of the debt has requested the undersigned to sell the property to satisfy said indebtedness.

The undersigned is an active, licensed member of the Bar of the Supreme Court of the State of Arkansas, and the law firm of the undersigned maintains an office at 415 N. McKinley St., Suite 1177, Little Rock, AR 72205 that is located within the State of Arkansas, is accessible to the public during regular business hours, and has the ability to accept funds from a grantor, mortgagor, or obligor to reinstate or pay off a mortgage or deed of trust.

WITNESS my hand this October 8, 2025.

TIMOTHY D. PADGETT, P.A.
SUBSTITUTE TRUSTEE FOR ARVEST BANK

By: Renee Price
Renee Price
Timothy D. Padgett, P.A.
415 North McKinley
Ste 1177
Little Rock, AR 72205
(850) 422-2520

STATE OF ARKANSAS)

) ss.

COUNTY OF PULASKI)

On this 8 day of October, 2025, before me, Erin Tylor Whitfield, a Notary Public, duly commissioned, qualified and acting, within and for said County and State, appeared in person the within named Renee Price of Timothy D. Padgett, P.A., being the person authorized by said Professional Association, to execute such instrument, stating their respective capacities in that behalf, to me personally well known, who stated that they were an attorney with Timothy D. Padgett, P.A., a Company, the Trustee for Arvest Bank, and was duly authorized in their respective capacity to execute the foregoing instrument for and in the name and behalf of said Company, and further stated and acknowledged that they had so signed, executed, and delivered said foregoing instrument for the consideration, uses, and purposes therein mentioned and set forth.

8 IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this
day of October, 2025.

My Commission Expires:

6-18-2031


Notary Public, State of Arkansas

[PLG 25-009066-2]

