

L202548679
BENTON CO. AR FEE \$165.00
PRESENTED & E-RECORDED
08/29/2025 02:32:14 PM
BRENDA DESHIELDS
Circuit Clerk & Recorder

Reserved for recording
purposes ONLY.

THIS FORM PREPARED BY:

Timothy D. Padgett, P.A.
415 North McKinley
Ste 1177
Little Rock, AR 72205
(850) 422-2520
PLG 25-010484-1

Grantor: TIMOTHY D. PADGETT, P.A.
Grantee: FREDY G. DIAZ
(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 **November 21, 2025, at or about 09:00 AM**, the subject real property described herein below will be sold **at the main entrance of the Benton County Courthouse, 102 Northeast A Street, Bentonville, AR 72712** 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 Benton County, Arkansas more particularly described as follows:

Lot 69, Garrett Road Subdivision, City of Rogers, Benton County, Arkansas, as shown on Plat Record 2007 at Page 968 and 969 plat records of Benton County, Arkansas

Street Address: 4403 West Murfield Drive, Rogers, AR 72758

WHEREAS on May 27, 2022, Fredy G. Diaz, a married person, and Monica Diaz executed a Mortgage in favor of Mortgage Electronic Registration Systems, Inc., as mortgagee, as nominee for Gateway Mortgage, a division of Gateway First Bank, which was recorded on **June 1, 2022 as Instrument Number L202236333**, in the real estate records of Benton County, Arkansas. The beneficial interest of said Mortgage has been assigned to TH MSR Holdings LLC, which is the party initiating foreclosure. The party initiating foreclosure is TH MSR Holdings LLC and can be contacted at or in care of its servicer initiating foreclosure at: RoundPoint Mortgage Servicing LLC, 446 Wrenplace Rd., Fort Mill, SC 29715, at Telephone Number (877) 426-8805; 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 August 29, 2025.

TIMOTHY D. PADGETT, P.A.
SUBSTITUTE TRUSTEE FOR TH MSR HOLDINGS LLC

By: _____



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 29 day of August, 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 TH MSR Holdings LLC, 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.

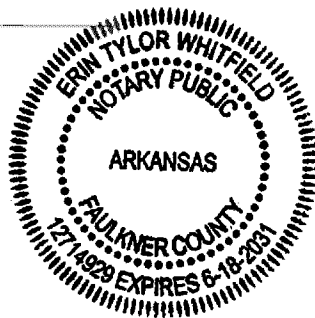
29 IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this day of August, 2025.

My Commission Expires:

6-18-2031

Erin Tylor Whitfield
 Notary Public, State of Arkansas

[PLG 25-010484-1]





CERTIFICATE OF RECORD
STATE OF ARKANSAS, COUNTY OF BENTON
I hereby certify that this instrument was
Filed and Recorded in the Official Records
in **Doc Num L202548679**
08/29/2025 02:32:14 PM
Brenda DeShields
BENTON COUNTY Circuit Clerk & Recorder