

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 26-004173-1

Grantor: TIMOTHY D. PADGETT, P.A.
Grantee: DAVID A BERGER, KARLA M BERGER
(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 **July 21, 2026, at or about 10:00 AM**, the subject real property described herein below will be sold **at the Main Entrance to the Miller County Courthouse, 400 Laurel Street, Texarkana, AR 71854** to the highest bidder for cash. *The Financial Crimes Enforcement Network ("FinCEN"), a bureau of the U.S. Department of Treasury, now requires the collection, certification and reporting of certain information relating to non-financed transfers of real property to legal entities and/or trusts, which such information the successful bidder(s) shall be expected to provide to the auctioneer at the time of the subject sale. Interested bidders with questions regarding the necessary information to be provided are hereby directed, generally, to FinCEN's website and, more specifically to the FinCEN Real Estate Report located in the forms bank thereof.* 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 Miller County, Arkansas more particularly described as follows:

Tract I:

A part of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section Four (4), Township Sixteen (16) South, Range Twenty-Eight (28) West, Miller County, Arkansas, being

more particularly described as follows:

Beginning 493.52 feet North and 638.07 feet West of the common corner of Sections 3, 4, 9, and 10, Township 16 South, Range 28 West, at a point in the centerline of a public road. Thence North 45 degrees 28 minutes West, 268.92 feet; Thence South 59 degrees 03 minutes West, with the Northerly and Westerly right-of-way line of a Utility Easement, 172.51 feet; Thence South 45 degrees 28 minutes East, 314.67 feet to a point in said centerline of road; Thence Northeasterly, with said centerline of road having a Central Angle of 36 degrees 24 minutes and a radius of 304.16 feet an arc distance of 169.23 feet to the Point of Beginning, and containing 1.10 acres of land, more or less.

Tract II:

A part of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section Four (4), Township Sixteen (16) South, Range Twenty-Eight (28) West, Miller County, Arkansas, being more particularly described as follows:

Beginning at 493.52 feet North and 638.07 feet West of the Common corner of Sections 3, 4, 9, and 10, Township 16 South, Range 28 West, Miller County, Arkansas, at a point in the centerline of a public road;

Thence North 45 degrees 28 minutes West, 268.92 feet;

Thence North 59 degrees 03 minutes East, 130.08 feet;

Thence South 38 degrees 47 minutes East, 263.73 feet;

Thence South 59 degrees 32 minutes West, with the proposed centerline of a public road, 98.75 feet to the Point of Beginning and containing 0.685 acres or land, more or less, and subject to such rights as may be vested in the public along the Westerly Boundary Line of the above described property for Power Line Easement, also along the Easterly Boundary line for said Public Road Right-of-Way.

Tract III:

All that certain tract or parcel of land situated in and being a part of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section Four (4), Township Sixteen (16) South, Range Twenty-Eight (28) West, Miller County, Arkansas, and the subject tract being more particularly described by metes and bounds as follows: Commencing at an iron pin for corner in the centerline of a public road, being North, 493.52 feet and West 638.07 feet from the common corner of Sections 3, 4, 9, and 10 of Township 16 South, Range 28 West, Miller County, Arkansas; Thence North 59 degrees 32 minutes 00 seconds East, 98.75 feet with the approximate centerline of said road to a 1-1/2 inch pipe found for corner and being the Point of Beginning for the herein described tract of land; Thence North

38 degrees 47 minutes 00 seconds West, 263.73 feet to a 1/2 inch iron pin found for corner; Thence North 59 degrees 03 minutes 00 seconds West, 19.98 feet to a 1/2 inch reinforcing steel rod set for corner; Thence South 38 degrees 47 minutes 00 seconds East, 263.90 feet to a 1/2 inch reinforcing steel rod set for corner in the approximate center of said road;

Thence South 59 degrees 32 minutes 00 seconds West, 20.00 feet to the Point of Beginning and containing 0.121 acres or land, more or less, save and except and/or being subject to any rights vested to the public in the right-of-way of the road located on the Southeast side of the herein described tract of land.

Tract IV:

All that certain tract or parcel of land situated in and being a part of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section Four (4), Township Sixteen (16) South, Range Twenty-Eight (28) West, Miller County, Arkansas, and the subject tract being more particularly described by metes and bounds as follows:

Commencing at an iron pin for corner in the centerline of a public road, being North, 493.58 feet and West, 638.07 feet from the common corner of Sections 3, 4, 9, and 10 of Township 16 South, Range 28 West, Miller County, Arkansas; Thence Southwesterly with a curve to the left having a radius of 304.16 feet; a distance of 169.03 feet, through a central angle of 31 degrees 50 minutes 25 seconds to a 1/2 inch iron pin found for corner and being the Point of Beginning for the herein described tract of land; Thence Southwesterly with the approximate center of a road, being a curve to the left having a radius of 1819.70 feet, a distance of 121.92 feet, through a central angle of 03 degrees 50 minutes 20 seconds (Chord being South 25 degrees 46 minutes 52 seconds West, 121.90 feet) to an iron bar found at the end of said curve; Thence south 04 degrees 34 minutes 26 seconds West, 9.00 feet to a railroad spike set for corner; Thence north 48 degrees 36 minutes 49 seconds West, 151.90 feet to a 1/2 inch reinforcing steel rod set for corner. Thence North 42 degrees 32 minutes 31 seconds East, 106.81 feet to a 1/2 inch reinforcing steel rod set for corner;

Thence North 45 degrees 28 minutes 00 seconds West, 210.45 feet to a 1/2 inch reinforcing steel rod set for corner; Thence North 59 degrees 03 minutes 00 seconds East, 24.71 feet to an iron pin found for corner; Thence South 45 degrees 28 minutes

00 seconds East, 314.67 feet to the Point of Beginning and containing 0.493 acres or land, more or less, save and except and/or Being subject to any rights vested to the public in the right-of-way of the road located on the Southeast side of the herein described tract of land.

Street Address: 3519 Byrnell Lane, Texarkana, AR 71854

WHEREAS on May 16, 2022, David A Berger and Karla M Berger, husband and wife executed a Mortgage in favor of Mortgage Electronic Registration Systems, Inc., solely as nominee for Mortgage Research Center, LLC dba Veterans United Home Loans, its successors and assigns, which was recorded on **May 17, 2022 as Instrument Number 2022R004099**, in the real estate records of Miller County, Arkansas. The beneficial interest of said Mortgage has been assigned to Mortgage Research Center, LLC d/b/a Veterans United Home Loans, a Missouri Limited Liability Company, which is the party initiating foreclosure. The party initiating foreclosure is Mortgage Research Center, LLC d/b/a Veterans United Home Loans, a Missouri Limited Liability Company and can be contacted at or in care of its servicer initiating foreclosure at: Nationstar Mortgage LLC, PO Box 619080, Dallas, TX 75261, at Telephone Number 214-756-2432; 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 North McKinley, Ste 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.

