THIS INSTRUMENT PREPARED BY AND TO BE RETURNED TO Mickel Law Firm, P.A. 1501 North University Ste. 930 Little Rock, AR 72207

Grantor: Melton, Joe W. and Melton, Stephanie V.

Grantee: NewRez LLC d/b/a Shellpoint Mortgage Servicing

#### NOTICE OF DEFAULT AND INTENTION TO SELL

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

# IF YOUR PROPERTY IS SOLD YOU WILL REMAIN LIABLE FOR ANY DEFICIENCY AND AN ACTION TO COLLECT IT MAY BE BROUGHT AGAINST YOU

## THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION GIVEN MAY BE USED FOR THAT PURPOSE.

**NOTICE IS HEREBY GIVEN** that on Friday, October 13, 2023, at or about 1:00 PM, the following real property will be sold and this statutory foreclosure sale will be held at the front door, inside the main entrance of the Pope County Courthouse, 100 W. Main Street, Russellville, Arkansas, or the sale will be held in the place at said venue where foreclosure sales are customarily advertised and/or conducted, to the highest bidder for cash:

A part of the SW 1/4 of the SW 1/4 of Section 3, T-7-N, R-20-W, Russellville, Pope County, Arkansas, more particularly described as follows: Commencing at the NW corner of said SW 1/4 of the SW 1/4; thence North 89 degrees 39 minutes 40 seconds East, 310.00 feet to the point of beginning; thence North 88 degrees 44 minutes 15 seconds East 188.50 feet; thence South 00 degrees 41 minutes 10 seconds East 166.95 feet; thence South 88 degrees 44 minutes 15 seconds West 190.50 feet; thence North 167.00 feet to the point of beginning. Containing 0.73 acres, more or less. Subject to a 20.00 foot wide easement along the North side of the above described property.

More Commonly Known As: 500 North Louisville Avenue, Russellville, AR 72801.

On January 7, 2004, Joe W. Melton and Stephanie V. Melton executed a security instrument in favor of Mortgage Electronic Registration Systems, Inc ("MERS") solely as nominee for Mortgage Investors Corporation, which was recorded on January 15, 2004, in Record Book 04-3 at Page 742 in the real estate records of Pope County, Arkansas and is now held by NewRez LLC d/b/a Shellpoint Mortgage Servicing.

The default for which foreclosure is made is due to the failure of payment per the terms of the note and security instrument and is now wholly due. Mortgagee or Beneficiary is exercising its power of sale under Ark. Code Ann. Section 18-50-115 and as such has directed Mickel Law Firm, P.A., as its Attorney-in-Fact or Trustee, to sell the property to satisfy said indebtedness. The party initiating this foreclosure can be contacted at or in care of its servicer: Shellpoint Mortgage Servicing,

Melton, Joe W. and Melton, Stephanie V.

Case: 108126-1

55 Beattie Place, Suite 100, Greenville, SC 29601-2743, Phone (864) 312-4704.

This sale is subject to all matters shown on any applicable recorded plat or bill(s) of assurance; any restrictive covenants, easements, set back lines or encroachments; any unpaid and/or delinquent taxes or special assessments; any statutory redemption rights of any governmental entity; any prior liens or encumbrances as well as any priority created by a UCC or fixture filing; and, to any matter that an accurate survey of the property might disclose. This property is being sold "as is" with no representation as the condition of any structure(s) thereon or the accuracy of the above legal description. Transfer taxes and recording fees are the responsibility of the purchaser.

Dated: July 27, 2023

Mickel Law Firm, P.A.

1501 North University

Ste. 930

Little Rock, AR 72207

Phone: 888-217-5535

By:

Stephen P. Lowman

#### **ACKNOWLEDGMENT**

STATE OF ARKANSAS )
) ss.
COUNTY OF PULASKI )

On this 27th day of July, 2023, before me, Lenee Tyson, a Notary Public, duly commissioned, qualified and acting, within and for any State and County, appeared in person the within named Stephen P. Lowman, an attorney of Mickel Law Firm, P.A., a corporation, was duly authorized in his respective capacity to execute the foregoing instrument(s) for and in the name and behalf of said corporation, business trust, estate, partnership, limited liability company, association, joint venture or other legal entity, and further stated and acknowledged that he/she had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 27th day of July 2023.

Notary Public

Melton, Joe W. and Melton, Stephanie V. Case: 108126-1

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