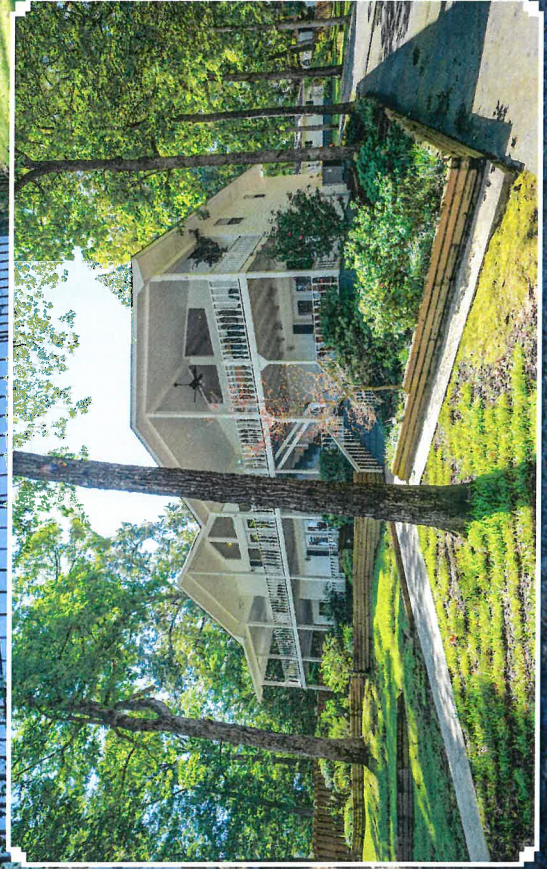


# LAKE HAMILTON ABSOLUTE LUXURY HOME & PERSONAL PROPERTY AUCTION

Tuesday  
October 2, 2018  
10:00 A.M.

109 Culbreath Point  
Hot Springs, Arkansas



- Incredible, 4BR/ 3BA Home w/ 101± Ft. of Lake Hamilton Frontage, Boat Dock & Launch Ramp
- 3,900± SF, Vinyl Exterior Home in Like New, Move-in Ready Condition
- Also Selling a 2013 Sun Tracker Pontoon Boat, Houseful of Furniture & Décor Items
- All Selling Regardless of Price!



WilsonAuctioneers.com

September 4, 2018

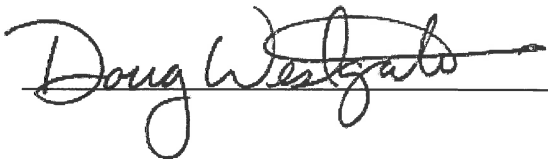
Dear Prospective Buyer:

This incredible 3,900+/- square foot, completely remodeled 4 bedroom/ 3 bathroom, vinyl siding exterior home has 101+/- feet of prime Lake Hamilton frontage, and a seawall. There is also a permanent, covered boat dock with a party deck and a private boat launch ramp. This professionally landscaped, privacy fenced lot has a security gated entrance and a 2-car attached garage with a separate detached garage/workshop and a paved circle drive. The property is conveniently off Thornton Ferry Road, only minutes from the Martin Luther King Expressway. The house was remodeled in 2016 with new hardwood floors, carpet and tile throughout, new custom cabinetry, built-ins, fixtures and crown molding, new drywall, designer paint and tons of beautiful granite throughout the entire home. There is a whole home security system that can be controlled and monitored by a smartphone. This house has a newer roof and central heat and air. All underground utilities including natural gas are available. This property is in Lake Hamilton School District, and **it's selling regardless of price to the highest bidder on auction day!**

The **main level** consists of 2,686+/- square feet featuring an open living area with a fireplace, high ceilings and huge picture windows overlooking the lake. The open gourmet kitchen has stainless steel appliances, a large island, and a pull-out pantry, and the dining area has a built-in buffet. The master suite has a walk-in tile shower, separate jetted tub, dual vanities, and a walk-in closet. There are 2 additional bedrooms and a full bathroom, plus the laundry room on this level. The inviting covered back deck is across the entire length of this home.

The **lower level** consists of 1,216+/- square feet; perfect for guests, in-laws or entertaining. This level contains a spacious living/dining area with a fireplace, a 2nd full kitchen, and a 2nd master suite with a full bathroom. The lower level covered patio overlooks the lake and is great for entertaining.

If you have further questions after reviewing this information packet please don't hesitate to call me, **Doug Westgate, at (501) 815-4004**. We look forward to working with you on auction day at **109 Culbreath Point in Hot Springs, Arkansas at 10:00 a.m. on October 2nd**.

A handwritten signature in black ink that reads "Doug Westgate". The signature is written in a cursive style and is positioned above a horizontal line.

Doug Westgate, Agent  
Wilson Real Estate Auctioneers, Inc.

## GENERAL INFORMATION

**LEGAL DESCRIPTION:** See Attachment

**TERMS AND CONDITIONS:** \$50,000.00 Cashier's Check (**NO EXCEPTIONS**) Down Day of Auction, as Earnest Money ~ Balance Due at Closing ~ Closing within 30 Days ~ Title Insurance with Warranty Deed Provided at Closing ~ Property Sold Free & Clear of any Liens & Encumbrances ~ 10% Buyer's Premium ~ **Offers Prior to Auction are Welcome.**

**CLOSING COMPANY:** Lenders Title Company ~ Closing Agent: Shanda Dunlap ~ 110 Ouachita Avenue, Hot Springs, Arkansas 71901 ~ (501) 624-2541 ~ Fax/ 623-4552.

**GENERAL INFORMATION:** Incredible 3,900+/- SF, Completely Remodeled 4 Bedroom/ 3 Bath, Vinyl Siding Exterior Home w/ 101+/- Ft. of Prime Lake Hamilton Frontage & Seawall ~ Permanent, Covered Boat Dock w/Party Deck & Private Boat Launch Ramp ~ Professionally Landscaped, Privacy Fenced Lot w/Security Gated Entrance ~ 2-Car Attached Garage w/Separate Detached Garage/Workshop & Paved Circle Drive ~ Conveniently Located off Thornton Ferry Road, Only Minutes from MLK EXPWY ~ Remodeled in 2016 w/New Hardwood Floors, Carpet & Tile Throughout, New Custom Cabinetry, Built-ins, Fixtures & Crown Molding, New Drywall, Designer Paint & Tons of Beautiful Granite Throughout Entire Home ~ **Main Level** Consists of 2,686+/- SF ~ Open Living Area w/Fireplace, High Ceilings & Huge Picture Windows Overlooking the Lake ~ Open Gourmet Kitchen w/ S/S Appliances, Large Island & Pull-out Pantry ~ Dining Area w/Built-in Buffet ~ Master Suite w/Walk-in Tile Shower, Separate Jetted Tub, Dual Vanities & Walk-in Closet ~ (2) Additional Bedrooms & Full Bath ~ Laundry Room ~ Inviting Covered Back Deck Across the Entire Length of Home ~ **Lower Level** Consists of 1,216+/- SF ~ Perfect for Guests, In-laws or Entertaining ~ Spacious Living/Dining Area w/Fireplace ~ 2nd Full Kitchen ~ 2nd Master Suite w/Full Bath ~ Lower Level Covered Patio Overlooking the Lake & Great for Entertaining ~ Whole Home Security System Controlled & Monitored by Smartphone ~ Newer Roof & CH/A ~ All Underground Utilities Including Natural Gas ~ Lake Hamilton School District ~ **Remember, it's Selling Regardless of Price to the Highest Bidder on Auction Day!**

**REAL ESTATE TAXES FOR YEAR 2017:** \$4,031.00

**SCHOOL DISTRICT:** Lake Hamilton

The information in this packet is believed to be accurate and from reliable sources, but we make no representation or warranties, expressed or implied, as to the accuracy of the information. All references to age, square footage, income, taxes, aerials, plats, surveys and expenses, but not limited to, are approximate. Buyers should conduct their own independent investigations and rely only on those results. Neither Wilson Real Estate Auctioneers, Inc. nor the Seller assumes liability for the information provided.

## LEGAL DESCRIPTION:

A tract of land lying in the NE1/4 SE1/4, Section 9, T3S, R20W, Garland Co., Arkansas, more particularly described as follows: Commence at the Northwest corner of Lot 70, Block 2, Beach Haven Subdivision and the Point of Beginning; thence S 88 deg. 22' 35" E, along the 400' contour of Lake Hamilton, 20.00' to an 1-1/2" rebar with cap; thence S 14 degrees 49' 22" E, 236.58' to a 3/8" rod; thence S 33 degrees 15' 36" W, 107.51' to a spike; thence N 33 degrees 48' 46" W, 202.99' to a spike; thence N 32 degrees 06' 05" E, 75.03' to a 1-1/4" pipe; thence N 30 degrees 39' 13" E, 101.08' to a 3/4" pipe in concrete and the Point of Beginning.

### **ALSO:**

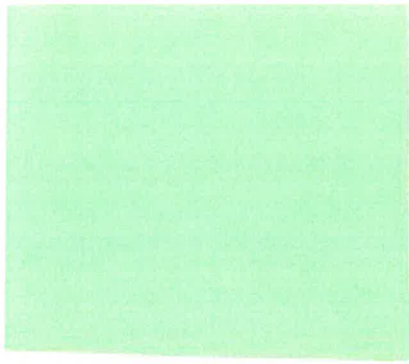
Part of the NE1/4 SE1/4 Section 9, Township 3 South, Range 20 West, Garland County, Arkansas, described as follows: Commence at the NW corner of Lot 70, Block 2, of Beach Haven Subdivision; thence South 88 degrees 22 minutes 35 seconds East, 20.00 feet to the Point of Beginning; thence South 88 degrees 22 minutes 35 seconds East, 55.00 feet; thence South 1 degree 23 minutes 55 seconds East, 227.22 feet to a 3/8" rod; thence North 14 degrees 49 minutes 22 seconds West, 236.58 feet to the Point of Beginning.

(All the above according to the survey by Vincent C. Harris, Registered Professional Land Surveyor, dated March 14, 2013.)

### **ALSO:**

Part of the NE1/4 SE1/4 Section 9, Township 3 South, Range 20 West, Garland County, Arkansas, described as follows: Commence at the NE corner of Lot 71, Block 2, Beach Haven Subdivision for the Point of Beginning; thence North 88°21'58" West, a distance of 26.57 feet to a set #4 rebar in fence; thence South 07°15'55" West, along a fence, a distance of 33.12 feet; thence South 34°03'32" West, along a fence, a distance of 125.27 feet to a found T-post by fence corner; thence South 32°59'15" East, along a fence, a distance of 17.45 feet; thence North 32°06'05" East, a distance of 75.03 feet to a found pipe; thence North 30°39'13" East, a distance of 101.08 feet to the Point of Beginning.





MLK EXPWY



HWY 270 / Albert Pike Rd

Piney



Thorton Ferry Rd.

**109 Culbreath Point**



Culbreath Point

Beach Haven Rd.

Haggard Loop

# WILSON REAL ESTATE AUCTIONEERS, INC.

## TERMS OF AUCTION

Wilson Real Estate Auctioneers, Inc., an Arkansas corporation headquartered at 929 Airport Road, Hot Springs, Arkansas 71913 (telephone 877-243-2289 or 501-624-1825 and facsimile 501-624-3473) and its Arkansas broker, Joe R. Wilson (“Broker”) whose address is 929 Airport Road, Hot Springs, Arkansas 71913 (these parties collectively “Auctioneer”) have contracted with (“Seller”) to offer to sell at public auction (“Auction”) certain real property (“Property”). These terms, plus any additions, deletions, and/or revisions announced by Auctioneer before the commencement of the Auction, represent the exclusive terms for the Auction (“Terms of Auction”).

1. **AGENCY:** Auctioneer is acting exclusively as an agent for Seller and not as an agent for any Bidder or Buyer. No third-party broker is acting as a sub-agent of Auctioneers.
2. **PROPERTY:** The Property is described in the Property Information Packet (“Information Packet”), a copy of which is available from Auctioneer and posted at the Auction.
3. **DUE DILIGENCE:** Seller and Auctioneer do not attempt to provide Bidder with all of the information Bidder may need to make an informed decision about the Auction and Property. Bidder should obtain professional advice and conduct due diligence on the Property, title commitment (available from Auctioneer and posted at the Auction), surrounding area, all information provided by Seller or Auctioneer, “Property Information Packet” (available from Auctioneer, online at [www.wilsonauctioneers.com](http://www.wilsonauctioneers.com), and posted at the Auction), public records, Terms of Auction, Auction, Sale Contract, transaction contemplated, and all circumstances, defects, facts, issues, matters, problems, and other relevant matters (collectively “Property Issues”). All information provided by Auctioneer came from Seller and is believed to be accurate, but neither Seller nor Auctioneer guarantees, represents, or warrants its accuracy or completeness and Bidder should not rely upon it without independent inspection and verification from sources Bidder knows to be reliable. Seller and Auctioneer are not required to update any information provided or published and shall have no liability on any basis for failing to do so.
4. **DISCLAIMER:** Participation in the Auction is at Bidder’s sole risk and Seller and Auctioneer, plus their agents, contractors and employees, shall have no liability on any basis. The Property will be offered in “**AS IS, WHERE IS**” condition. To the fullest extent allowed by law, Seller and Auctioneer unconditionally disclaim any guarantee, representation, or warranty of every kind, whether expressed, implied, or statutory, whether oral or written, whether past, present, or future, with respect to all Property Issues, except as expressly provided in the Terms of Auction and the Sale Contract.
5. **DISCLOSURES:** The Property will be offered for sale and conveyed subject to all conditions, covenants, deeds, easements, reservations, restrictions, right-of-ways, title exceptions and matters of record. Maps, depictions and sketches in any materials related to the Property are for illustration purposes only and Seller and Auctioneer do not guarantee, represent, or warrant their accuracy or completeness, Residential dwellings built prior to 1978 may include lead-based paint. Buyer of such property must immediately execute a “Lead-Based Paint Waiver” in favor of Seller to be made part of the Sale Contract, thereby waiving Buyer’s right to conduct any risk assessment or inspection for lead-based paint hazards. Every Bidder should read and understand the lead hazard information pamphlet provided and the “Lead Warning Statement” in the Sale Contract.
6. **REGISTRATION:** Any competent adult with a satisfactory photo identification who properly registers and complies with the Terms of Auction may bid. Auctioneer may refuse to register or expel any person who is disruptive, noncompliant, or previously caused a problem for Seller or Auctioneer. Bidder must present a cashier’s check in the amount specified under “Terms on Real Estate” to Auctioneer at registration. This must be in the form of cashier’s check, made payable to Bidder. Any person intending to bid on behalf of another must present Auctioneer with an executed, enforceable, recorded and unexpired power of attorney which is subject to Auctioneer’s approval. The requirements for Bidder registration may be waived by Auctioneer with respect to any Bidder, without waiving same for any other Bidder. By registering, Bidder acknowledges receipt of the Terms of Auction and access to the Sale Contract and unconditionally and irrevocably agrees to be bound by both.

7. *BUYER'S PREMIUM:* A ten-percent (10.00%) buyer's premium shall be in effect for the Auction and added to the amount of the highest bid to arrive at the selling price for the Property ("total contract price").
8. *AUCTION:* Auctioneer's discretion includes, but is not limited to, the auction method, bid-calling, bid increments and determining the buyer. The decision of Auctioneer is final regarding all matters that arise before, during, or after the Auction. Seller shall not bid. Bidder shall not retract any bid. Bidder's purchase shall be considered a single transaction whether of the whole or a fraction of the Property. The sale of any fraction of the Property shall not be contingent upon the sale of any other portion thereof, whether purchased by the same Buyer or not.
9. *SALE CONTRACT:* This is a cash sale and not contingent upon any matter, including Buyer obtaining financing. Buyer shall immediately execute the Sale Contract and all related documents presented by Auctioneer to bind Bidder and Seller to the sale of the Property. Any Buyer purchasing on behalf of a business or arm of government ("artificial person") shall immediately execute the Sale Contract in both the artificial person's and buyer's names, until such time as the artificial person presents Auctioneer with acceptable, written evidence of the artificial person's good standing in its state of formation, plus written authority, in a form acceptable to Auctioneer, agreeing to be bound by the Sale Contract. The Terms of Auction are incorporated into the Sale Contract which defines the entire agreement between Seller and Buyer. The Terms of Auction complement the Sale Contract and, in the event of any conflict between them, the Sale Contract shall control in all instances. Buyer shall execute the Sale Contract and no addition, deletion, or revision shall be permitted.
10. *DEPOSIT:* Buyer shall immediately pay to Wilson Real Estate Auctioneers, Inc. a cashier's check in the amount specified under "Terms on Real Estate". If for any reason Buyer fails to timely execute the Sale Contract or pay the deposit, Seller has sole discretion, to: (a) pursue all legal and equitable remedies available against Buyer, or (b) declare Buyer's bid to be immediately forfeited, null and void, without any requirement of notice, and immediately re-sell the Property to another buyer.
11. *ARBITRATION:* Any action, claim, controversy, counterclaim, dispute, or proceeding arising out of the Property Issues and involving Seller, Bidder, Buyer, or Auctioneer, in any combination, whether controlled by federal or state law, and whether an issue of law or equity, including the determination of the scope and applicability of this agreement to arbitrate, shall be determined and resolved exclusively by final and binding arbitration, with no appeal permitted, except as provided by applicable law for the judicial review or enforcement of arbitration decisions. The arbitration shall be administered by Judicial Arbitration and Mediation Services, Inc., or its successor, and decided by a panel of three (3) independent arbitrators. Judgment on the arbitration award may be entered in any court having jurisdiction. The parties waive the right to any legal action and trial by jury. The costs of arbitration, including the fees and expenses of the arbitrators, but not including the parties' attorneys' fees, shall initially be paid equally by them. The prevailing party shall be entitled to collect from the other its full costs associated with the arbitration, including reasonable attorneys' fees. All aspects of any arbitration shall be permanently kept confidential and not disclosed in any form or manner to any entity, media, or person, and the parties shall jointly move the court entering judgment on the arbitration award to so order. Any arbitration must be commenced within two (2) years from the date when the cause of arbitration accrues or it will be forever barred. The right of arbitration shall accrue, and the two (2) year limitation period shall begin to run on the date the breach, damage, or injury is sustained and not when the resulting damage or harm is discovered.
12. *CHOICE OF LAW, JURISDICTION AND VENUE:* Any Auction matter shall be exclusively construed and governed in accordance with the laws of the State of Arkansas without regard to its conflict of laws principles. The exclusive jurisdiction and venue for any controversy or claim between the parties shall be the County of Garland in the State of Arkansas.
13. *MISCELLANEOUS:* The Terms of Auction shall bind Bidders and their agents, assigns, attorneys, beneficiaries, brokers, directors, distributes, employees, executors, heirs, legatees, officers, representatives, shareholders and successors in interest. No deletion, modification, supplement, or waiver of any provision of the Terms of Auction shall be made, except by Auctioneer's written revision or announcement at the Auction.

**ATTENTION: LAKE HAMILTON HOME BUYERS & REAL ESTATE INVESTORS!**

Incredible, 4BR/ 3BA Home w/ 101+/- Ft. of Lake Hamilton Frontage, Boat Dock & Launch Ramp ~ 3,900+/- SF, Vinyl Exterior Home in Like New, Move-in Ready Condition ~ Also Selling a 2013 Sun Tracker Pontoon Boat, Houseful of Furniture & Décor Items ~ **ALL SELLING REGARDLESS OF PRICE!**

**LAKE HAMILTON ABSOLUTE LUXURY  
HOME & PERSONAL PROPERTY AUCTION  
TUESDAY ~ OCTOBER 2, 2018 ~ 10:00 A.M.  
109 CULBREATH POINT ~ HOT SPRINGS, AR**

**DIRECTIONS:** From (Exit 1) on MLK EXPWY in Hot Springs, go 1 Mi. West on HWY 270/Albert Pike Road ~ Turn Left onto Thornton Ferry Road & go 1.5 Mi. ~ Turn Left onto Beach Haven Road & go 0.3 Mi. ~ Turn Left onto Haggard Loop & then Turn Left onto Culbreath Point ~ Watch for Auction Sign & Gate on the Left.

**REAL ESTATE DESCRIPTION:** Incredible 3,900+/- SF, Completely Remodeled 4 Bedroom/ 3 Bath, Vinyl Siding Exterior Home w/ 101+/- Ft. of Prime Lake Hamilton Frontage & Seawall ~ Permanent, Covered Boat Dock w/Party Deck & Private Boat Launch Ramp ~ Professionally Landscaped, Privacy Fenced Lot w/Security Gated Entrance ~ 2-Car Attached Garage w/Separate Detached Garage/Workshop & Paved Circle Drive ~ Conveniently Located off Thornton Ferry Road, Only Minutes from MLK EXPWY ~ Remodeled in 2016 w/New Hardwood Floors, Carpet & Tile Throughout, New Custom Cabinetry, Built-ins, Fixtures & Crown Molding, New Drywall, Designer Paint & Tons of Beautiful Granite Throughout Entire Home ~ **Main Level** Consists of 2,686+/- SF ~ Open Living Area w/Fireplace, High Ceilings & Huge Picture Windows Overlooking the Lake ~ Open Gourmet Kitchen w/ S/S Appliances, Large Island & Pull-out Pantry ~ Dining Area w/Built-in Buffet ~ Master Suite w/Walk-in Tile Shower, Separate Jetted Tub, Dual Vanities & Walk-in Closet ~ (2) Additional Bedrooms & Full Bath ~ Laundry Room ~ Inviting Covered Back Deck Across the Entire Length of Home ~ **Lower Level** Consists of 1,216+/- SF ~ Perfect for Guests, In-laws or Entertaining ~ Spacious Living/Dining Area w/Fireplace ~ 2nd Full Kitchen ~ 2nd Master Suite w/Full Bath ~ Lower Level Covered Patio Overlooking the Lake & Great for Entertaining ~ Whole Home Security System Controlled & Monitored by Smartphone ~ Newer Roof & CH/A ~ All Underground Utilities Including Natural Gas ~ Lake Hamilton School District ~ **Remember, it's Selling Regardless of Price to the Highest Bidder on Auction Day!** ~ For Additional Information or Photos, Visit [WilsonAuctioneers.com](http://WilsonAuctioneers.com) or Contact our Office Toll Free: 877-243-2289.

**PARTIAL LIST OF PERSONAL PROPERTY:** 2013 Sun Tracker Fishin' Barge Pontoon Boat & Trailer, Houseful of Quality Living Room, Dining Room & Bedroom Furniture & Home Décor Items, Maytag Washer & Dryer, TVs, Kitchenware & More.

**AUCTIONEER'S NOTE:** If you're looking for an immaculate luxury Lake Hamilton home in a quiet cove, on a gently sloping lot, with a boat dock and private ramp you have just found it. This home is a must see and remodeled to the highest of standards in 2016. Don't miss this opportunity!

**TERMS ON REAL ESTATE:** \$50,000.00 Cashier's Check (NO EXCEPTIONS) Down Day of Auction, as Earnest Money ~ Balance Due at Closing ~ Closing within 30 Days ~ Title Insurance with Warranty Deed Provided at Closing ~ Property Sold Free & Clear of any Liens & Encumbrances ~ 10% Buyer's Premium ~ **Offers Prior to Auction are Welcome.**

**TERMS ON PERSONAL PROPERTY:** Cash, Check & All Major Credit Cards Accepted ~ 10% Buyer's Premium.

**INSPECTION:** Home can be Inspected by Appointment ~ Contact Agent, **Doug Westgate at 501-815-4004/ [doug@wilsonauctioneers.com](mailto:doug@wilsonauctioneers.com)** to View this Home Today ~ Doors Open & Auctioneers will be On-site at 8:00 a.m. on Auction Day.

*Announcements made day of sale take precedence over printed material.*

**WILSON REAL ESTATE AUCTIONEERS, INC.**

*Leading Real Estate Auctioneers "Since 1961"*

501-624-1825 \* PB00000481, Joe Wilson

WEBSITE: [WilsonAuctioneers.com](http://WilsonAuctioneers.com) - AAL #4