

# 34± ACRE STONE COUNTY COURT ORDERED FARM AUCTION

**Tues. | June 4th | 10:00 A.M.**  
**254 Ross Rd. | Fox, AR 72051**



AR 263

ROSS ROAD

FOX HOLLOW ROAD

FOX HOLLOW ROAD

1,988± SF | 3 Bedrooms | 2 Bathrooms  
33.5± AC w/Over 2,700± Ft. of Road Frontage  
Selling to Settle the James E. Carroll Estate

# 1± ACRE STONE COUNTY COURT ORDERED REAL ESTATE AUCTION

**Tues. | June 4th | 10:00 A.M.**  
**AR 9 @ AR 263 | Rushing, AR 72153**  
**Selling From:**  
**254 Ross Rd. | Fox, AR 72051**

AR 263

AR 9

AR 9

1.4± AC Tract w/ 450± Ft. of HWY 9 Frontage | 1,100 Vehicles Per Day Traffic Count  
Selling Regardless of Price to the Highest Bidder on Auction Day!



[WilsonAuctioneers.com](http://WilsonAuctioneers.com)

May 7, 2019

Dear Prospective Buyer:

This beautiful 33.5+/- acre farm (**254 Ross Road, Fox, AR**) is selling to settle the James E. Carroll Estate. Located just off Highway 263 north of Fox, Arkansas, this rolling tract of land is mostly fenced and gated. The property has 1,100+/- feet of frontage on Ross Road and 1,700+/- feet of frontage on Fox Hollow Road running through the interior. This land includes a fenced 6+/- acre pasture. The home has a 5-year-old roof and working utilities. The house needs repairs and updating but would make a great hunting cabin or weekend getaway.

This property has several choice sites to build a new home with scenic ridges overlooking the Ozark Mountains. The property has a creek channel and spring. This is prime deer and turkey hunting land. The utilities include electricity, excellent well water with a new pump, septic tank, and propane (leased tank removed). Excellent public schools are part of Mountain View's Rural Special School District serving grades K thru 12. This property is in the Fox Fire District.

If you have further questions after reviewing this information packet please don't hesitate to call me, **Gladys Webb, at (501) 766-0605**. We look forward to working with you on auction day at **254 Ross Road in Fox, Arkansas at 10:00 a.m. on June 4th.**

A handwritten signature in cursive script, reading "Gladys Webb", is written over a horizontal line.

Gladys Webb, CAI  
Wilson Real Estate Auctioneers, Inc.

**GENERAL INFORMATION**  
**254 Ross Road – Fox, Arkansas 72051**

**LEGAL DESCRIPTIONS:** See Attachment

**TERMS AND CONDITIONS:** \$10,000.00 Cashier's Check ***made Payable in Your Name or Wilson Auctioneers, Inc.*** Down Day of Auction, as Earnest Money ~ Balance Due at Closing ~ Title Insurance with Warranty Deed Provided at Closing ~ Closing within 30 Days ~ 10% Buyer's Premium ~ **Offers Prior to Auction are Welcome.**

**CLOSING COMPANY:** Mountain View Abstract & Title Company ~ Closing Agent: Lesa Mitchell ~ 111 East Main Street, Mountain View, Arkansas 72560 ~ (870) 269-8410 ~ Fax/ 269-6901.

**GENERAL INFORMATION:** Beautiful 33.5+/- Acre Farm Selling to Settle the James E. Carroll Estate ~ Located just off HWY 263 North of Fox, this Rolling Tract of Land is Mostly Fenced & Gated ~ 1,100+/- Ft. of Frontage on Ross Rd. & 1,700+/- Ft. of Frontage on Fox Hollow Rd. Running Through the Interior ~ Includes a Fenced 6+/- Acre Pasture ~ Home has 5-Year-Old Roof & Working Utilities ~ Needs Repairs & Updating, but Would Make a Great Hunting Cabin or Weekend Getaway ~ Several Choice Sites to Build a New Home w/Scenic Ridges Overlooking the Ozark Mountains ~ Property has a Creek Channel & Spring ~ Prime Deer & Turkey Hunting Land ~ Utilities Include Electricity, Excellent Well Water w/New Pump, Septic Tank & Propane (Leased Tank Removed) ~ Excellent Public Schools are Part of Mtn. View's Rural Special School District Serving Grades K thru 12 ~ Fox Fire District ~ Offers Prior to Auction Day are Welcome!

**REAL ESTATE TAXES FOR YEAR 2018:** \$270.00

**SCHOOL DISTRICT:** Mountain View's Rural Special School District

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, aerals, 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.

Address: 254 Ross Road, Fox, Arkansas 72051

## Legal Description

NW 1/4 NW 1/4, Section 29, Township 14 North, Range 12 West

Pt. SW 1/4 NW 1/4, described as being all that Part of said SW 1/4 NW 1/4, lying North and East of County Road; Section 29, Township 14 North, Range 12 West

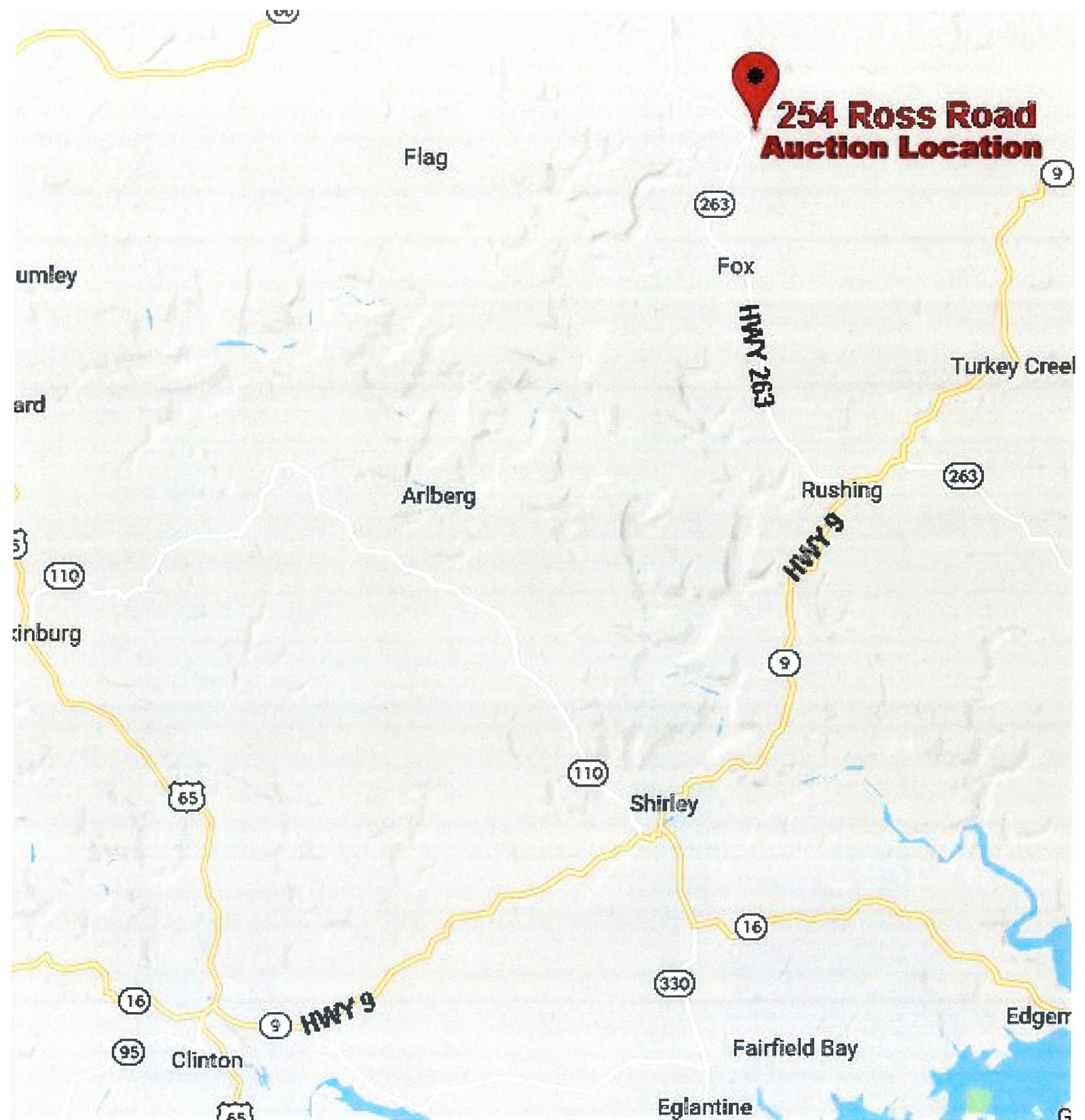
**LESS AND EXCEPT THE FOLLOWING TRACT:** Pt. NW 1/4 NW 1/4 and Pt. SW 1/4 NW 1/4, Section 29, Township 14 North, Range 12 West of the Fifth Principal Meridian located in Stone County, Arkansas, more particularly described as follows: Beginning at the NW corner of the NW 1/4 NW 1/4 of Section 29, Township 14 North, Range 12 West, thence along the North line S 89 deg 45' E 1321.8 feet to the NE corner, thence along the East line South 1320 feet to the SE corner, thence continue South 176 feet to a point in the center of a road, thence along center of said road N 80 deg W 120 feet, N 76 deg 15' W 375 feet, S 88 deg 30' W 185 feet, S 62 deg W 100 feet, S 34 deg 30' W 50.5 feet, thence leaving said road run N 49 deg W 200 feet, thence N 47 deg W 320 feet, thence N 54 deg W 178 feet to a point in the West line of the NW 1/4 NW 1/4, thence along said line North 1060 feet to the point of beginning.







## 254 Ross Road Auction Location



# **ATTENTION: HOME & LAND BUYERS, HUNTERS & INVESTORS!**

1,988+/- SF, 3BR/ 2BA Older Home on 33.5+/- Acres in Stone County ~ Scenic Views ~ Mostly Covered in Timber w/ 6+/- Acres in Pasture ~ Over 2,700+/- Ft. of Road Frontage ~ Live, Online Bidding Available!

## **34+/- ACRE STONE COUNTY COURT ORDERED FARM AUCTION**

**TUESDAY ~ JUNE 4, 2019 ~ 10:00 A.M.**

**254 ROSS ROAD ~ FOX, AR 72051**

**DIRECTIONS:** From Clinton, at the Junction of US 65 & AR 9/16, Travel Northeast on AR 9 for Approx. 18 Mi. ~ Continue North on AR 263 for Approx. 7.5 Mi. ~ Turn Right on Ross Road ~ Watch for Property & Auction Signs on the Left.

**REAL ESTATE DESCRIPTION:** Beautiful 33.5+/- Acre Farm Selling to Settle the James E. Carroll Estate ~ Located just off HWY 263 North of Fox, this Rolling Tract of Land is Mostly Fenced & Gated ~ 1,100+/- Ft. of Frontage on Ross Rd. & 1,700+/- Ft. of Frontage on Fox Hollow Rd. Running Through the Interior ~ Includes a Fenced 6+/- Acre Pasture ~ Home has 5-Year-Old Roof & Working Utilities ~ Needs Repairs & Updating, but Would Make a Great Hunting Cabin or Weekend Getaway ~ Several Choice Sites to Build a New Home w/Scenic Ridges Overlooking the Ozark Mountains ~ Property has a Creek Channel & Spring ~ Prime Deer & Turkey Hunting Land ~ Utilities Include Electricity, Excellent Well Water w/New Pump, Septic Tank & Propane (Leased Tank Removed) ~ Excellent Public Schools are Part of Mtn. View's Rural Special School District Serving Grades K thru 12 ~ Fox Fire District ~ Offers Prior to Auction Day are Welcome! ~ **For Additional Information & Photos, Visit [WilsonAuctioneers.com](http://WilsonAuctioneers.com) or Contact our Office at 501-624-1825.**

**TERMS ON REAL ESTATE:** \$10,000.00 Cashier's Check *made Payable in Your Name or Wilson Auctioneers, Inc.* Down Day of Auction, as Earnest Money ~ Balance Due at Closing ~ Title Insurance with Warranty Deed Provided at Closing ~ Closing within 30 Days ~ 10% Buyer's Premium ~ **Offers Prior to Auction are Welcome.**

**INSPECTION:** Property can be Inspected **Anytime** ~ Contact Agent, **Gladys Webb at 501-766-0605/ [gladys@wilsonauctioneers.com](mailto:gladys@wilsonauctioneers.com)** for Additional Information ~ Auctioneers will be On-site at 9:00 a.m. Day of Auction.

*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**

May 7, 2019

Dear Prospective Buyer:

This 1.4+/- acre tract (**AR 9 @ AR 263, Rushing, AR**) is selling to Settle the James E. Carroll Estate. The property has outstanding future income potential. Highway 263 is utilized to carry traffic from Prim, Edgemont, and Greers Ferry to Mountain View, Fox, and Timbo, Arkansas. **This auction will be conducted from 254 Ross Road in Fox, Arkansas.**

If you have further questions after reviewing this information packet please don't hesitate to call me, **Gladys Webb, at (501) 766-0605**. We look forward to working with you on auction day at **Auction Location: 254 Ross Road in Fox, Arkansas at 10:00 a.m. on June 4th.**

A handwritten signature in cursive script, reading "Gladys Webb", is written over a horizontal line.

Gladys Webb, CAI  
Wilson Real Estate Auctioneers, Inc.

## **GENERAL INFORMATION**

**Property Location:** AR 9 @ AR 263 – Rushing, Arkansas 72153

**Selling From:** 254 Ross Road, Fox, Arkansas 72051

**LEGAL DESCRIPTION:** See Attachment

**TERMS AND CONDITIONS:** \$2,500.00 Cashier's Check *made Payable in Your Name or Wilson Auctioneers, Inc.* Down Day of Auction, as Earnest Money ~ Balance Due at Closing ~ Title Insurance with Warranty Deed Provided at Closing ~ Closing within 30 Days ~ 10% Buyer's Premium ~ **Offers Prior to Auction are Welcome.**

**CLOSING COMPANY:** Mountain View Abstract & Title Company ~ Closing Agent: Lesa Mitchell ~ 111 East Main Street, Mountain View, Arkansas 72560 ~ (870) 269-8410 ~ Fax/ 269-6901.

**GENERAL INFORMATION:** This 1.4+/- Acre Tract is Selling to Settle the James E. Carroll Estate ~ The Property has Outstanding Future Income Potential ~ HWY 263 is Utilized to Carry Traffic from Prim, Edgemont & Greers Ferry to Mtn. View, Fox & Timbo ~ **Selling Regardless of Price on Auction Day!** ~ **Remember, this Auction will be Conducted from 254 Ross Rd. in Fox, AR** ~ Offers Prior to Auction Day are Welcome!

**REAL ESTATE TAXES FOR YEAR 2018:** \$30.42

**SCHOOL DISTRICT:** Mountain View's Rural Special School District

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**Address:**

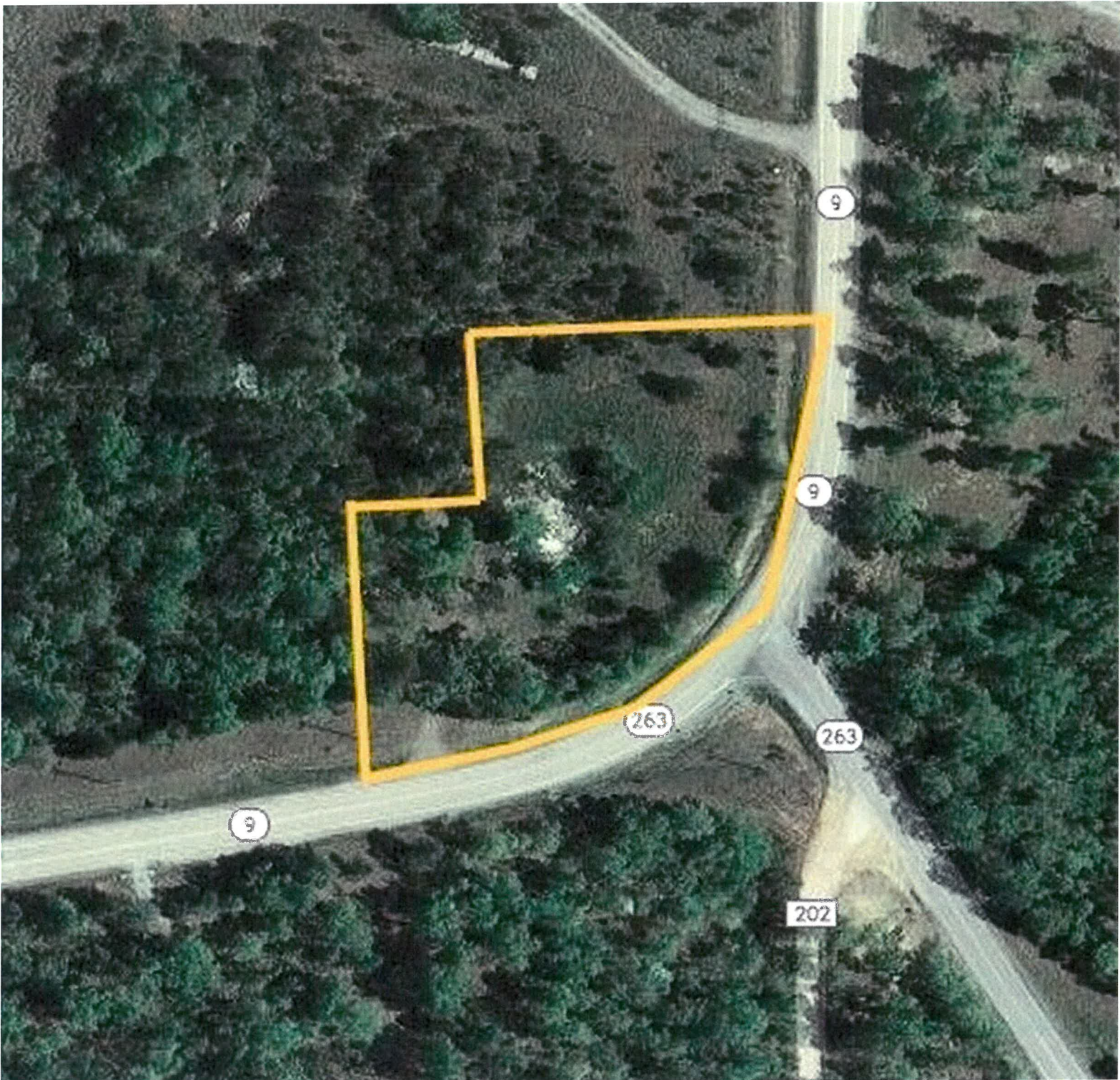
**1.4+/- AC at AR 9 & AR 263 Junction, Rushing, Arkansas 72153**

**Legal Description**

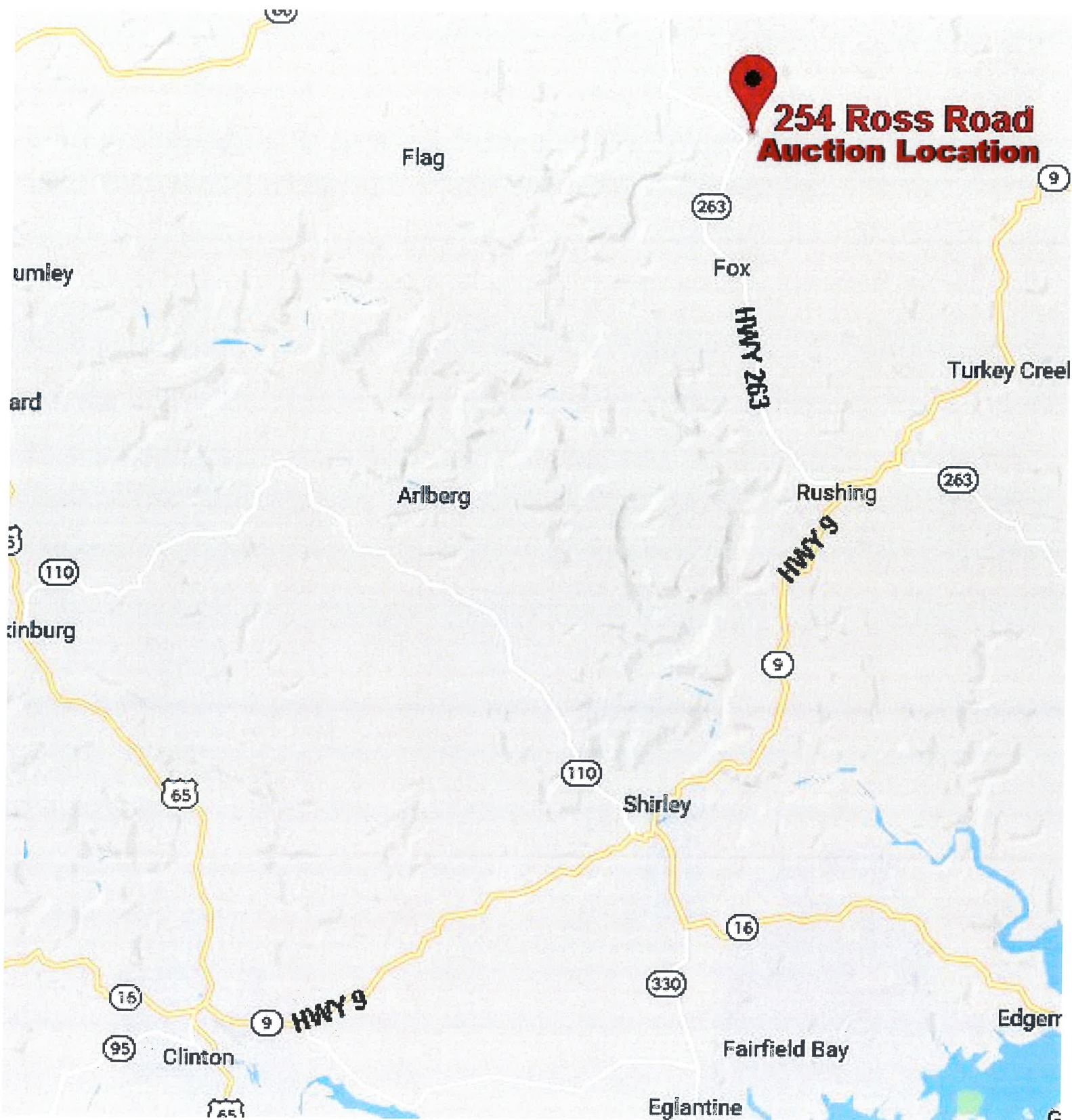
**THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF STONE, STATE OF AR AND IS DESCRIBED AS FOLLOWS:**

**Pt. SW 1/4 SE 1/4, described as beginning at a point 600.6 feet South of the NE corner of said SW 1/4 SE 1/4; thence West 217.8 feet to a point; thence South 33.0 feet to a point; thence S 81 deg 50' W 99.0 feet to a point; thence South 209.5 feet to a point in center of Ark. Hwy #9; thence along center of said Hwy N 78 deg 15' E 150.0 feet; N 59 deg 47' E 102.2 feet; N 36 deg 03' E 91.2 feet and N 15 deg 18' E 104.2 feet to the point of beginning.**

**Section 22, Township 13 North, Range 12 West**







# 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: LAND BUYERS, DEVELOPERS & INVESTORS!**

Excellent 1.4+/- Acre Tract on AR-9 at the Junction of AR-263 in Stone County ~ Beautiful, Level Tract w/Electricity & Municipal Water ~ 450+/- Ft. of HWY 9 Frontage ~ 1,100 Vehicles Per Day Traffic Count ~ Live, Online Bidding Available ~ **SELLING REGARDLESS OF PRICE TO THE HIGHEST BIDDER!**

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**AUCTIONEER'S NOTE:** This is an excellent tract to hold for future investment potential. It is the site of a former home with the concrete slab foundation still visible. With 450+/- feet of Highway 9 frontage, this is a great piece of land and will sell regardless of price on auction day!

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**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