

Notice of Foreclosure Sale

July 2, 2019

Deed of Trust ("Deed of Trust"):

Dated: May 11, 2015

Grantor: Richard Barnard and April Barnard

Trustee: None

Lender: Jimmy L. Smith and Brenda Kuroski

Recorded in: file number 2015003856 of the real property records of Cass County, Texas

Legal Description: All that certain tract or parcel of land being 23.4656 acre tract located in Larkin Martin Survey, A-698 and situated approximately North 70 degrees 00' East, a distance of 1.5 mile from the City of Hughes Springs, Cass County, Texas, and more particularly described by metes and bounds in Exhibit "A", attached hereto and incorporated herein for all purposes.

Secures: Note Secured by Wraparound Mortgage ("Note") in the original principal amount of \$141, 554.63, executed by Richard Barnard and April Barnard ("Borrower") and payable to the order of Lender

Modifications and Renewals: Deed of Trust and Note Secured by Wraparound Mortgage and Lien (as used herein, the terms "Note" and "Deed of Trust" mean the Note and Deed of Trust as so modified, renewed, and/or extended)

Foreclosure Sale:

Date: Tuesday, July 2, 2019

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 11:00 a.m. and not later than three hours thereafter.

Place: Cass County Courthouse, 100 W. Houston Street, Linden, TX 75563

FILED FOR RECORD
2019 JUN -3 AM 9:34
AMY L. VARNELL
CASS COUNTY CLERK

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Jimmy L. Smith and Brenda Kuroski's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the performance of the obligations of the Deed of Trust. Because of that default, Jimmy L. Smith and Brenda Kuroski, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Jimmy L. Smith and Brenda Kuroski's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Jimmy L. Smith and Brenda Kuroski's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

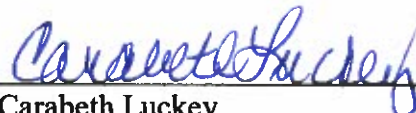
If Jimmy L. Smith and Brenda Kuroski passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Jimmy L. Smith and Brenda Kuroski. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Trustee.

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.



Carabeth Luckey
PO Drawer 1007
Omaha, TX 75571
Telephone (903) 884-3355
Telecopier (903) 884-3315

EXHIBIT A

All that certain tract or parcel of land being 23.4656 acres tract of land located in the Larkin Martin Survey, A-698 and situated approximately North 70 degrees 00' East, a distance of 1.5 miles from the City of Hughes Springs, Cass County, Texas. Said 23.4656 acres tract of land being a portion of a 51.01 acres tract of land described in Deed from the Estate of Allie Cloninger and others to L.B. Pynson, dated July 21, 1965, recorded in volume 470, Page 483, Deed Records, Cass County, Texas. Said 12.4656 acres tract of land being more particularly described as follows:

BEGINNING at an iron pin set at the Southwest corner of tile said 51.01 acres tract of land for the Southwest corner of this tract of land. A 20" Pine marked "X" bears North 01 degrees 30' West 21.5 feet and 16" Pille marked "X" bears North 22 degrees 00' East, 39.0 feet;

THENCE: North a distance of 942.72 feet to an iron pin for the Northeast corner of this tract of land;

THENCE: East a distance of 1064.53 feet to an iron pin for the Northeast corner of this tract of land;

THENCE: South 00 degrees 16'3 W' West a distance of 981.93 feet to an iron pin set in a fence line for the Southeast corner of this tract of land;

THENCE: North 87 degrees 53; West along and with said fence line, a distance of 1060.50 feet to the Place of Beginning, containing 23.4656 acres of land, more or less (together with all improvements, rights and appurtenances, the "Property").