

VG-1443-2021-2100786

Freestone
County
Linda Jarvis
Freestone County
Clerk

Instrument Number: 2100786

Foreclosure Posting

NOTICE OF FORECLOSURE

Recorded On: March 09, 2021 03:22 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$8.00

Document Number: 2100786
Receipt Number: 20210309000028
Recorded Date/Time: 03/09/2021 03:22 PM
User: Sabra S
Station: Clerk Station

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2100786
Receipt Number: 20210309000028
Recorded Date/Time: March 09, 2021 03:22 PM
User: Sabra S
Station: Clerk Station

Record and Return To:

GEORGE M ROBINSON



STATE OF TEXAS
COUNTY OF FREESTONE

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Freestone County, Texas.

Linda Jarvis
Freestone County Clerk
Freestone County, TX

Linda Jarvis

NOTICE OF FORECLOSURE SALE

March 9, 2021

DEED OF TRUST ("Deed of Trust"):

Dated: April 1, 2019

Grantor: **VINCE ASSINI and DAWN ASSINI**

Trustee: **GEORGE M. ROBINSON**

Lender: **MARY DARLENE CHILDS**

Recorded in: Clerk's Document Number 1901099 of the real property records of Freestone County, Texas

Legal Description: **All that certain lot, tract or parcel of land being 1.02 acres, more or less, D. C. CANNON SURVEY, A-130, Freestone County, Texas, and being further described in Exhibit "A" attached hereto and made a part hereof for all purposes.**

Secures: PROMISSORY NOTE ("Note") in the original principal amount of \$160,000.00, executed by VINCE ASSINI and DAWN ASSINI ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, April 6, 2021

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 10:00 a.m. and not later than three hours thereafter.

Place: South Entrance Freestone County Courthouse
118 East Commerce
Fairfield, Texas 75840

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 MARY DARLENE CHILDS's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, MARY DARLENE CHILDS, 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 MARY DARLENE CHILDS's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with MARY DARLENE CHILDS' 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.

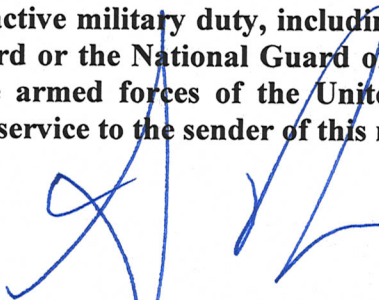
If MARY DARLENE CHILDS passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 MARY DARLENE CHILDS. 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.



GEORGE M. ROBINSON
129 South Mount
Fairfield, TX 75840
Telephone (903) 389-2203
Telecopier (903) 389-4542

Being 1.02 acres of land situated in the D. C. Cannon Survey, Abstract No. 130, Freestone County, Texas and being a part of the residue of that certain called 60 acre tract described as the Fourth tract in a deed from George H. Woodruff et ux to George H. Woodruff, Jr., dated January 2, 1973 and recorded in Volume 423, Page 795, of the Deed Records of Freestone County, Texas, said 1.02 acre tract to be more particularly described by metes and bounds as follows:

BEGINNING at a $\frac{1}{2}$ " iron rod (set with cap marked "STANGER") for the southwest corner of the herein described tract, and the southeast corner of an 1.01 acre tract surveyed this date, being in a curve in the north right of way line of U. S. Highway No. 84, A.K.A. Loop 307 (300 foot R.O.W.), from said $\frac{1}{2}$ " iron rod a $\frac{1}{2}$ " iron rod (found with cap marked "MJR") at the intersection of the west boundary line of the above mentioned 60 acre tract and the northerly right of way line of the above mentioned U.S. Highway No. 84 bears North $62^{\circ} 47' 05''$ West, a distance of 458.52 feet;

THENCE North $09^{\circ} 50' 29''$ East, for a distance of 438.33 feet to a $\frac{1}{2}$ " iron rod (set with cap marked "STANGER") for the northwest corner of the herein described tract, and the northeast corner of the above mentioned 1.01 acre tract;

THENCE South $62^{\circ} 50' 05''$ East, for a distance of 104.15 feet, to a $\frac{1}{2}$ " iron rod (set with cap marked "STANGER") for the northeast corner of the herein described tract, and being at the northwest corner of a 1.04 acre tract surveyed this date;

THENCE South $09^{\circ} 50' 29''$ West, for a distance of 451.79 feet, to a $\frac{1}{2}$ " iron rod (set with cap marked "STANGER"), for the southeast corner of the herein described tract, being at the southwest corner of the above mentioned 1.04 acre tract, and being in the above mentioned curve in said northerly right of way line of U. S. Highway No. 84;

THENCE in a northwesterly direction along said curve to the left, an arc distance of 108.71 feet, said curve having a radius of 2387.22 feet, a chord bearing of North $56^{\circ} 03' 09''$ West, and a chord distance of 108.90 feet, and along or near a fence, back to the place of beginning, and containing 1.02 acres of land.

Bearings are based from a previous survey, Job No. F20029.

DL