



VG-1443-2022-2202433

**Freestone
County
Renee Reynolds
Freestone County
Clerk**

Instrument Number: 2202433

Foreclosure Posting

NOTICE OF FORECLOSURE

Recorded On: June 13, 2022 12:18 PM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$8.00

******* 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: 2202433
Receipt Number: 20220613000020
Recorded Date/Time: June 13, 2022 12:18 PM
User: Melissa S
Station: CCLERK01

Record and Return To:

RITCHESON, LAUFFER, & VINCENT, PC
821 ESE LOOP 323, STE. 530
TYLER TX 75701



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.

Renee Reynolds
Freestone County Clerk
Freestone County, TX

NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Deed of Trust. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the following described deed of trust:

Date:	April 15, 2016
Grantor:	Winning Solutions Real Estate, LLC
Beneficiary:	Citizens National Bank (now known as VeraBank, N.A.)
Substitute Trustee:	Scott A. Ritcheson, and/or Douglas A. Ritcheson, and/or Charles E. Lauffer, Jr., and/or Lance Vincent
Recording Information:	Deed of Trust recorded under Clerk's File No. 2016- 01601355, in the Official Public Records of Freestone County, Texas.

2. Property to be Sold. The property to be sold (the "Property") is described as follows:

a) ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, PART OF THE D.C. CANNON SURVEY, ABSTRACT NO. 130, CITY OF TEAGUE, FREESTONE COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN CALLED 1 ACRE TRACT DESCRIBED IN A DEED TO B.A. CHASE FROM KYLE WHEELUS AT AL ON MAY 4, 1950 AND RECORDED VOLUME 220, PAGE 427 OF THE DEED RECORDS OF FREESTONE COUNTY, TEXAS AND BEING MORE COMPLETELY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A 1/2" IRON ROD (FOUND) AT A FENCE CORNER FOR THE EAST CORNER OF THE ABOVE-MENTIONED 1 ACRE TRACT, THE SOUTH CORNER OF A CALLED 1,884 ACRE TRACT CONVEYED TO XTO ENERGY, INC. ON NOVEMBER 1, 2004 IN VOLUME 1469, PAGE 595 AND BEING IN THE NORTHWEST LINE OF LOOP NO. 255 A.K.A., U.S. HIGHWAY NO. 84 BUSINESS;

THENCE SOUTH 52 DEG. 00 MIN, 00 SEC, WEST WITH THE SOUTHEAST LINE OF THE 1 ACRE TRACT AND THE NORTHWEST LINE OF LOOP NO. 255, A DISTANCE OF 220.01 FT. TO THE SOUTH CORNER OF THE 1 ACRE

TRACT AND BEING THE EAST CORNER OF A CALLED 0.488 ACRE TRACT CONVEYED TO B.A. CHASE AND ESTELLE CHASE ON AUGUST 7, 1950 IN VOLUME 220, PAGE 426, FROM WHICH A 3" IRON ROD (FOUND) AT A FENCE CORNER BEARS NORTH 35 DEG, 00 MIN., 00 SEC, WEST 0.95 FT. AND A FLAT BAR (FOUND) BEARS SOUTH 52 DEG. 00 MIN. 00 SEC. WEST 63.18 FT.

THENCE IN A NORTHWESTERLY DIRECTION WITH THE SOUTHWEST LINES OF THE 1 ACRE TRACT AND THE NORTHEAST LINES OF THE 0.488 ACRE TRACT AS FOLLOWS:

NORTH 35 DEG, 00 MIN, 00 SEC. WEST A DISTANCE OF 88.00 FT TO A ½" IRON ROD (SET), NORTH 42 DEG, 00 MIN, 00 SEC. WEST A DISTANCE OF 137.00 FT. TO A ½" IRON ROD (SET) AND NORTH 47 DEG. 00 MIN. 00 SEC. WEST A DISTANCE OF 90.00 FT. TO A ½" IRON ROD (SET) FOR THE WEST CORNER OF THE 1 ACRE TRACT, THE NORTH CORNER OF THE 0.488 ACRE TRACT AND BEING AN ANGLE CORNER OF THE RESIDUE OF A CALLED 12.10 ACRE FIRST TRACT CONVEYED TO THE TEAGUE INDEPENDENT SCHOOL DISTRICT ON MAY 4, 1950 IN VOLUME 211, PAGE 193;

THENCE NORTH 32 DEG, 00 MIN, 00 SEC. EAST WITH THE NORTHWEST LINE OF THE 1 ACRE TRACT AND A SOUTHEAST LINE OF THE TEAGUE INDEPENDENT SCHOOL DISTRICT TRACT, A DISTANCE OF 109.98 FT. TO A ½" IRON ROD (SET) FOR AN ELL CORNER OF SAME AND BEING THE NORTH CORNER OF THE 1 ACRE TRACT;

THENCE SOUTH 58 DEG, 47 MIN, 13 SEC. EAST WITH THE NORTHEAST LINE OF THE 1 ACRE TRACT, A SOUTHWEST LINE OF THE TEAGUE INDEPENDENT SCHOOL DISTRICT TRACT AND THE SOUTHWEST LINE OF SAID 1.84 XTO ENERGY, INC. TRACT, AT 152.24 FT. PASS A ½" IRON ROD (FOUND) AT A FENCE CORNER AND CONTINUE A TOTAL DISTANCE OF 375.65 FT. TO THE PLACE OF BEGINNING AND CONTAINING 1.22 ACRES OF LAND (the "Land");

- b) All buildings, improvements and fixtures located on the Land;
- c) All easements, rights of way, appurtenances, water, water rights, other rights, royalties, profits, minerals, oil, gas, geothermal and similar rights and interest related to, or on or under the Land; and
- d) All leases of any and all of the forgoing, and all rents, revenues, income, issues, royalties, profits and other benefits derived from the Land including all "rents," as that word is defined in Chapter 64 of the Texas Property Code, and also including that certain Lease Agreement dated July 14, 2011 by and between

Winning Solutions Real Estate, LLC (successor in interest to J 3 Real Estate Investments, L.L.P.) and Family Dollar Stores of Texas, LLC, as such lease was thereafter amended by that certain First Amendment to Lease Agreement by and between Debtor and Family Dollar Stores Texas, LLC, dated effective in January, 2022 (the "Lease").

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time and place:

Date: **July 5, 2022**

Time: The sale shall begin no earlier than 1:00 p.m. or no later than three (3) hours thereafter. The sale shall be completed by no later than 4:00 p.m.

Place: Freestone County Courthouse in Fairfield, Texas, at the following location:

In the area of such Courthouse designated by the Freestone County Commissioners' Court as the area where foreclosure sales shall take place, or, if no such area has been designated, then on the front steps at the (South entrance) of the Freestone County Courthouse in Fairfield, Texas.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiling may be after the date originally scheduled for this sale.

4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the date the property is sold.

The sale will be made expressly subject to unpaid ad valorem taxes and any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all other 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. **Prospective bidders are specifically notified that there are substantial unpaid ad valorem taxes, penalties, interest and fees assessed against the Land and Improvements and any successful purchaser shall be responsible for paying all such amounts in addition to paying the purchase price at foreclosure.**

A purchaser at the sale of the Property “acquires the Property ‘AS IS’ without any expressed or implied warranties” (except as to the warranties of title from the grantor identified in the deed of trust described below). Any purchaser acquires the Property “at the purchaser’s own risk.” TEXAS PROPERTY CODE §51.009. Nothing set forth in this Notice is an express or implied representation or warranty regarding the Property, all of which are specifically disclaimed by the undersigned and by the beneficiary of the herein described deed of trust.


5. Type of Sale. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Winning Solutions Real Estate, LLC. The deed of trust is dated April 15, 2016, and is recorded in the office of the County Clerk of Freestone County, Texas, under Clerk File No. 2016-01601355, of the Official Public Records of Freestone County, Texas.

6. Obligations Secured. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including, but not limited to, (1) the April 15, 2016 promissory note in the original principal amount of \$720,000.00, executed by Winning Solutions Real Estate, LLC, and payable to the order of VeraBank, N.A.; (2) all renewals and extensions of the note; (3) all interest, late charges, fees and other expenses payable under said note on the herein described deed of trust; and (4) all other debts and obligations described in the deed of trust (including all debts secured by any cross-collateralization clause in the deed of trust). VeraBank, N.A. is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, VeraBank, N.A., Attention: Alex Hammond, telephone (903) 657-8521, ext. 2403.

7. Default and Request to Act. Default has occurred under the deed of trust, and the beneficiary has asked me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

DATED: June 10, 2022.



SCOTT A. RITCHESON, Substitute Trustee
821 ESE Loop 323, Suite 530
Tyler, Texas 75701
Tel: (903) 535-2900
Fax: (903) 533-8646

Notice to Members of the Armed Forces of the United States:

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.