

Notice of Foreclosure Sale

January 5, 2016

Deed of Trust ("Deed of Trust"):

Dated: September 30, 2013

Grantor: JOHN M. CARMAN and DANICA CARMAN

Trustee: J. KEITH MEREDITH

Lender: THOMAS S. CHILDS and MARY DARLENE CHILDS

Recorded in: Vol. 1617, Page 335 of the real property records of Freestone County, Texas and as thereafter assigned to MARY DARLENE CHILDS in Transfer of Lien, dated and recorded in Vol. 1655, Page 147 of the real property records of Freestone County, Texas

Secures: Promissory Note ("Note") in the original principal amount of \$247,500.00, executed by JOHN M. CARMAN and DANICA CARMAN ("Borrower") and payable to the order of Lender and as thereafter assigned to MARY DARLENE CHILDS

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Substitute Trustee: GEORGE M. ROBINSON

Substitute Trustee's Address: 129 South Mount, Fairfield, TX, 75840

Foreclosure Sale:

Date: Tuesday, January 5, 2016

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..

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

FILED FOR RECORD IN
Freestone County
Linda Jarvis
COUNTY CLERK
ON: Dec 02, 2015 AT 10:10A
as Notice of Trustee Sale

Total Fees : 8.00
Receipt Number - 134097
By: Crystal Rossiaky, Deputy

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 Substitute 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'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, Substitute 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.

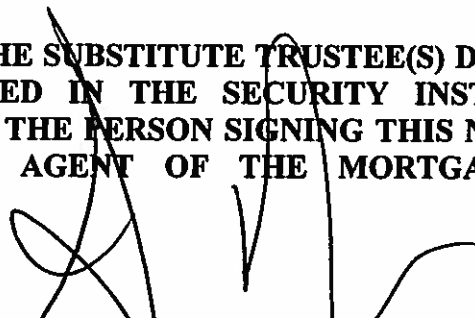
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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, Substitute 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 Substitute 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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



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

Williford Land Surveying
P. O. Box 1266 • Mexia, Texas 76667
Ph: 254-562-2837 • Fx: 254-562-2867
Clint Williford RPLS#5973

FILED FOR RECORD IN
Freestone County,
Linda Jarvis
COUNTY CLERK
ON: Sep 30, 2013 AT 03:38P
as Recordings
Document Number: 01303912
Total Fees : 48.00
Receipt Number 122007
By: Akewa Carter, Deputy

Legal Description
For John N. Carman and Danica Carman
Parkwood Addition
City of Teague
Freestone County, Texas

01303912

1.18 Acres

All that certain lot, tract or parcel of land, part of the City of Teague, Freestone County, Texas, being all of Lots 40, 44 and 45 and part of Lot 39 of the Parkwood Addition as recorded in Cabinet A, Envelope 46-A of the Plat Records of Freestone County, Texas and being more completely described as follows, to-wit:

BEGINNING at a t-bar (found) for the Northeast corner of the above mentioned Lot 44, the Southeast corner of Lot No. 43 and being in the West line of Parkwood Drive;

THENCE South 01 deg. 16 min. 00 sec. East with the East line of Lot 44 and Lot 45 and the West line of Parkwood Drive, a distance of 199.99 ft. to a t-bar (found) for the p.c. of a curve to the right;

THENCE in a southwesterly direction with said curve to the right, a distance of 80.60 ft. which has a radius of 51.33 ft. and a chord bearing and chord length of South 43 deg. 34 min. 42 sec. West a distance of 72.57 ft. to a 1/2" iron rod (found) for the p.t. of said curve and being in the North line of Don Juan;

THENCE South 87 deg. 24 min. 37 sec. West with the South line of Lot 45 and Lot 40 and with the North line of Don Juan, a distance of 177.56 ft. to a 1/2" iron rod (set) for the Southwest corner of Lot 40 and being the Southeast corner of Lot 39;

THENCE North 05 deg. 04 min. 22 sec. West across Lot No. 39, a distance of 142.97 ft. to a 1/2" iron rod (set) in the North line of Lot 39 and being in the South line of Lot 41;

THENCE North 85 deg. 38 min. 00 sec. East with the North line of Lot No. 39 and Lot 40 and with the South line of Lot 41, a distance of 61.77 ft. to a t-bar (found) bent for the Southeast corner of same and being the Southwest corner of Lot 44;

THENCE North 02 deg. 00 min. 51 sec. West with the East line of Lot 41 and the West line of Lot 44, a distance of 99.87 ft. to a t-bar (found) in a pipe for the Northwest corner of same, the Southwest corner of Lot 43 and being the Southeast corner of a called 0.821 acre tract conveyed to A. Raymond Lucher, Jr. and Janice R. Lucher in Volume 1167, Page 544;

THENCE North 85 deg. 36 min. 48 sec. East with the North line of Lot 44 and the South line of Lot 43, a distance of 178.07 ft. to the place of beginning and containing 1.18 acres of land.

The bearings recited herein are based on the South line of Lot 41 and Lot 44 of the Parkwood Addition as recorded in Cabinet A, Envelope 46-A of the Plat Records of Freestone County, Texas.

I James C. Williford, Registered Professional Land Surveyor No. 5973, do hereby certify that the legal description hereon was prepared from an actual survey made on the ground under my direction and supervision.



James C. Williford
Registered Professional Land Surveyor No. 5973
September 27, 2013
Job No. 13-121
Plat accompanies legal description



EXHIBIT "A"