

Notice of Foreclosure Sale

September 8, 2017

DEED OF TRUST ("Deed of Trust"):

Dated: January 22, 2007

Grantor: JAMES FERGUSON and MELISSA FERGUISON

Trustee: GEORGE M. ROBINSON

Lender: ROSE FRANCES COLLIER

Recorded in: Vol. 1389, Page 315 of the real property records of Freestone County, Texas

Legal Description:

PART ONE:

All that certain lot, tract or parcel of land being 1.031 acres in the MATTHEW PARK SURVEY, A-517, Freestone County, Texas more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes; and

PART TWO:

One PALM HARBOR HOMES 1 L. P. manufactured home, 28' by 48', "PALM HARBOR" model, Label/Seal No. TEX0556971/2, Serial No. PH076049AB, together with all porches, additions and central air/heat units.

Secures: NOTE ("Note") in the original principal amount of \$55,000.00, executed by JAMES FERGUSON and MELISSA FERGUISON ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Foreclosure Sale:

Date: Tuesday, October 3, 2017

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

FILED FOR RECORD IN
Freestone County
Linda Jarvis
COUNTY CLERK
ON: Sep 08, 2017 AT 10:10A
as Notice of Trustee Sale

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 ROSE FRANCES COLLIER'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, ROSE FRANCES COLLIER, 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 ROSE FRANCES COLLIER's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with ROSE FRANCES COLLIER'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 ROSE FRANCES COLLIER 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 ROSE FRANCES COLLIER. 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

EXHIBIT "A"

IT IS THE INTENT OF THESE FIELD NOTES TO DESCRIBED all that certain lot, tract, or parcel of land being 1.031 acres out of a 10.006 acre tract in the Matthew Park Survey A-517, in Freestone County, Texas and being a part of a 100.702 acre tract deeded from Harrison L. Murphy to C. E. Neal, Jr. Trustee dated April 3, 1978 and recorded in volume 502, Page 193 of the Freestone County Deed Records in Freestone County, Texas and said 1.031 acre tract being more particularly described by metes and bounds as follows, to wit:

BEGINNING at an iron pin for corner in the South margin of a 50' road and same being 512.6' East of the Northeast corner of a 5.005 acre tract and same being 512.6' East from the Northwest corner of the C. R. Dunahoo 5.006 acre tract described in deed 4-29-81 and recorded in Vol. 586, Pg. 829, Deed Records of Freestone County, Texas, as fenced, and being 106' West of the Northeast corner of a 10.006 acre tract from which the Dunnahoe tract was cut;

THENCE East with the South margin of the said road a distance of 212.00 feet to an iron T-post for corner in the said line:

THENCE South a distance of 212.00 feet, passing 2 feet east of a building to an iron pin for corner:

THENCE West a distance of 212 feet;

THENCE North 212.00 feet with the East line of this tract, a distance of 212.00 feet to the PLACE OF BEGINNING.

Contains 1.031 acres of land.