

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

Notice is hereby given that a public auction of the Property (as that term is defined and described below) will be held at the date, time and place specified in this notice.

**DATE OF SALE:** Tuesday, the 3<sup>rd</sup> day of July, 2018, (which is the first Tuesday of that month).

**TIME OF SALE:** The earliest time at which the sale shall occur is 10:00 a.m. The sale shall begin at that time or not later than three hours after that time.

**PLACE OF SALE:** At the area at the Hopkins County Courthouse designated by the Commissioner's Court of Hopkins County, Texas, where foreclosure sales are to take place.

**INFORMATION REGARDING THE DEED OF TRUST LIEN THAT IS THE SUBJECT OF THIS SALE:**

**NAME OF DOCUMENT:** Deed of Trust (the "Deed of Trust")

**DATE:** March 1, 2011

**GRANTOR:** Billy J. Cummings, Jr.

**BENEFICIARY:** John H. Heilman

**TRUSTEE:** Kirk L. Lee

**RECORDING INFORMATION:** Volume 765, beginning at page 427 Official Public Records, Hopkins County, Texas; and further assigned in instrument of record in Vol. 915, Page 565 Official Public Records, Hopkins County, Texas and further assigned in instrument of record in Document No. 2018 1838 Official Public Records, Hopkins County, Texas.

**PROPERTY DESCRIPTION:** The real property located in Hopkins County, Texas, and being more particularly described as follows, to-wit: SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES

**INDEBTEDNESS SECURED:**

**NAME OF DOCUMENT:** Promissory Note

**DATE OF NOTE :** March 1, 2011

**FACE AMOUNT:** \$150,000.00

**MAKER:** Billy J. Cummings, Jr.

**PAYEE:** Guaranty Bond Bank

**ASSIGNEE OF NOTE:** John H. Heilman

**SUBSTITUTION OF TRUSTEE:**

**NAME OF DOCUMENT:** Appointment of Substitute Trustee

**DATE:** June 1, 2018

**NAME OF SUBSTITUTE TRUSTEE:** Larry A. Powers


FILED FOR RECORD  
HOPKINS COUNTY, TEXAS  
2018 JUN - 1 A 9:23  
DANIEL SHARLEY  
COUNTY CLERK  
BY \_\_\_\_\_ DEPUTY

Default has occurred in the payment of the indebtedness secured by the Deed of Trust and in the performance of the covenants, agreements and conditions set forth in the Deed of Trust. The maturity of the indebtedness secured by the Deed of Trust has been accelerated and such indebtedness is now wholly due and payable.

The owner and holder of the indebtedness has requested that I, as Substitute Trustee under the Deed of Trust, sell the Property, the proceeds of such sale to be applied in accordance with the provisions of the Deed of Trust.

Therefore, at the date, time and place set forth above, the undersigned, as Substitute Trustee, will sell the Property to the highest bidder pursuant to the terms of the Deed of Trust.

**IN WITNESS WHEREOF** this Notice of Substitute Trustee's Sale has been executed on this the 1st day of June, 2018.



**LARRY A. POWERS**  
Substitute Trustee

EXHIBIT "A"

**TRACT ONE:**

All that certain tract or parcel of land situated in the David Foster Survey, A-317, located about 4 miles N 12 deg. E from the City of Sulphur Springs, Hopkins County, Texas; being a part of that certain 2.927 acre tract described in a Deed from Joe B. Ardis and wife, Ann Ardis to Frankie Price, dated June 6, 2002, recorded in Vol. 399, Page 821, Official Public Records of Hopkins County, Texas; and being more particularly described as follows:

**BEGINNING** at a 1/2 inch rebar found on the North East corner of said 2.927 acre tract, being on the most Easterly South East corner of a 47.000 acre tract described in a Deed of Exchange and Partition to Linda Edwards, dated August 25, 1997, recorded in Vol. 253, Page 912, Real Property Records, and being on the West boundary line of State Hwy. 19 / State Hwy. 154 (being 50 feet from the center);

**THENCE** S 0 deg. 15 min. 44 sec. E (bearing basis) along the East boundary line of said 2.927 acre tract and the West boundary line of State Hwy. 19 / 154 a distance of 227.32 feet to a 1/2 inch rebar set for a corner;

**THENCE** N 89 deg. 20 min. 06 sec. W a distance of 163.40 feet to a 1/2 inch rebar set for a corner on the West boundary line of said 2.927 acre tract, and being on the East boundary line of said 47.000 acre tract;

**THENCE** N 0 deg. 22 min. 40 sec. W long the West boundary line of said 2.927 acre tract and the East boundary line of said 47.000 acre tract a distance of 227.84 feet to a 1/2 inch rebar found on the North West corner of said 2.927 acre tract, and being on an internal angle corner of said 47.000 acre tract;

**THENCE** S 89 deg. 09 min. 21 sec. E along the North boundary line of said 2.927 acre tract and the South boundary line of said 47.000 acre tract a distance of 163.87 feet to the place of beginning and containing 0.855 acres of land, more or less.

**TRACT TWO:**

All that certain tract or parcel of land situated in the David Foster Survey, A-317, located about 4 miles N 12 deg. E from the City of Sulphur Springs, Hopkins County, Texas; being a part of that certain 2.927 acre tract described in a Deed from Joe B. Ardis and wife, Ann Ardis to Frankie Price, dated June 6, 2002, recorded in Vol. 399, Page 821, Official Public Records of Hopkins County, Texas; and being more particularly described as follows:

**BEGINNING** at a 1/2 inch rebar set for a corner on the East boundary line of said 2.927 acre tract, being on the West boundary line of State Hwy. 19 / State Hwy. 154 (being 50 feet from the center), and being S 0 deg. 15 min. 44 sec. E a distance of 227.32 feet from the North East corner of said 2.927 acre tract;

**THENCE** S 0 deg. 15 min. 44 sec. E (bearing basis) along the East boundary line of said 2.927 acre tract and the West boundary line of said State Hwy. 19 / 154 a distance of 227.33 feet to a 1/2 inch rebar set for a corner;

**THENCE** N 89 deg. 30 min. 41 sec. W a distance of 162.94 feet to a 1/2 inch rebar set for a corner on the West boundary line of said 2.927 acre tract, and being on the East boundary line of a 47.000 acre tract described in a Deed of Exchange and Partition to Linda Edwards, dated August 15, 1997, recorded in Vol. 253, Page 912, Real Property Records;

**THENCE** N 0 deg. 22 min. 40 sec. W along the West boundary line of said 2.927 acre tract and the East boundary line of said 47.000 acre tract a distance of 227.84 feet to a 1/2 inch rebar set for a corner;

EXHIBIT "A" CONTINUED

**THENCE** S 89 deg. 20 min. 06 sec. E a distance of 163.40 feet to the place of beginning and containing 0.852 acres of land, more or less.

**TRACT THREE:**

All that certain tract or parcel of land situated in the David Foster Survey, A-317, located about 4 miles N 12 deg. E from the City of Sulphur Springs, Hopkins County, Texas; being a part of that certain 2.927 acre tract described in a Deed from Joe B. Ardis and wife, Ann Ardis to Frankie Price, dated June 6, 2002, recorded in Vol. 399, Page 821, Official Public Records of Hopkins County, Texas; and being more particularly described as follows:

**BEGINNING** at a 1/2 inch rebar set for a corner on the East boundary line of said 2.927 acre tract, being on the West boundary line of State Hwy. 19 / State Hwy. 154 (being 50 feet from the center), and being S 0 deg. 15 min. 44 sec. E a distance of 454.65 feet from the North East corner of said 2.927 acre tract;

**THENCE** S 0 deg. 15 min. 44 sec. E (bearing basis) along the East boundary line of said 2.927 acre tract and the West boundary line of said State Hwy. 19 / 154 a distance of 227.33 feet to a 1/2 inch rebar set for a corner;

**THENCE** N 89 deg. 41 min. 21 sec. W a distance of 162.47 feet to a 1/2 inch rebar set on the West boundary line of said 2.927 acre tract, and being on the East boundary line of a 1 acre tract described in a Deed to Linda Sewell Edwards, dated October 11, 1967, recorded in Vol. 310, Page 47, Deed Records;

**THENCE** N 0 deg. 22 min. 40 sec. W along the West boundary line of said 2.927 acre tract a distance of 227.84 feet to a 1/2 inch rebar set for a corner on the East boundary line of a 47.000 acre tract described in a Deed of Exchange and Partition to Linda Edwards, dated August 25, 1997, recorded in Vol. 253, Page 912, Real Property Records;

**THENCE** S 89 deg. 30 min. 41 sec. E a distance of 162.94 feet to the place of beginning and containing 0.850 acres of land, more or less.