

2015-9

FILED FOR RECORD  
AT 12:30 O'CLOCK P.M.

Notice of Foreclosure Sale

JAN 12 2015

January 8, 2015

Deed of Trust ("Deed of Trust"):

SHERRY DOWD, County Clerk  
NAVARRO COUNTY, TEXAS  
BY [Signature] DEPUTY

Dated: May 4, 2012  
Grantor: Glenn D. Stewart  
Trustee: Michael J. Montgomery  
Lender: THE FIRST STATE BANK  
Recorded in: Clerk's File Number 3780 (2012) of the real property records of  
Navarro County, Texas

Legal Description:

All that certain lot or tract of land known as Tract "B" in Block No. 253, (Block No. 2 of Old Town Plat) in the City of Corsicana, Texas, and described as follows, to wit:

BEGINNING at a stake in the North line of West 3<sup>rd</sup> Ave. and on the division line between the said Tract "B" and a 50 ft. Lot, a part of Tract "G" for the L.J. Horod in said block, said point being situated seven (7) inches S. 60 W. from the East Face of the Brick Wall on the West line of the L.J. Horod Building, as more particularly described in a Warranty Deed from J.R. Neece to C.M. Castles, dated July 1, 1912, and of record in Vol. 194, Page 228, of the Deed Records of Navarro County, Texas, and 116 ft. S. 60 W. from the S.E. corner of said Block No. 253;

THENCE N. 30 W. 100 ft. with the division line between said Tracts: "B" and "G" as described in the aforementioned deed from Neece to Castles to a point in the face of the Brick Wall of the I.O.O.F. Bldg.; the South line of a lot 25 ft. by 125 ft. fronting 25 ft. on the West line of N. Beaton St. and running back S. 60 W. 125 ft., said point being situated N. 60 E. 9 ft. from the S. W. corner of said Lot and corner of said brick bldg.

THENCE S. 60 W. with the S. line of said lot and Face of said Brick Bldg. 9 ft. to S.W. corner of said lot and Brick Bldg.;

THENCE N. 30 W. with the West line of said lot for the I.O.O.F. and the West line of a 25 ft. lot for L.T. Davis; the same being the face of the Brick Buildings on both lots, 50 ft. to the N.W. corner of the Davis lot; the same being the N.W. corner of a lot 25 ft. by 125 ft. fronting 25 ft. on the West line of N. Beaton Street and running back 125 ft. S. 60 W. from said Street;

THENCE N. 60 E. the N. line of said Davis lot, and the face of the Brick Building, 24.8 ft. to the Face of Brick Bldg. the West line of a fifty ft. lot for L.T. Travis at the S.W. corner of same.

THENCE N. 30 W. with the West line of said 50 ft. lot and the Face of the Brick Bldg. pass the N.W. corner of said 50 ft. lot and the S.W. corner of a 25 ft. lot for W.P. McCammon and continuing N. 30 W. with the West line of the McCammon lot pass

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the N.W. corner of same and the S.W. corner of a 75 ft. lot for Hill and continuing N. 30 W. with the West line of the Hill lot in all 150 ft. to the N.W. corner of the Hill lot in the South line of West 2<sup>nd</sup> Ave. said point being situated 100.2 ft. S. 60 W. from the N.E. corner of said lot for Hill and the N.E. corner of said Block No. 253;

THENCE S. 60 W. with the South line of West 2<sup>nd</sup> Ave., said line being situated S. 30 E. 40 ft. from the Monumented center line of said Avenue, 161 ft. to an Iron stake for corner at the N.E. corner of a lot 100 ft. by 90 ft. for Continental Oil Co. and 100 ft. N. 60 W. from the N.W. corner of said Block 253 and 140 ft. from the Monumented center line of North Main St.;

THENCE S. 30 E. with the East line of the Continental Oil Co. lot pass S.E. corner of same in all 150 ft. to an Iron pipe for corner;

THENCE S. 60 W. 5 ft. to an Iron pipe for corner at the N.E. corner of a lot 100 ft. by 150 ft. for I. Baum Estate;

THENCE S. 30 E. with the East line of the Baum lot and West line of this lot 150 ft. to an Iron pipe for corner in the North line of West 3<sup>rd</sup> Ave. at the S.E. corner of the Baum Lot and the S.W. corner of this Tract "B";

THENCE N. 60 E. with the North line of West 3<sup>rd</sup> Ave. 150 ft. to the place of Beginning, and being the same property described in and conveyed by deed from Neece Lumber Company, et al, to Duren Norris, et al, dated December 22, 1941, recorded in Vol. 408, page 250, Deed Records of Navarro County, Texas; and conveyed by quitclaim deed from E. L. Kurth to Duren Norris, et al, dated December 24, 1941, recorded in Vol. 408, page 252, Deed Records of Navarro County, Texas.

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$121,000.00, executed by Glenn D. Stewart ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Foreclosure Sale:

Date: Tuesday, February 3, 2015

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: Navarro Center, 800 N. Main Street (East Entrance), or as designated by the County Commissions, Corsicana, Navarro County, Texas

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 THE FIRST STATE BANK's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the performance of the obligations of the Deed of Trust. Because of that default, THE FIRST STATE BANK, the owner and holder of the Note, has requested Trustee to sell the Property.

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SHERY POWD, County Clerk  
DALLAS COUNTY, TEXAS  
BY [Signature] DEPUTY

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of THE FIRST STATE BANK's election to proceed against and sell the real property and any personal property, if any, described in the Deed of Trust in accordance with THE FIRST STATE BANK's rights and remedies under the Deed of Trust.

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.

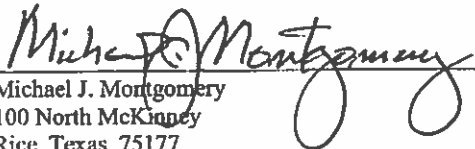
If THE FIRST STATE BANK passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 THE FIRST STATE BANK. 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.**

  
Michael J. Montgomery  
100 North McKinney  
Rice, Texas 75177  
Telephone (903) 326-4121