

2015-72
FILED FOR RECORD
AT 12:00 O'CLOCK P.M.

Notice of Foreclosure Sale

MAY 05 2015

April 30, 2015

SHERRY DOWD, County Clerk
NAVARRO COUNTY, TEXAS
BY 01 DEPUTY

Instrument: Deed of Trust-Security Agreement-Financing Statement

Dated: April 4, 2014

Grantor: Jorge Mendoza and Adriana Maldonado

Trustee: Mark E. Franks

Lender: Kenneth D. and Vonda R. Howard

Recorded in: Volume 478, Page 471 of the real property records of Navarro County, Texas

Secures: Promissory Note ("Note") in the original principal amount of \$35,000 (Thirty Five Thousand Dollars), executed by Jorge Mendoza and Adriana Maldonado ("Borrower") and payable to the order of Kenneth D. and Vonda R. Howard (Lender)

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

Released Property: None

Foreclosure Sale:

Date: Tuesday, June 2, 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 County Courthouse Temporary Location**
800 North Main Street
Corsicana, Texas 75110

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 Lender'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, 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 Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with[Lender's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Mortgage Servicer is representing Lender in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with Lender. The address of Mortgage Servicer is set forth above.

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 Lender 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 Lender. 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 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.

A handwritten signature in dark ink, appearing to read "Mark E. Franks", is written over a horizontal line.

Mark E. Franks, Trustee

Exhibit A

All that certain lot, tract or parcel of land lying and being situated in Navarro County, Texas, a part of the Exhall Heights Addition to the City of Corsicana, and being the North one-half of Lots 13,14,15,and 16 in Block Number 32 of the Exhall Heights Addition of the City of Corsicana, Texas, and being the same property described in a warranty deed from William C. Grubbs, Jr. et ux to Ona Faye Brown, a feme sole, dated June 12, 1948, recorded in Vol.478, page 471, Deed Records of Navarro County, Texas. Block 1061 replaces Block No. 32 on City of Corsicana Map.