2015-156

FILED FOR RECORD
AT 3:00 O'CLOCK P M.
NOV 09 2015
SHERRY DOWD, County Clerk
NAVARRO COUNTY, TEXAS
BY DEPUTY

NOTICE OF FORECLOSURE SALE
(Trustee's Sale)

Notice is hereby given of a public non-judicial foreclosure sale.

Notice to Member(s) of Armed Forces: 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 a as a member of the 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. The address of the sender of this notice is set forth below.

1. **Property To Be Sold.** The real property to be sold is described as follows, *to wit:*

All those certain lots, tracts or parcels of land being Lots 1, 2, 3, 4 and 5, of the WHITE DOVE RANCHETTES, an addition to the Navarro County, Texas, according to the plat thereof recorded in Volume 8, Page 260, Plat Records of Navarro County, Texas (the "Property").

2. **Date, Time, and Place of Sale.** The foreclosure sale (the "Sale") is scheduled to be held at the following date, time, and place:

Date: December 1, 2015

Time: The Sale shall begin no earlier than 1:00 P.M., or no later than three hours thereafter. The Sale shall be completed by no later than 4:00 P.M.

Place: Navarro County Courthouse in Corsicana, Texas, at the following location: at or around the south steps on the first floor as prescribed by the Commissioner's Court of Navarro County, Texas.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the Sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be re-posted and re-filed in accordance with the posting and filing requirements of the Texas Property Code. Such re-posting or re-filing may be after the date originally scheduled for this Sale.

3. **Terms of Sale.** The Sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Beneficiary thereunder to have the bid credited to the promissory note (the "Note") up to the amount of the unpaid debt secured by the Deed of Trust at the time of the Sale. Pursuant to the Deed of Trust, the Beneficiary has the right to direct the Trustee to sell the Property in one or more parcels and/or to sell all or only part of the Property. The Property shall be sold on

an "AS IS, WHERE IS" basis. THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE FOR THE PERSONAL PROPERTY, IF ANY, IN THIS DISPOSITION.

Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the property is sold. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

The 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 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. Pursuant to Section 51.0075 of the Texas Property Code, the Trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the Trustee.

4. **Type of Sale.** The Sale is a non-judicial Deed of Trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by Ronald D. Miller and Connie L. Snowden Miller. The Deed of Trust is dated May 19, 2015, and is recorded in the office of the County Clerk of Navarro County, Texas, under Clerk's File Number 00003449, of the Official Public Records of Navarro County, Texas.

5. **Obligations Secured.** The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to: (1) the Note in the original principal amount of $90,000.00, executed by Ronald D. Miller and Connie L. Snowden Miller, and payable to the order of Eric Haupers and Bruce C. Haupers; (2) all renewals and extensions of the Note; and (3) any and all present and future indebtedness of Ronald D. Miller and Connie L. Snowden Miller to Eric Haupers and Bruce C. Haupers, who are the current owners and holders of the Obligations, and are described as the Beneficiary under the Deed of Trust.

6. **Default and Request To Act.** Default has occurred under the Deed of Trust and the Beneficiary has requested me, as the duly appointed Trustee, to conduct the Sale. Notice is given that before the Sale the Beneficiary may appoint another person as Substitute Trustee to conduct the Sale.

Executed this 9th day of November, 2015.

David K. Waggoner, Trustee
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