

## Notice of Foreclosure Sale

April 25, 2016

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FILED FOR RECORD  
11- O'CLOCK 12 M.

#### Deed of Trust ("Deed of Trust"):

Dated: April 14, 2011

Grantor: David D. Johnson

Trustee: Michael Gary Orlando

Lender: **Vanderbilt Mortgage and Finance, Inc.**

Recorded in: Document No. 00002834 of the real property records of Navarro County, Texas

Legal Description: See Exhibit A

In addition to manufactured home more particularly described by  
Serial No. CBH022234TX

Secures: Promissory Note ("Note") in the original principal amount of \$58,986.82, executed by David D. Johnson ("Borrower") and payable to the order of Lender

Substitute Trustee: Craig C. Lesok, Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Harriett Fletcher and David Sims

Substitute Trustee's  
Address: 226 Bailey Ave, Ste 101, Fort Worth, TX, 76107

### Foreclosure Sale:

Date: Tuesday, June 7, 2016

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 11:00 A.M.

Place: Navarro Center, 800 N Main East Entrance or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner

**Terms of Sale:** The Foreclosure Sale will be conducted as a public auction and the  
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Property will be sold to the highest bidder for cash, except that Vanderbilt Mortgage and Finance, Inc.'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, Vanderbilt Mortgage and Finance, Inc., the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Vanderbilt Mortgage and Finance, Inc.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Vanderbilt Mortgage and Finance, Inc.'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, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Vanderbilt Mortgage and Finance, Inc. 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 Vanderbilt Mortgage and Finance, Inc. 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 Substitute 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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

*Sharon St. Pierre*

5-16-16

Craig C. Lesok, Sharon St. Pierre, Robert LaMont,  
Sheryl LaMont, Harriett Fletcher and David Sims  
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**EXHIBIT A**

All that certain lot, tract or parcel of land in the J. B. Harris Survey, A-379, Navarro County, Texas, and being part of the tract to L. Madney in Volume 454, Page 351, Deed Records, Navarro County, Texas, being more fully described as follows:

BEGINNING at a 5/8" rod set in the center of County Road 2220 being the southwesterly corner of said Madney tract;

THENCE N 32°11'45" W, 603.58 feet to a 5/8" rod set for corner;

THENCE N 57°40'39" E, 360.85 feet to a 5/8" rod set for corner;

THENCE S 32°11'45" E, 603.58 feet to a 5/8" rod set for corner in said County Road;

THENCE S 57°40'39" W, with said road 360.85 feet to the POINT OF BEGINNING and containing 5.0 acres of land more or less.