

2016-97

FILED FOR RECORD

AT 3:15 O'CLOCK P.M.

NOTICE OF FORECLOSURE SALE

JUL 12 2016

July 11, 2016

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

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.

Deed of Trust:

Dated: April 1, 2013

Grantor: Lisa Martin

Trustee: David K. Waggoner

Beneficiary: Cross Country Cattle Company, Inc.

Recorded in: Clerk's Instrument Number 00003397,
Official Public Records of Navarro County, Texas

Secures: Real Estate Lien Note (the "Note") in the original principal amount of \$59,866.68, executed by Lisa Martin and payable to the order of Cross Country Cattle Company, Inc.

Legal Description of the Property: All of the real property described on Exhibit "A" attached hereto and incorporated herein for all purposes (the "Property")

Trustee: David K. Waggoner

Trustee's Address: 103 West Elm Street
P.O. Box 875
Hillsboro, Texas 76645

Foreclosure Sale (the "Sale"):

Date: Tuesday, August 2, 2016

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 east steps on the first floor as prescribed by the Commissioner's Court of Navarro County, Texas.

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 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 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.

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 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. 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.

Pursuant to section 51.009 of the Texas Property Code, the Property shall be sold on an "AS IS, WHERE IS" basis, without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.

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 11th day of July, 2016.

A handwritten signature in blue ink that reads "David K. Waggoner" is written over a horizontal line.

David K. Waggoner, Trustee
State Bar No. 50511604
103 West Elm Street
P.O. Box 875
Hillsboro, Texas 76645
Telephone: 254-580-0265
Info@WaggonerLawFirm.net

EXHIBIT "A"

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FIELD NOTES

RETREAT RANCHETTES PHASE III
49.93 ACRES (TRACT 4)

ENOCH FRIER SURVEY
ABSTRACT 3

NAVARRO COUNTY

All that certain lot, tract, or parcel of land situated in the Enoch Frier Survey Abstract 3, Navarro County, Texas, and being a portion of a called 601.637 acre tract of land described as Tract Two in Deed from the Interfirst Bank of Corsicana, Texas to Cross Country Cattle Company, Inc., dated August 17, 1984, recorded in Volume 1037, Page 399 of the Deed Records of Navarro County, Texas. Said tract or parcel of land being more fully described by metes and bounds as follows:

BEGINNING on a found 1" iron pipe for the southeast corner of this tract located S62° 21' 16" W 1939.61 feet from the most easterly corner of the above mentioned tract;

THENCE S62° 21' 16" W 1886.95 feet to a found 1" iron pipe for the southwest corner of this tract;

THENCE N10° 17' 07" W 134.00 feet to a set 3/8" iron rod for an angle corner of this tract;

THENCE N27° 05' 36" E 3236.66 feet to a set 3/8" iron rod for the northwest corner of this tract located in the center line of a 50 foot road easement;


THENCE with said easement N42° 11' 40" E 199.84 feet to a set 3/8" iron rod for the northeast corner of this tract;

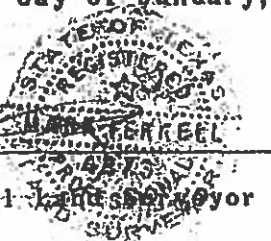
THENCE S02° 10' 58" E 2287.60 feet to the place of beginning and containing 49.93 acres of land of which 0.13 acre lies within a road easement.

SURVEYOR'S CERTIFICATION

I, Mark Ferrell, Registered Professional Land Surveyor 4373, do hereby certify that the above shown tract of land represents the results of an on the ground survey made under my direction and supervision and the dimensions shown are true and correct to the best of my knowledge and belief.

WITNESS MY HAND AND SEAL, this the 24th day of January, 1994.


Mark Ferrell
Registered Professional Land Surveyor
Number 4373



Handwritten initials

