

2016-108
FILED FOR RECORD
AT 2:36 O'CLOCK P.M.
BY Kesha P. Jones DEPUTY

Notice of Foreclosure Sale

AUG 15 2016

August 8, 2016

SHERRY DOWD, County Clerk
NAVARRO COUNTY, TEXAS
BY Kesha P. Jones DEPUTY

Deed of Trust ("Deed of Trust"):

Dated: September 15, 2008
Grantor: Don R. Cope and Kellie E. Cope
Trustee: Michael Gary Orlando
Lender: Vanderbilt Mortgage and Finance, Inc.
Recorded in: Instrument No. 00008991 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. CW2012238TXAB

Secures: Promissory Note ("Note") in the original principal amount of \$121,336.72, executed by Don R. Cope and Kellie E. Cope ("Borrower") and payable to the order of Lender

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

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

Foreclosure Sale:

Date: Tuesday, September 6, 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. and not later than three hours thereafter.

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's Court



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 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**
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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.

/s/ Craig C. Lesok

Craig C. Lesok
Attorney for Mortgagee

Sharon St. Pierre

Craig C. Lesok, Robert LaMont, Sheryl LaMont,
Harriett Fletcher, David Sims, Allan Johnston,
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Fort Worth, TX 76107
E-mail: craig@lesoklaw.com
Telephone (817) 882-9991
Telecopier (817) 882-9993

8-15-16

EXHIBIT "A"

All that certain lot, tract or parcel of land situated in the WILLIAM M. LOVE SURVEY, A-677, Navarro County, Texas, and being part of a called 19.6 acre tract of land under Contract of Sale with the Veterans Land Board of the State of Texas to Paul and Marilyn Mitchell, VLB Account No. 780-157154 recorded in Volume 1562, Page 598 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 at the southeast corner of this tract and the southeast corner of the above mentioned 19.6 acre tract located in the centerline of County Road No. SE3160; Witness: S 56° 02' 20" W 20.2 feet, a found 1/2" iron rod.

THENCE S 56° 02' 20" W 295.78 feet to a set 1/2" iron rod for the southwest corner of this tract;

THENCE N 32° 04' 00" W 299.60 feet to a set 1/2" iron rod for the northwest corner of this tract;

THENCE N 57° 56' 00" E 295.61 feet to the northeast corner of this tract located in said centerline of County Road No. SE3160 and on the east line of said 19.6 acre tract; Witness: S 57° 56' 00" W 20.9 feet, a set 1/2" iron rod.

THENCE with said centerline and the line of directional control (based on record bearing recorded in Volume 1562, Page 598 of the Deed Records of Navarro County, Texas) S 32° 04' 00" E (call & actual) 289.82 feet to the PLACE OF BEGINNING AND CONTAINING 2.00 ACRES OF LAND OF WHICH 0.10 ACRE LIE WITHIN SAID PUBLIC ROAD.