

2016 - 120

FILED FOR RECORD
NOTICE OF FORECLOSURE SALE AT _____ O'CLOCK ____ M.

State of Texas §
County of Navarro §

SEP 12 2016

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

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

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

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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

Date: **October 4, 2016**

Time: The sale shall begin no earlier than 10:00 AM or no later than three hours thereafter.

Place: **Navarro County Courthouse in Corsicana, Texas, at the following location: the area designated by the Commissioners Court of Corsicana, Navarro County, Texas, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).**

The deed of trust permits the Mortgagee of Record 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 reposted and rescheduled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or rescheduling may be after the date originally scheduled for this sale.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (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 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 or any substitute trustee.

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 Mortgagee of Record 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 sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

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. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

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 Alsa McMullan.
5. **Obligations Secured.** The Deed of Trust is dated February 6, 2008, and is recorded in the office of the County Clerk of Navarro County, Texas, in/under Document No. 00001138 and rerecorded in 00003772, Official Public Records of Navarro County, Texas. 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 the promissory note in the original principal amount of \$81,000.00, executed by Alsa McMullan, and payable to the order of Citizens National Bank.

Original Mortgagee: Citizens National Bank.

Current Mortgagee of Record: TIB-The Independent BankersBank whose address is 11701 Luna Road, Farmers Branch, TX 75234.

6. **Default and Request To Act.** Default has occurred under the deed of trust, and the beneficiary has requested me, as Substitute Trustee, to conduct this public sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.
7. **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.**

Sent by: Jeffry B. Lewis
Robertson Anschutz Vettors
1500 CityWest Blvd., Suite 700
Houston, TX 77042

DATED September 12, 2016.

Sharon St. Pierre
Sharon St. Pierre and/or Robert LaMont and/or Kelly
Goddard and/or Allan Johnston, Substitute Trustee
c/o Robertson Anschutz Vettors
1500 CityWest Blvd., Suite 700
Houston, TX 77042
Phone: 713-244-1360

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.

"EXHIBIT A"

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND, BEING 1.00 ACRE SITUATED IN THE MARY SMITH SURVEY, ABSRACT NO. 724, IN NAVARRO COUNTY, TEXAS, AND BEING PART OF A CALLED 13.505 ACRES TRACT CONVEYED IN DEED FROM AMERICA BRUNTON, THOEDORE BASS, IMOGENE MCGEE, GAVALLA PORTER, ALICE B. BEAN, ALLIE MAE B. WOODS, OPAL B. THOMAS AND ANDREW T. BLAIR TO ALSA EDWARDS, DATED MARCH 1, 1986, AND RECORDED IN VOLUME 1082 PAGE 9, IN THE OFFICIAL PUBLIC RECORDS OF NAVARRO COUNTY, TEXAS. SAID 1.00 ACRE IS MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" ROD FOUND FOR THE NORTH CORNER OF THIS TRACT AND IN THE ORIGINAL NORTHWEST LINE OF THE CALLED 13.505 ACRES TRACT, AND BRS. SOUTH 60 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 29.58 FEET FROM ITS ORIGINAL NORTH CORNER, AND IN THE SOUTHEAST LINE OF A TRACT CONVEYED TO AMERICA BRUNTON IN VOLUME 1081 PAGE 897, AND SAID ROD IS IN THE SOUTHWEST RIGHT-OF-WAY OF FARM ROAD 744;

THENCE SOUTH 29 DEGREES 52 MINUTES 02 SECONDS EAST ALONG THE SOUTHWEST RIGHT-OF-WAY OF FARM ROAD 744, A DISTANCE OF 168.09 FEET TO A 1/2" ROD SET FOR THE EAST CORNER OF THIS TRACT;

THENCE SOUTH 60 DEGREES 00 MINUTES 00 SECONDS WEST A DISTANCE OF 259.15 FEET TO A 1/2" ROD SET FOR THE SOUTH CORNER OF THIS TRACT;

THENCE NORTH 29 DEGREES 59 MINUTES 02 SECONDS WEST A DISTANCE OF 168.09 FEET TO A 1/2" ROD SET FOR THE WEST CORNER OF THIS TRACT, AND IN THE COMMON LINE BETWEEN THE CALLED 13.505 ACRES TRACT AND THE BRUNTON TRACT;

THENCE NORTH 60 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 259.15 FEET TO THE PLACE OF BEGINNING AND CONTAINING 1.00 ACRE OF LAND, AND ALSO INCLUDES A 20' X 20' CEMETERY DEDICATION RECORDED IN VOLUME 1176 PAGE 583.

Filed for recording in:
Navarro County

Rec'd: Feb 07, 2008 at 03:37p

Rec'd: 03/07/08
R5 11

Instrument Number: 06001126

Amount: 42.00

Recipient Name: - 20623
By:
Sandra Whilner

STATE OF TEXAS COUNTY OF NAVARRO
I hereby certify that this instrument was
filed in the state and county of Navarro on the day and
year shown opposite to this volume and page in the
Official records of Navarro County
as indicated herein by me.
Feb 07, 2008
Sandra Whilner
Navarro County
Sandra Whilner, CLERK