

2016-140

FILED FOR RECORD

AT 1:10 O'CLOCK P.M.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

OCT 11 2016

SHERRY DOWD, County Clerk  
NAVARRO COUNTY, TEXAS

BY [Signature] DEPUTY

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

SEE EXHIBIT "A"

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded in Doc # 00001282 of the real property records of Navarro County, Texas.

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

Date: November 1, 2016

Time: The sale will begin no earlier than 10:00 A.M. The sale will be completed by no later than 4:00 P.M.

Place: The Courthouse of Navarro County, Texas, before the courthouse door, or at the place so designated by the county commissioners in accordance with Texas law for such sales, or if no such area has been so designated, at the place where Substitute Trustee's Foreclosure Sales of real property are customarily and regularly held in 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 reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

4. *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 sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

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.

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.

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.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed February 11, 2016.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of \$37,000.00 executed by Angel Pichardo Jr. and payable to the order of Tierra Group, LLC. Tierra Group, LLC is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, Eric Jancovech, Scott Horton, or J. Brandon Waits as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Questions concerning the sale may be directed to the undersigned, or to the beneficiary, Tierra Group, LLC at 4200 South Hulen, Suite 533, Fort Worth, TX 76109, (817) 763-0997.

Dated September 27, 2016



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Eric Jancovech, Scott Horton,  
or J. Brandon Waits  
Substitute Trustee

Re: 515 N. Beaton, Corsicana, TX 75110

## EXHIBIT A

### Legal Description

All that certain lot, tract or parcel of land lying with the corporate limits of the City of Corsicana, Navarro County, Texas, being a part of Lots Nos. 7 and 10 according to the official map of the City of Corsicana, and also lying in Block No. 255;

Beginning at a point in the East line of Beaton Street, 197 feet North 30° West from the most Southerly corner of Block No. 255;

Thence North 30° West 53 feet with the East line of Beaton Street to a point for corner;

Thence North 60° East 100 feet to a point for corner in the line of an alley;

Thence South 30° East 53 feet with the line of said alley to a point for corner;

Thence South 60° West 100 feet to the East line of Beaton Street to the place of beginning and being all of that certain tract or parcel of land described as Tract #1 in a deed from Walter Hayes, receiver, to C. A. Breithaupt, dated September 6, 1945, duly recorded in the deed records of Navarro County, Texas, save and except, however, the North 5 feet of said Tract #1 described in said receiver's deed; and being the same identical property described in a warranty deed from Johnny Lee Smith to Fannie Wilkins dated July 27, 1976, recorded in Volume 867, Page 757 of the deed records of Navarro County, Texas, to which reference is now made.