

**NOTICE OF TRUSTEE'S SALE**  
**(NON-JUDICIAL FORECLOSURE)**

September 6, 2019

**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 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: February 1, 2016

Grantor: Jose C. Rios and Arnulfo D. Rios

Trustee: David K. Waggoner

Beneficiary: Richland Creek Cattle Company, Inc.

Recorded in: Clerk's Instrument Number 00001663,  
Official Public Records of Navarro County, Texas

Secures: Real Estate Lien Note (the "Note") in the original principal amount of \$52,381.90, executed by Jose C. Rios and Arnulfo D. Rios, and payable to the order of Richland Creek Cattle Company, Inc.

2019-95  
FILED FOR RECORD  
AT 8:43 O'CLOCK A.M.  
SEP 10 2019  
SHERRY DOWD, County Clerk  
NAVARRO COUNTY, TEXAS  
BY JCS DEPUTY

**Description of the Real Property:** All that certain lot, tract, or parcel of land containing 10.40 acres of land situated in the WILLIAM MOSS SURVEY, ABSTRACT 547, Navarro County, Texas, and being part of a called 105.79 acre tract described by deed recorded in Instrument No. 2015-00001822 of the Official Public Records of Navarro County, Texas. Said 10.40 acres being more fully 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, October 1, 2019

**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:** On the ground level of the south exterior steps of the Navarro County Courthouse, 300 West Third Avenue, in Corsicana, Texas, in the area designated for foreclosure sales by the Commissioners Court of Navarro County, Texas, pursuant to Section 51.002 of the Texas Property Code.

**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 Trustee to conduct the Sale.

Executed this 6th day of September, 2019.



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

#### **CERTIFICATE OF POSTING**

I am David K. Waggoner, whose address is 103 West Elm Street, Hillsboro, Texas, 76645. I hereby declare under penalty of perjury that on September 9, 2019, I filed this Notice of Trustee's Sale at the office of the Navarro County Clerk and caused it to be posted at the location directed by the Navarro County Commissioners Court.

  
David K. Waggoner

Dawson Ranches  
Exhibit "A"  
[Property Description]

FIELD NOTES

RICHLAND CREEK CATTLE CO. INC.  
TRACT 1  
(10.40 ACRES)

WILLIAM MOSS SURVEY  
ABSTRACT 547

NAVARRO COUNTY

All that certain lot, tract, or parcel of land situated in the William Moss Survey Abstract 547, Navarro County, Texas, and being part of a called 105.79 acre tract described by deed recorded in Instrument 2015-00001822 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 1/2" iron rod for the northwest corner of this tract and the northwest corner of the above mentioned 105.79 acre tract located in County Road NW 3160; Witness: S29°30'33"E 11.8 feet, a found 1/2" iron rod.

THENCE with said county road N60°19'13"E 377.40 feet to the northeast corner of this tract; Witness: S29°30'33"E 12.0 feet, a set 1/2" iron rod.

THENCE S29°30'33"E 1207.32 feet to a set 1/2" iron rod for the southeast corner of this tract located on a south line of the William Moss Survey A-547 and the north line of the William Richey Survey A-699;


THENCE with said common survey line S62°25'30"W 377.61 feet to a set 1/2" iron rod for the southwest corner of this tract;

THENCE N29°30'33"W 1193.45 feet to the place of beginning and containing 10.40 acres of land.

SURVEYOR'S CERTIFICATE

I, Mark Ferrell, Registered Professional Land Surveyor 4373, do hereby certify that I directed an on the ground survey of the property described above and prepared the above field notes describing the boundaries of same just as they were found and surveyed upon the ground.

Witness my hand and seal at Athens, Texas, this the 3rd day of March, 2015.

  
Mark Ferrell  
Registered Professional Land  
Surveyor Number 4373  
Firm No. 10019900

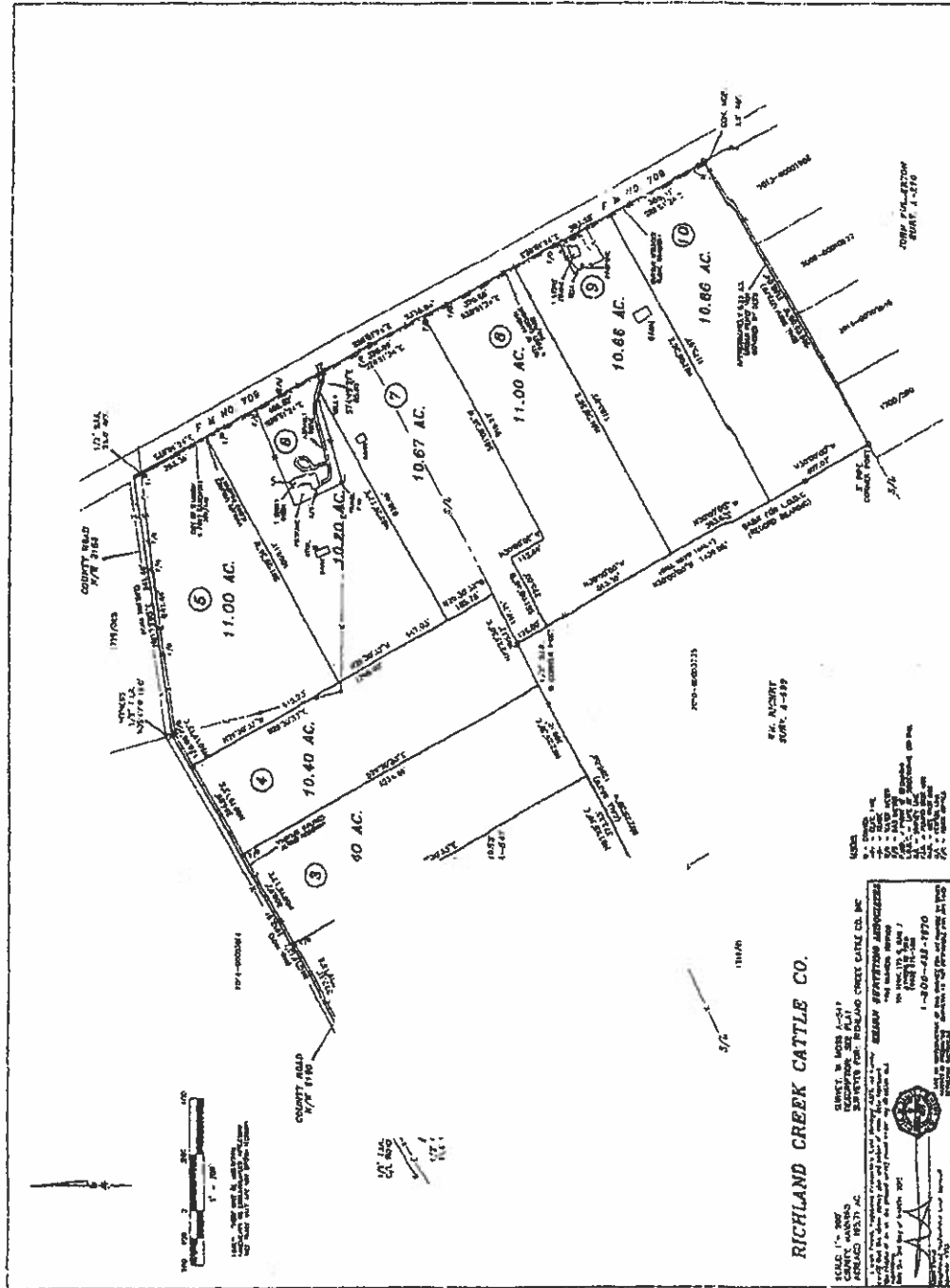


Buyer's Initial: \_\_\_\_\_

JR

Seller's Initial: \_\_\_\_\_

Dawson Ranches  
Exhibit "A"  
[Property Description]



Buyer's Initial

JR

Seller's Initial