

FILED FOR RECORD  
AT \_\_\_\_\_  
JAN 14 2014  
COUNTY CLERK  
2014-17  
FILED FOR RECORD  
AT 9:40 O'CLOCK A.M.  
JAN 14 2014  
SHERRY COWD  
COUNTY CLERK NAVARRO COUNTY, TEXAS  
BY \_\_\_\_\_ DEPUTY

**NOTICE OF FORECLOSURE SALE**

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Deed of Trust. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the following described deed of trust:

Date: May 25, 2010

Grantor(s): Ariel Gustavo Martinez

Beneficiary: Citizens National Bank

Substitute Trustee: Scott A. Ritcheson, Drew Gillen, Charles E. Lauffer, Jr. and Douglas A. Ritcheson

Recording Information: Deed of Trust recorded in Document No. 00003778, of the Official Public Records of Navarro County, Texas.

2. Property to be Sold. The property to be sold (the "Property") is described as follows:

All of that certain lot, tract or parcel of land situated in Navarro County, Texas which is more particularly described on what is attached hereto as Exhibit "A" and incorporated therein for all purposes.

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

Date: February 4, 2014

Time: The sale shall begin no earlier than 1:00 p.m. or no later than three (3) 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:

In the area of such Courthouse designated by the Navarro County Commissioners' Court as the area where foreclosure sales shall take place, or, if no such area has been designated, then on the front steps of the Navarro County Courthouse facing 3rd Street which is the main entrance to the courthouse in Corsicana, 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. Such reporting or refiling 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 date the property is sold.

The sale will be made expressly subject to unpaid ad valorem taxes and 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 other 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

A purchaser at the sale of the Property "acquires the Property "AS IS" without any expressed or implied warranties" (except as to the warranties of title from the grantor identified in the deed of trust described below). Any purchaser acquires the Property "at the purchaser's own risk." Texas Property Code §51.009. Nothing set forth in this Notice is an express or implied representation or

warranty regarding the Property, all of which are specifically disclaimed by the undersigned and by the beneficiary of the herein described deed of trust.

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 by Ariel Gustavo Martinez. The deed of trust is dated May 25, 2010, and is recorded in the office of the County Clerk of Navarro County, Texas, in Document No. 00003778, of the Official Records of Navarro County, Texas.

6.     Obligations Secured. 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, (1) the May 25, 2010 promissory note in the original principal amount of \$44,825.00, executed by Ariel Gustavo Martinez, and payable to the order of Citizens National Bank; (2) all renewals and extensions of the note; (3) all interest, late charges, fees and other expenses payable under said note on the herein described deed of trust; and (4) all other debts and obligations described in the deed of trust (including all debts secured by any cross-collateralization clause in the deed of trust). Citizens National Bank is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Citizens National Bank, Attention: Dan Owen, telephone 903-874-2585.

7.     Default and Request to Act. Default has occurred under the deed of trust, and the beneficiary has asked me, 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.

DATED: January \_\_\_\_, 2014.



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Drew Gillen, Substitute Trustee  
821 ESE Loop 323, Suite 530  
Tyler, Texas 75701  
Tel: (903) 535-2900  
Fax: (903) 533-8646

**Notice to Members of the Armed Forces of the United States:**

**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.**

## Exhibit "A"

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND BEING A PART OF BLOCK 256 ACCORDING TO THE OFFICIAL MAP OF THE CITY OF CORSICANA, NAVARRO COUNTY, TEXAS, AND BEING TRACT DESCRIBED IN DEED FROM MELTON HOMER HARRIS, ET UX, TO P. B. DAVIS, RECORDED IN VOLUME 433, PAGE 70, DEED RECORDS, NAVARRO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY ITS METES AND BOUNDS AS FOLLOWS:

BEGINNING AT NORTHWEST CORNER OF SAID DAVIS TRACT, ON THE EAST RIGHT OF WAY LINE OF NORTH BEATON STREET, AT A POINT THAT IS S 30° 00' 00" E, 100.06 FEET FROM THE SOUTHWEST CORNER OF A TRACT DESCRIBED IN DEED FROM L. T. ELMORE TO OSBORNE L. DOCKERY, A "+" SAW CUT INTO CONCRETE;

THENCE N 60° 00' 00" E, WITH THE NORTH LINE OF SAID DAVIS TRACT AND GENERALLY ALONG A FENCE, 101.95 FEET TO ITS NORTHEAST CORNER, A 1/2 INCH STEEL ROD SET

THENCE S 30° 00' 00" E, WITH THE EAST LINE OF SAID DAVIS TRACT AND GENERALLY ALONG A FENCE, 50.30 FEET TO ITS SOUTHEAST CORNER, A 1/2 INCH STEEL ROD SET;

THENCE S 60° 00' 00" W, WITH THE SOUTH LINE OF SAID DAVIS TRACT, 101.95 FEET TO ITS SOUTHWEST CORNER ON THE EAST RIGHT OF WAY LINE OF NORTH BEATON STREET, A 1/2 INCH STEEL ROD SET;

THENCE N 30° 00' 00" W, WITH THE EAST RIGHT OF WAY LINE OF NORTH BEATON STREET AND THE WEST LINE OF SAID DAVIS TRACT, 50.30 FEET TO THE POINT OF BEGINNING AND CONTAINING APPROXIMATELY 5128 SQUARE FEET OF LAND.