

Notice of Foreclosure Sale

September 28, 2016

FILED FOR RECORD
LAMAR COUNTY, TEX

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RUSS TOWERS
COUNTY CLERK

BY _____ DEPUTY

Deed of Trust ("Deed of Trust"):

Dated: February 23, 2016

Grantor: Randell Smith, an unmarried person, and Jennifer Robinson, an unmarried person

Trustee: Chris W. Fitzgerald

Lender: Steven Glenn Johnson

Recorded in: Instrument No. 131346-2016, Lamar County Real Property Records

Legal Description: See Exhibit "A" attached hereto and made a part hereof.

Secures: Promissory Note ("Note") in the original principal amount of \$24,000.00, executed by Randell Smith, an unmarried person and Jennifer Robinson, an unmarried person ("Borrower") and payable to the order of Lender

Substitute Trustee: Chris W. Fitzgerald

Substitute Trustee's Address: P.O. Box 651, Paris, Texas, 75461 (Mail Only); 32 W Plaza, Paris, Texas 75460

Foreclosure Sale:

Date: Tuesday, November 1, 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 10:00 a.m.

Place: The East foyer, First Floor of the Lamar County Courthouse, 119 N. Main Street, Paris, Lamar County, Texas 75460

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 Steven Johnson'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, Steven Glenn Johnson, 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 Steven Glenn Johnson's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Steven Glenn Johnson'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.

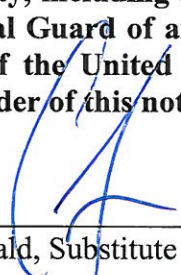
If Steven Glenn Johnson passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 Joanna Keys Pitcock. 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 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.


Chris W. Fitzgerald, Substitute Trustee

All that certain tract or parcel of land, situated in Lamar County, Texas and described as follows to-wit:
Being a part of the C. Worthington Survey and being out of the Northeast corner of Lot #1, Block "B" in the town of Cunningham, as shown in map of said town which is recorded in plat records of Lamar County;
BEGINNING at the NE corner of said Lot #1, a stake in the WB line of Deport St.;
THENCE WEST 133 feet, a stake;
THENCE SOUTH 82 feet, a stake;
THENCE EAST 133 feet, a stake in the WB line of Deport Street;
THENCE NORTH 82 feet, to the place of beginning.
Being the same property as described as second tract in deed from J. W. Musgrove et ux to Edwin G. Cox, dated March 19, 1945, of record in Book 282, Page 47, Lamar County Deed Records.

EXHIBIT "A"