

NOTICE OF FORECLOSURE SALE

February 22, 2017

Deed of Trust ("Deed of Trust"):

Dated: January 5, 2013

Grantor: **JACOB D. ADAMS**

Trustee: **TONY BOYKIN**

Lender: **ST. PAUL LAND COMPANY, LLC**

Recorded in: Vol. 1540, Page 47 of the real property records of Leon County, Texas

Legal Description: **Tract Five (5) of ST. PAUL LAND COMPANY, LLC, being 10.071 acres of land in the WILLIAM LITTLE Survey, A-483, Leon County, Texas, as more fully described by metes and bounds in Exhibit "A" attached hereto**

Secures: Promissory Note ("Note") in the original principal amount of \$48,000.00, executed by **JACOB D. ADAMS** ("Borrower") and payable to the order of Lender and as thereafter assigned to **JOHN F. HAYS, JR.**

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Foreclosure Sale:

Date: Tuesday, April 3, 2018

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 11:00 A.M. and not later than three hours thereafter.

Place: South Entrance, Leon County, Texas, 119 East Main Street, Centerville, Texas 75833

FILED

10:15am
FEB 22 2018

CHRISTIE WAKEFIELD
CLERK COUNTY COURT
BY: *[Signature]*
LEON COUNTY, TEXAS

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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 **JOHN F. HAYS, JR.**'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, **JOHN F. HAYS, JR.**, 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 **JOHN F. HAYS, JR.**'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with **JOHN F. HAYS, JR.**'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 **JOHN F. HAYS, JR.** 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 **JOHN F. HAYS, JR.**. 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.

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.



GEORGE M. ROBINSON
Attorney for Mortgagee

GEORGE M. ROBINSON
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Property Description – 10.071 Acres
Tract 5 – St. Paul Land Company
William Little Survey, Abstract No. 483
Leon County, Texas

Field notes for that certain tract situated in the State of Texas and the County of Leon, being part of the William Little Survey, Abstract No. 483, being 10.071 acres, more or less, and being part of a called 180.86 acre tract, conveyed in a deed dated January 4, 2012, from Canary Devaughn to St. Paul Land Company, L.L.C. and recorded in Volume 1499, Page 85 of the Official Records of Leon County, Texas, and to which reference is hereby made to for any and all purposes. Said tract described as follows, to wit:

Beginning at a 1/2 inch iron rod capped "RPLS 4957" set in the north margin of County Road 245, in the apparent south line of the J. Q. Adams Survey, Abstract No. 48, in the apparent north line of said William Little Survey, in the south line of a called 160 acre tract conveyed to R. F. Emanuel by deed recorded in Volume 39, Page 163 of the Deed Records of Leon County, Texas, and in the north line of said 180.86 acre tract. From which a 1/2 inch iron rod capped "RPLS 4957" found marking the intersection of the north margin of County Road 245 and the west right-of-way line of Farm to Market Road 542 (80 foot right-of-way dedicated in Volume 162, Page 137) and the northeast corner of said 180.86 acre tract bears North 60°00'00" East, 1542.17 feet;

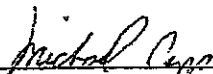
Thence crossing said 180.86 acre tract as follows:

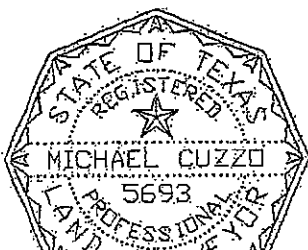
South 30°55'03" East, passing a 1/2 inch iron rod capped "RPLS 4957" set for reference in the south line of a proposed 60 foot wide road right-of-way and utility easement at 60.01 feet and continuing for a total distance of 1079.63 feet to a 1/2 inch iron rod capped "RPLS 4957" set for corner,

South 60°16'32" West, 423.06 feet to a 1/2 inch iron rod capped "RPLS 4957" set for corner, and

North 29°11'17" West, passing a 1/2 inch iron rod capped "RPLS 4957" set for reference in the south line of a proposed 60 foot wide road right-of-way and utility easement at 1017.56 feet and continuing for a total distance of 1077.56 feet to a 1/2 inch iron rod capped "RPLS 4957" set for corner in the north margin of County Road 245, in the apparent south line of said J. Q. Adams Survey, in the apparent north line of said William Little Survey, in the south line of said 160 acre tract and in the north line of said 180.86 acre tract;

Thence with the apparent south line of said J. Q. Adams Survey, the apparent north line of said William Little Survey, the south line of said 160 acre tract, the north margin of said road and the north line of said 180.86 acre tract, North 60°00'00" East (Basis of Bearings), 390.50 feet to the Point of Beginning and containing 10.071 acres, more or less, of which approximately 0.53 acre is within County Road 245, as shown on the accompanying survey plat of even date herewith.


Michael Cuzzo, R.P.L.S. 5693
Raymond Surveying & Mapping
February 14, 2012



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