

FILED

Notice of Foreclosure Sale

May 3, 2017

MAY -8 2017
12:58 pm
CHRISTIE WAKEFIELD
CLERK COUNTY COURT
BY *[Signature]*
LEON COUNTY, TEXAS

Deed of Trust Instrument:

Dated: August 19, 2010

Grantor: Jonathan R. Graves and Kimberly K. Riddle

Trustee: Stephen A. Boykin

Lender: Robert B. Allen and Kathryn Allen

Recorded in: Volume 1440, Page 680 of the real property records of Leon County, Texas

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$27,000.00, executed by Jonathan R. Graves and Kimberly K. Riddle ("Borrower") and payable to the order of Lender

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust and Warranty Deed with Vendor's Lien, Being 4.93 acres of land, more or less, situated in the J.L. WHITFIELD Survey, A-928, Leon County, Texas and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

Substitute Trustee: Chad Morgan

Substitute Trustee's Address: 109 S. Mount Street, FAIRFIELD, TX, 75840

Foreclosure Sale:

Date: Tuesday, June 6, 2017

Time: The sale of the Property will be held between the hours of 1:00 P.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 1:00 P.M.

Place: 130 St. Mary's Street, Centerville, Texas 75833, on the front porch of the Old Courthouse

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 Robert B. Allen and Kathryn Allen'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, Robert B. Allen and Kathryn Allen, 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 Robert B. Allen and Kathryn Allen' election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Robert B. Allen and Kathryn Allen' 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 Robert B. Allen and Kathryn Allen pass 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 Robert B. Allen and Kathryn Allen. 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.

THE LAW OFFICE OF CHAD MORGAN, P.C.



By: _____

CHAD MORGAN

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FAIRFIELD, TEXAS 75840

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Attorney for Robert B. Allen and Kathryn
Allen

STATE OF TEXAS

COUNTY OF LEON

November 19, 2007

4.93 ACRES

These notes describe that certain 4.93 acres in the JOEL WHITFIELD SURVEY, Abstract 928, located in Leon County, Texas; being part of that "4.963 acres" contained in a Trustee's Deed dated August 5, 2003 from Alan L. Tinsley, Trustee to David W. Free and recorded in Volume 1149 Page 622 Leon county Official Records; this 4.93 acres is described more particularly as follows:

BEGINNING at the East corner of that "1.06 acres" (recorded in Volume 906 Page 493 LCOR), same being the North corner of the "4.963 acres" in the Southwest line of that "132.98 acres" (recorded in Volume 1016 Page 178 LCOR); found a 3/8" SR at same at a fence corner;

THENCE with the Southwest line of the "132.98 acres", along an existing fence, South 71°-02'-05" East a distance of 97.08 feet to the South corner of the "132.98 acres", same being the West corner of that "145.85 acres" (recorded in Volume 602 Page 122 LCOR); found a 1/2" steel rod at same at a fence corner;

THENCE with the upper Southwest line of the "145.85 acres", along an fence remnants, South 71°-42'-50" East a distance of 761.04 feet to an interior corner of "145.85 acres"; found a 3/8" steel rod at same;

THENCE with a line of the "145.85 acres", along fence remnants, South 01°-51'-30" East a distance of 312.29 feet to an intersection of same line with the Northeast right-of-way of FM 1511; found a 3/8" steel rod bearing South 01°-51'-30" East 1.53 feet;

THENCE with the Northeast right-of-way of FM 1511, North 65°-30'-40" West at 26.21 feet found a concrete right-of-way mark bearing South 24°-29'-20" West 100.00 feet and continuing an additional 926.02 feet for a total distance of 952.23 feet (called 954.07 feet) to an intersection of same right-of-way with the East line of the "1.06 acres"; found a 3/8" steel rod bearing South 12°-37'-11" West 4.76 feet;

THENCE with the East line of the "1.06 acres", along an existing fence, North 12°-37'-11" East a distance of 192.39 feet (called 195.93 feet) to the PLACE OF BEGINNING.

Containing, according to the dimensions herein stated, an area of 4.93 acres of land.

David W. Free

David W. Free

R.P.L.S. No. 4010

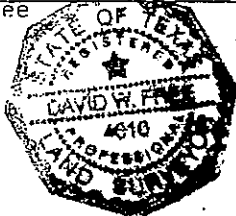


EXHIBIT A

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