

2013-107
FILED

2013 JUN 10 P 4:17

CLERK OF COURT
NAVARRO COUNTY, TX
DEPUTY

NOTICE OF FORECLOSURE SALE
(By Substitute Trustee)

THE STATE OF TEXAS §
§
COUNTY OF NAVARRO §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, on the 1st day of May 2009, **JAMES M. NEAL and SHANA L. HALL**, ("**Debtor**") executed that certain Deed of Trust ("**Deed of Trust**") conveying to **JEFF FULGAM**, Trustee ("**Trustee**") the real property more particularly described in attached Exhibit "A," Said Deed of Trust was modified and extended in Modification of Deed of Trust, dated April 30, 2012, together with all improvements, fixtures, equipment, and other property located on the real property and any and all other items, rights, or interests described in the Deed of Trust, all of which property is more fully described in the Deed of Trust, to which reference is hereby made for further description of the property covered by this notice (collectively, "**Property**"); and

WHEREAS, the Deed of Trust was recorded under Clerk's Number 00003557, in the Real Property Records of Navarro County, Texas and subsequently modified in Modification of Deed Of Trust, recorded under Clerk's Number 00004590, Real Property Records of Navarro County, Texas; and

WHEREAS, the Deed of Trust was executed and delivered to secure the payment of the following items of indebtedness ("**Indebtedness**"):

That certain Promissory Note (as extended, renewed, modified, or replaced, "**Note**") dated of even date with the Deed of Trust and executed by Debtor, payable to the order of **FIRST STATE BANK, Brownsboro, Texas, ("**Creditor**")**, in the original principal amount of **\$84,915.00**).

WHEREAS, the Indebtedness is due and payable, and despite Creditor's demands, Debtor has failed to pay, and continues to fail to pay, the Indebtedness; and

WHEREAS, Creditor designated and appointed **JEFF FULGAM** ("**Trustee**") to act as trustee under and pursuant to the terms of the above referenced Deed of Trust.

WHEREAS, the said **JEFF FULGAM** failed to act as such trustee and **FIRST STATE BANK, Brownsboro, Texas** designated and appointed **JOHN L. YOUNGBLOOD** Substitute Trustee as evidenced by document dated June 7, 2013 and recorded in the County Clerk's Office in Corsicana, Texas for Appointment of Substitute Trustee under Document No. 00004624 Real Property Records of Navarro County, Texas.

NOW, THEREFORE, the undersigned hereby gives notice that, on **Tuesday** the **2nd day of July, 2013**, after due publication of this notice as required by law

and the Deed of Trust, the undersigned will sell the Property, as an entirety or in parcels, by one or by several sales, held at one time or at different times, all as the undersigned may elect and announce at such sale or sales, at the area at the Navarro County Courthouse, as designated by the Commissioners' Court of Navarro County, Texas, where foreclosure sales are to take place. Such designation is as follows: the front steps of the south entrance of the Navarro County Courthouse, in Corsicana, Texas, as designated in Commissioners's Court Minutes. Said sale will begin at 10:00 a.m. and no later than 1:00 p.m. to the highest bidder or bidders for cash at a public auction, and will make due conveyance of the Property to the purchaser or purchasers, with special warranty deed binding Debtor, his successors and assigns.

The sale noticed herein shall include (if applicable) the interest of Debtor in all fixtures and personal property covered by the Deed of Trust and any other documents executed in connection with or as security for the Indebtedness, Creditor having directed the undersigned to sell, and the undersigned hereby gives notice of the sale of, said fixtures and personalty pursuant to rights granted to Creditor under §9.604 of the Texas Business & Commerce Code.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY, OR OTHERWISE, ANY


WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER CREDITOR NOR TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS, OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS, OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH SHALL BE EXPRESSLY WAIVED BY PURCHASER.

EXECUTED in multiple original copies on the 10th day of June, 2013.


JOHN L. YOUNGBLOOD,
Substitute Trustee

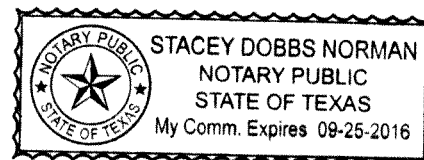
**THE STATE OF TEXAS §
 §
COUNTY OF HENDERSON §**

This instrument was acknowledged before me this 10 day of June, 2013, by **JOHN L. YOUNGBLOOD**, as Substitute Trustee.


Notary Public, State of Texas

ATTACHMENT

Exhibit "A" - Property Description



All that lot, tract or parcel, Tract 486, THE SHORES ON RICHLAND CHAMBERS LAKE, Phase 6, an addition of 44.720 acres to Navarro County, Texas located in the Robert Caradine Survey, Abstract No. 139, Navarro County, Texas and filed of record at Volume 7, Page 395-396, Official Map and Plat Records of Navarro County, Texas.

