

2018-101
FILED FOR RECORD
AT 9:17 O'CLOCK P.M.
SEP 10 2018
SHERRY DOWD, County Clerk
NAVARRO COUNTY, TEXAS
BY: [Signature] DEPUTY

NOTICE OF TRUSTEE'S SALE
(NON-JUDICIAL FORECLOSURE)

September 7, 2018

Notice is hereby given of a public, non-judicial foreclosure sale.

Notice to Member(s) of Armed Forces: 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 the 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. The address of the sender of this notice is set forth below.

Deed of Trust:

Dated: April 1, 2013

Grantor: Hilario Gallegos and Zenaida Bonifaco

Trustee: David K. Waggoner

Beneficiary: Cross Country Land Company

Recorded in: Clerk's Instrument Number 00003166,
Official Public Records of Navarro County, Texas

Secures: Real Estate Lien Note (the "Note") in the original principal amount of \$47,973.40, executed by Hilario Gallegos and Zenaida Bonifaco and payable to the order of Cross Country Land Company

Description of the Real Property: All of the real property described on **Exhibit "A"** attached hereto and incorporated herein for all purposes (the "Property").

Trustee: David K. Waggoner

Trustee's Address: 103 West Elm Street
P.O. Box 875
Hillsboro, Texas 76645

Foreclosure Sale (the "Sale"):

Date: Tuesday, October 2, 2018

Time: The Sale shall begin no earlier than 1:00 P.M., or no later than three hours thereafter. The Sale shall be completed by no later than 4:00 P.M.

Place: On the ground level of the south exterior steps of the Navarro County Courthouse, 300 West Third Avenue, in Corsicana, Texas, in the area designated for foreclosure sales by the Commissioners Court of Navarro County, Texas, pursuant to Section 51.002 of the Texas Property Code.

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 the Sale. Pursuant to the Deed of Trust, the Beneficiary has the right to direct the Trustee to sell the Property in one or more parcels and/or to sell all or only part of the Property.

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 re-posted and re-filed in accordance with the posting and filing requirements of the Texas Property Code. Such re-posting or re-filing may be after the date originally scheduled for this Sale.

Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the property is sold. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

The Sale is a non-judicial Deed of Trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust. The 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 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. Pursuant to Section 51.0075 of the Texas Property Code, the Trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the Trustee.

Pursuant to section 51.009 of the Texas Property Code, the Property shall be sold on an "AS IS, WHERE IS" basis, without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.

Default has occurred under the Deed of Trust and the Beneficiary has requested me, as the duly appointed Trustee, to conduct the Sale. Notice is given that before the Sale the Beneficiary may appoint another person as Trustee to conduct the Sale.

Executed this 7th day of September, 2018.



David K. Waggoner, Trustee

State Bar No. 50511604

103 West Elm Street

P.O. Box 875

Hillsboro, Texas 76645

Telephone: 254-580-0265

Info@WaggonerLawFirm.net

EXHIBIT "A"

Page 1 of 1

HENRY H. HORN SURVEY
ABSTRACT 331

NAVARRO COUNTY

All that certain lot, tract, or parcel of land situated in the Hiram Bush Survey Abstract 46 and the Henry H. Horn Survey Abstract 331, Navarro County, Texas, and being a portion of a called 121-7/10 acre tract of land described as First Tract by deed recorded in Volume 621, Page 581 of the Deed Records of Navarro County, Texas. Said tract or parcel of land being more fully described by metes and bounds as follows.

BEGINNING on a found 1" iron pipe for the northwest corner of the above mentioned 121-7/10 acre tract and this tract located on the south line of County Road No. 3010;

THENCE with said south line N60°12'34"E 525.45 feet to a set 1/2" iron rod for the northeast corner of this tract;

THENCE S29°54'10"E 2483.70 feet to a set 1/2" iron rod for the southeast corner of this tract;

THENCE S59°39'12"W 528.59 feet to a set 1/2" iron rod for the southwest corner of this tract;

THENCE N29°49'51"W 2488.83 feet to the place of beginning and containing 30.08 acres of land.

SURVEYOR'S CERTIFICATE

I, Mark Ferrell, Registered Professional Land Surveyor 4373, do hereby certify that I directed an on the ground survey of the property described above and prepared the above field notes and plat of even date describing the boundaries of same just as they were found and surveyed upon the ground.

Witness my hand and seal at ~~the City of~~ Texas, this the 14th day of May, 2004.



Mark Ferrell
Registered Professional Land
Surveyor Number 4373