

NOTICE OF FORECLOSURE SALE

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

1. Property To Be Sold. The property to be sold is described as follows:

All that certain lot, tract or parcel of land, being 22.901 acres situated in the W. R. Bowen Survey, Abstract No. 70 and in the J. M. Shultz Survey, Abstract No. 756, in Navarro County, Texas, and being a part of a called 130.939 acres tract described in deed from Wanda McGlohen, Betty Pritchard Borsellino and Mary Lee Pritchard Brown, to Victor Howell, dated September 28, 1973, and recorded in Volume 830, page 115, in the Official Public Records of Navarro County, Texas. Said 22.901 acres are more fully described on Exhibit "A" attached hereto and made a part hereof for all necessary purposes.

2. Date, Time, and Place of Sale. following date, time, and place:

The sale is scheduled to be held at the

Date: May 7, 2019

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: Navarro County Courthouse, at the following location: Front entrance of the Navarro County Courthouse 300 W. 3rd Avenue, Corsicana, Texas.

2019 36
FILED FOR RECORD
AT 3:11 O'CLOCK P.M.
APR 05 2019
SHERRY DOWD, County Clerk
NAVARO COUNTY, TEXAS
BY _____ DEPUTY

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 reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiled may be after the date originally scheduled for this sale.

3. 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 sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

4. Type of Sale. 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 executed by James Mitchell and wife, Sally Jo Mitchell. The Deed of Trust is dated March 15, 2011, and is recorded in Instrument No. 9723 (2011) of the Official Public Records of Navarro County, Texas.

5. Obligations Secured. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to (1) the promissory note in the original principal amount of \$67,703.00, executed by James Mitchell and wife, Sally Jo Mitchell, and payable to the order of Victor D. Howell; and (2) all modifications, renewals and extensions of the note. Victor D. Howell is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned.

6. Default and Request To Act. Default has occurred under the deed of trust, and the beneficiary has requested me as Substitute Trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Dated: April 5, 2019



Barbara S. Moe, Substitute Trustee

EXHIBIT "A"

22.901 ACRES
NAVARRO COUNTY, TEXAS

W. R. BOWEN SURVEY A-70
J. M. SHULTS SURVEY, A-756

All that certain lot, tract, or parcel of land, being 22.901 acres situated in the W. R. Bowen Survey, Abstract No. 70 and in the J. M. Shults Survey, Abstract No. 756, in Navarro County, Texas, and being part of a called 130.939 acres tract described in deed from Wanda McGlohen, Betty Pritchard Borsellino and Mary Lee Pritchard Brown, to Victor Howell, dated September 28, 1973, and recorded in Volume 830 Page 115, in the Official Public Records of Navarro County, Texas. Said 22.901 acres are more fully described as follows;

Beginning at a ½" rod previously set for the west corner of this tract and in the south corner of a 4.893 acres tract surveyed out of the called 130.909 acres tract, and in brs. south 44 degrees 41 minutes 00 seconds east a distance of 733.28 feet from its west corner, and said rod is in the southwest line of the Bowen Survey, and in the northeast line of the John McNeal Survey, Abstract No. 8, and in the northeast line of a called 32.9 acres tract, Volume 1259 Poage 833, and in the center of SE County Road 1030;

Thence north 60 degrees 00 minutes 00 seconds east passing a ½" rod set for witness at 19.00 feet and continuing for a total distance of 1,809.60 feet to a ½" rod set for the north corner of this tract and in the east corner of the called 4.893 acres tract;

Thence south 76 degrees 06 minutes 27 seconds east a distance of 403.111 feet to a ½" rod set for the east corner of this tract;

Thence south 61 degrees 44 minutes 05 seconds west generally along a fence a distance of 533.44 feet to a ½" rod set for corner, and being at a fence corner;

Thence south 41 degrees 53 minutes 10 seconds east generally along a fence a distance of 349.73 feet to a ½" rod set for corner, and being in the north corner of a 17.015 acres tract surveyed out of the called 130.039 acres tract, and said rod is at a fence corner;

Thence south 61 degrees 00 minutes 46 seconds west generally along a fence a distance of 807.25 feet to a T-post set on January 5, 2006, and being the north corner of a 5.00 acres tract surveyed out of the called 130.039 acres tract;

Thence south 61 degrees 40 minutes 34 seconds west generally along a fence a distance of 359.90 feet to a ½" pipe found for the west corner of the 5.00 acres tract and the north corner of a 1.190 acres tract conveyed to Kenneth Barber in Volume 867 Page 411;

Thence south 58 degrees 56 minutes 22 seconds west generally along a fence and entering SE County Road 1030, and continuing for a total distance of 318.40 feet to a ½" rod set for the south corner of this tract and being the west corner of the called 1.190 acres tract, and in the southwest line of the called 130.039 acres tract and in the northeast line of a called 100 acres tract, Volume 754 Page 276;

Thence north 44 degrees 41 minutes 00 seconds west along a line in SW County Road 1030, a distance of 606.47 feet to the place of beginning and containing 22.901 acres of land.