

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

September 6, 2019

**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: October 5, 2017

Grantor: Amy Curtis

Trustee: David K. Waggoner

Beneficiary: Cross Country Cattle Company, Inc.

Recorded in: Clerk's Instrument Number 00008089,  
Official Public Records of Navarro County, Texas

Secures: Real Estate Lien Note (the "Note") in the original principal amount of \$46,500.00, executed by Amy Curtis and payable to the order of Cross Country Cattle Company, Inc.

2019-96  
FILED FOR RECORD  
AT 8:45 O'CLOCK A M.  
SEP 10 2019  
SHERRY DOWD, County Clerk  
NAVARRO COUNTY, TEXAS  
BY KO DEPUTY

**Description of the Real Property:** All that certain lot, tract, or parcel of land containing 4.982 acres of land, being a part of the J. B. KITCHUM SURVEY, A-467, in Navarro County, Texas, and all of Tract 7 of Westland Estates Subdivision (unrecorded), and said land being more fully 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 1, 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:** 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 6th day of September, 2019.



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

#### **CERTIFICATE OF POSTING**

I am David K. Waggoner, whose address is 103 West Elm Street, Hillsboro, Texas, 76645. I hereby declare under penalty of perjury that on September 9, 2019, I filed this Notice of Trustee's Sale at the office of the Navarro County Clerk and caused it to be posted at the location directed by the Navarro County Commissioners Court.



David K. Waggoner

**Westland Estates  
Exhibit "A"  
[Property Description]**

FIELD NOTES for Perry Shilling, et ux

Job no. C-16212

BEING a part of the J.B. Ketchum Survey, Abstract 467 and all of Tract 7 of Westland Estates Subdivision, unrecorded, Navarro County and being the tract described in deed from Cross Country Cattle Company to Perry Shilling, et ux recorded in Instrument No. 201500005636, Official Public Records of said County and being more particularly described by its mores and bounds as follows:

BEGINNING at a 1 inch pipe found in the center of a Private Road, at the northwest corner of said Tract 7, the southwest corner of Tract 6 described in deed from Cross Country Cattle Company to Perry Shilling II, et ux recorded in Instrument No. 201000007120 of said Official Public Records and on the easterly line of Tract 9 described in deed from Jana Hayes to Perry Shilling II, et ux recorded in Volume 1763, Page 578 of said Official Public Records;

THENCE N 67°59'38" E, with the common line of said Tracts 6 and 7 a distance of 703.70 feet (call N 59°47' E, 706.69) feet to a 1 inch pipe found at their common east corner and on the westerly line of the tract described in deed from Raymond C. Hayes to Jessie Trevino, et ux recorded in Volume 1400, Page 227 of said Official Public Records;

THENCE S 29°46'54" E, with the common line of said Tract 7 and Trevino tract, generally along a fence, 240.71 feet (call S 28° 02' E, 240.0 feet) to a 1 inch pipe found at their common south corner and on the northwest line of the tract described in deed from Long Beach Mortgage Loan Trust, et al to Arny Straw, et al recorded in Volume 1886, Page 628 of said Official Public Records;

THENCE S 60°45'06" W, (call S 62°30' W) with the common line of said Tract 7 and Straw tract, 147.53 feet to a ½ inch steel rod set at an interior corner of Tract 7 and the northwest corner of said Straw tract;

THENCE S 29°27'54" E, with the common line of said Tract 7 and Straw tract, 67.21 feet (call S 27°43' E, 67.36 feet) to a ½ inch steel rod set at a southeast corner of said Tract 7 and the northeast corner of the Tract 10 described in deed from Mary Britton, et al to Pal Lynn Jones recorded in Instrument No. 201500005145 of said Official Public Records;

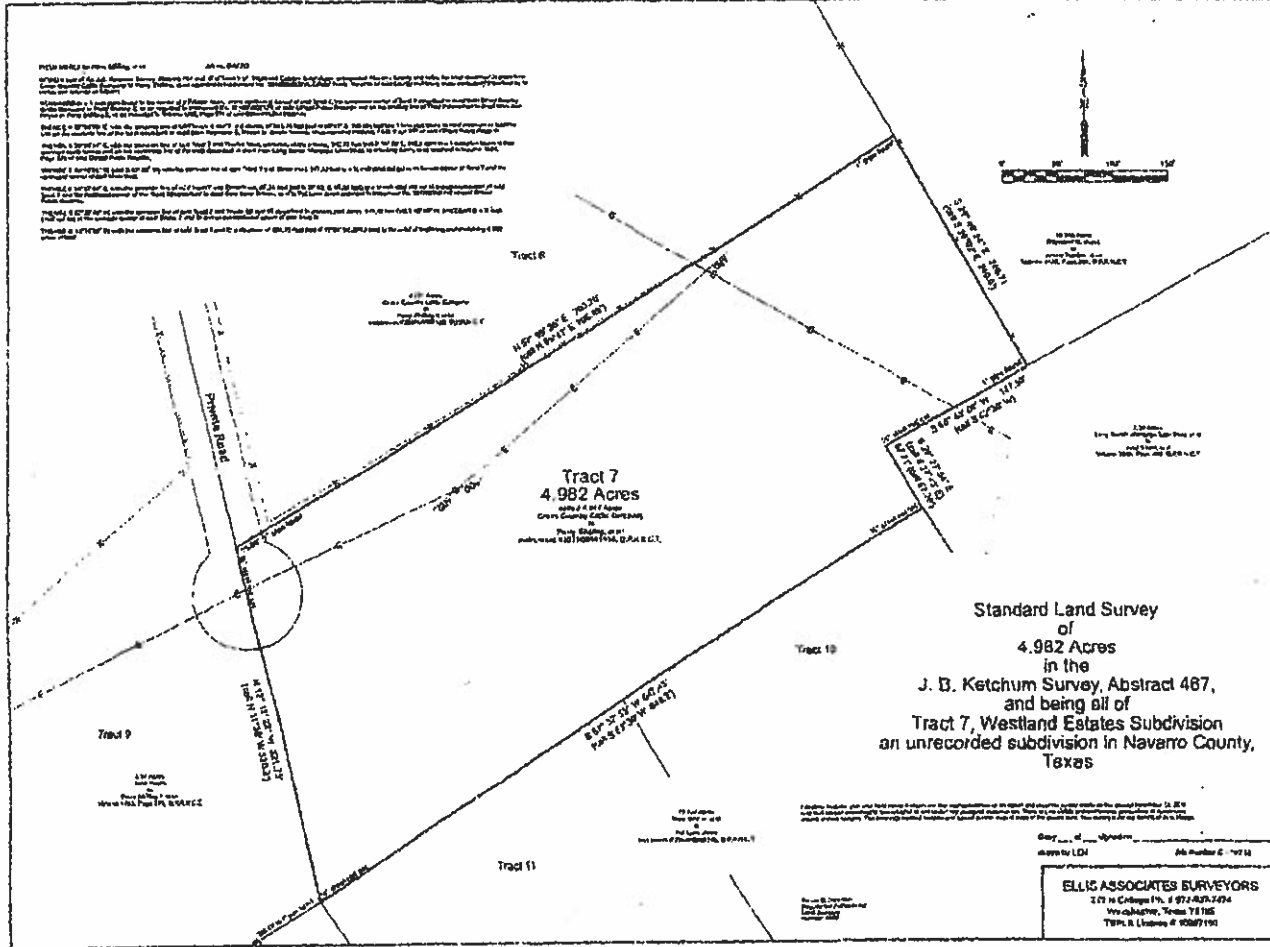
THENCE S 57°37'52" W, with the common line of said Tract 7 and Tracts 10 and 11 described in deed to said Jones, 647.45 feet (call S 59°30' W, 649.2 feet) to a ½ inch steel rod set at the westerly corner of said Tracts 7 and 11 and on the southeast corner of said Tract 9;

THENCE N 13°15'22" W, with the common line of said Tract 7 and 9; a distance of 321.75 feet (call N 11°38' W, 320.2 feet) to the point of beginning and containing 4.982 acres of land.

Buyer's Initials:   ae  

Seller's Initials:   MRA

**Westland Estates  
Exhibit "A"  
[Property Description]**



Buyer's Initials: al

Seller's Initials: AKH