

FILED FOR RECORD

2017 FEB -9 PM 1:14

JAMIE A. O'RAND
CLERK
CASS COUNTY

Notice of 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 situated in the James Clark Survey, A-177, the City of Linden, Cass County, Texas, and more particularly described as follows:

BEGINNING in the S.B.L of the Linden-Atlanta Highway, same being the business route for U.S. Highway 59, at a point 122 feet North 83 deg. East of the NEC of a tract of land for the Texas Highway Department, a stake for corner;

THENCE North 83 deg. East 82 feet along the SBL of said Highway, continue on North 74 deg. East 202 feet along the SBL of said Highway to a stake, same being the NWC of the Jaundel Roberson tract, a stake for corner;

THENCE South 58 1/2 deg. East along the WBL of the Roberson tract 376 feet to a stake in the NBL of U.S. Highway 59;

THENCE South 34 deg. West along the NBL of U.S. Highway 59, 210 feet a stake for corner;

THENCE North 58 1/2 deg. West 549 feet to the place of beginning, containing 2 acres of land out of the Clara Henderson Estate land, situated 1/2 mile East of the Court house.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded under County Clerk's File Number 2011003782, in the Official Public Records of Cass County, Texas, as modified by instrument recorded under County Clerk's File Number 2012005051, in the Official Public Records of Cass County, Texas.

3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: March 7, 2017

Time: The sale will begin no earlier than 10:00 A.M. or no later than three hours thereafter. The sale will be completed by no later than 4:00 P.M.

Place: North entrance of the Cass County Courthouse located on Houston Street in Linden, Texas.

The deed of trust permits the beneficiary to abandon the 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 Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

4. *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 their bid immediately in cash if their bid is accepted.

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. The sale shall not cover any part of the property that has been released of public record from the lien of 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.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (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 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 or any substitute trustee.

5. *Type of Sale.* The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Patti Henson.

The real property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust.

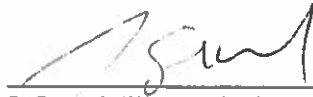
6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note dated June 24, 2011 in the original principal amount of \$22,000.00, executed by Patti Henson, and payable to the order of Texana Bank, N.A. Texana Bank, N.A. 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 or to the beneficiary, Texana Bank, N.A. at 124 East Rush Street, Linden, Texas 75563.

7. *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.

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.

Date: February 9, 2017



J. Scott Miller, Substitute Trustee

Texas State Bar No. 24041486

1516 Judson Road

Longview, Texas 75601

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