

Notice of Foreclosure Sale

December 6, 2016

FILED FOR RECORD IN
Freestone County
Linda Jarvis
COUNTY CLERK
ON: Oct 11, 2016 AT 11:47A
as Notice of Trustee Sale
Total Fees : 8.00
Receipt Number - 138444
By: Melissa Munoz, Deputy

Deed of Trust ("Deed of Trust"):

Dated: November 27, 2002

Grantor: ROY S. LINDER and LILLIE M. LINDER

Trustee: RICKY SIMS

Lender: FRANCES COLLIER

Recorded in: Vol. 1219, Page 439 of the real property records of Freestone County, Texas

Legal Description: **Being 0.394 of an acre of land, more or less, being a part of Subdivision One (1) and Subdivision Fourteen (14), Division 12, City of Wortham, Freestone County, Texas and being more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes**

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$35,000.00, executed by ROY S. LINDER and LILLIE M. LINDER ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, December 6, 2016

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than three hours thereafter.

Place: South Entrance Freestone County Courthouse, 118 East Commerce, Fairfield, Texas 75840

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that FRANCES COLLIER's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, FRANCES COLLIER, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of FRANCES COLLIER's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with FRANCES COLLIER's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If FRANCES COLLIER passes the Foreclosure 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 Deed of Trust and the Texas Property Code.

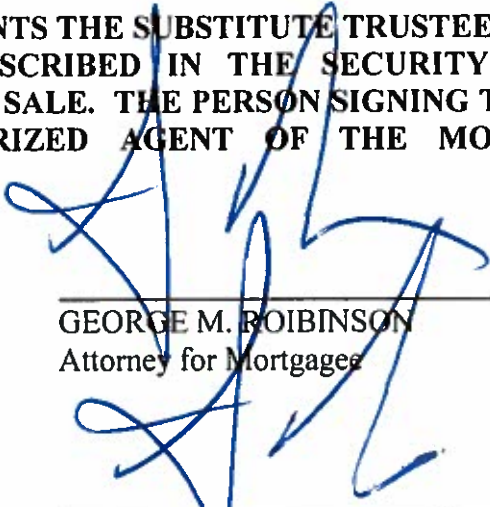
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by FRANCES COLLIER. 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 "AS IS," without any expressed or implied warranties, except as to the warranties (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(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



GEORGE M. ROBINSON
Attorney for Mortgagee

GEORGE M. ROBINSON
Substitute Trustee
129 South Mount
Fairfield, TX 75840
Telephone (903) 389-2203
Telecopier (903) 389-4542

EXHIBIT A

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All that certain lot, tract or parcel of land situated in the City of Wortham, Freestone County, Texas, being 0.394 acre of land and being part of Subdivision One and Subdivision Fourteen, Division Twelve. Said 0.394 acre tract described in a deed from I.M.C. Mortgage Co. to Chase Manhattan Bank, recorded in Volume 1098, Page 476, Official Records Freestone County, Texas. Said 0.394 acre tract described to wit.

Beginning at a 1/2" iron rod and cap, RPLS/858/MJR set for this southwest corner in the northerly r.o.w. of Farm Market 27 (San Saba Ave., 80' r.o.w.) said point bears North 78 degrees West, 5.0 feet from the southeast corner of Subdivision One, also bears South 78 degrees East, 210.0 feet from a 1/2" iron pipe found at the railroad r.o.w. intersection with the north r.o.w. with said road, said point being the southwest corner of Subdivision One;

THENCE North 12 degrees East, 164.36 feet to a 1/2" iron rod and cap set in fence for this northwest corner, said point bears North 76 degrees 46 minutes 27 seconds West, 5.0 feet from a 3/4" iron rod found in fence in the easterly line of Subdivision One;

THENCE South 76 degrees 46 minutes 27 seconds East, 109.66 feet to a 60 penny nail found for this northeasterly corner, reset with 1/2" iron rod and cap, said point being 0.6 from a 2" x 48" chain link fence corner post;

THENCE South 15 degrees 09 minutes 24 seconds West, 162.26 feet westerly of and partly along said fence to a 60 penny nail found for this southeast corner in the northerly r.o.w. of F.M.R. 27 (reset 1/2" iron rod and cap);

THENCE North 78 degrees West, (Basis of Bearing per deed, Vol. 1098, Pg. 476) 100.70 feet along said r.o.w. to the point of beginning, containing 0.394 acre of land, more or less.