

## Notice of Foreclosure 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.**

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

**See Exhibit "A" attached hereto**

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded in Vol. 1441, Page 680 of the real property records of Freestone County, Texas.

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

Date: April 1, 2014

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: Freestone County Courthouse in Fairfield, Texas, at the following location: South Entrance

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. The reposting or refiling 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.

Page -1-

FILED FOR RECORD IN  
Freestone County  
Linda Jarvis  
COUNTY CLERK  
ON: Mar 07, 2014 AT 10:18A  
as Notice of Trustee Sale

Total Fees : 8.00  
Receipt Number - 124101  
By, Levi Whiteside, Deputy

20

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 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.

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 DANIEL LUNA.

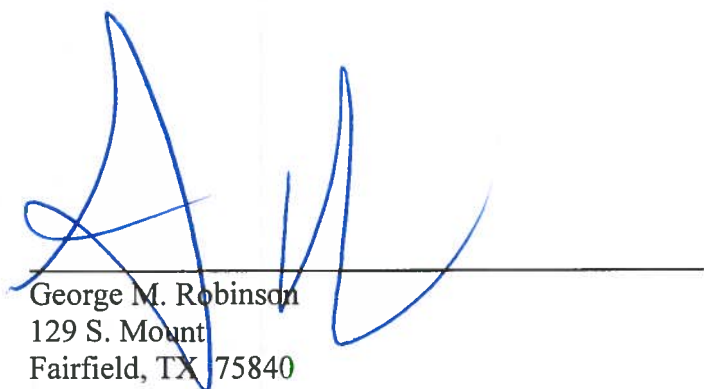
The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note in the original principal amount of \$65,000.00, executed by DANIEL LUNA, and payable to the order of ROSE FRANCES COLLIER. ROSE FRANCES COLLIER 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, ROSE FRANCES COLLIER at Post Office Box 232, Fairfield, Texas 75840.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as 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: March 7, 2014.

A handwritten signature in blue ink, appearing to be 'G. M. Robinson', is written over a horizontal line.

George M. Robinson  
129 S. Mount  
Fairfield, TX 75840  
Telephone (903) 389-2203  
Telecopier (903) 389-4542

**Williford Land Surveying**  
 710 East Commerce Street · Mexia, Texas 76667  
 Ph: 254-562-2837 · Fx: 254-562-2867  
 Clint Williford RPLS#5973

Exhibit

"A"

**Legal Description**

For Rose Frances Collier  
 I. & G. N. R.R. Survey, Abstract No. 330  
 Freestone County, Texas

All that certain lot, tract or parcel of land, part of the I. & G. N. R.R. Survey, Abstract No. 330, Freestone County, Texas, being part of that certain called 5.08 acre tract described in a deed to Willie Wesley Collier and wife, Rose Frances Collier from Laura Lorene Murff on March 26, 199 and recorded in Volume 1095, Page 604 of the Official Records of Freestone County, Texas and being more completely described as follows, to-wit:

BEGINNING at the Northeast corner of the above mentioned 5.08 acre tract, the Southeast corner of a called 1.010 acre tract conveyed to Vernita Evans Means from Darren Huckaby on January 6, 2001 and recorded in Volume 1150, Page 88 in the East line of the I. & G. N. R. R. Survey, Abstract No. 330, the West line of the Hugh Shepherd League, Abstract No. 34 and being near the centerline of County Road No. 1171;

THENCE South 00 deg. 30 min. 57 sec. West with the West line of the Hugh Shepherd League, the East line of the 5.08 acre tract and the I. & G. N. R. R. Survey and generally with the centerline of County Road No. 1171, a distance of 140.27 ft. to the Southeast corner of this tract and being the Northeast corner of a 2.543 acre tract as surveyed on this date, from which a ½" iron rod set bears South 86 deg. 45 min. 59 sec. West - 25.05 ft.;


THENCE in a westerly direction across the 5.08 acre tract and with the North line of the 2.543 acre tract as follows:  
 South 86 deg. 45 min. 59 sec. West a distance of 283.94 ft. to a ½" iron rod (set),  
 North 79 deg. 43 min. 47 sec. West a distance of 62.89 ft. to a ½" iron rod (set) and  
 South 85 deg. 05 min. 12 sec. West a distance of 348.24 ft. to a ½" iron rod (set) for the Southwest corner of this tract, the Northwest corner of the 2.543 acre tract, in the West line of the 5.08 acre tract and being in the East line of a called 8.05 acre tract conveyed to Clifford Light and Carla Light from Tony S. Boykin on April 30, 2004 and recorded in Volume 1280, Page 629, from which a ½" iron rod (found) for the Southwest corner of the 5.08 acre tract bears South 00 deg. 30 min. 57 sec. West - 134.00 ft.;

THENCE North 00 deg. 30 min. 57 sec. East with the West line of the 5.08 acre tract and the East line of the Light tract, a distance of 186.00 ft. to a ½" iron rod (set) for the Northwest corner of this tract and the 5.08 acre tract and being the Southwest corner of a called 1.61 acre tract conveyed to Tony S. Boykin from George F. Boykin on August 21, 2002 and recorded in Volume 1209, Page 142;

THENCE South 89 deg. 04 min. 51 sec. East with the North line of the 5.08 acre tract and the South lines of the Boykin tract, a called 1.62 acre tract conveyed to James F. Scarber et al from George F. Boykin on October 12, 2004 and recorded in Volume 1305, Page 443 and said Means tract, at 388.18 ft. pass a ½" iron rod (found) 0.46 ft. North of the property line, at 667.00 ft. pass a ½" iron rod (set) for reference and continue a total distance of 692.00 ft. to the place of beginning and containing 2.540 acres of land.

The bearings recited herein are based on the West line of a called 5.00 acre tract described in Volume 1154, Page 774.

I James C. Williford, Registered Professional Land Surveyor No. 5973, do hereby certify that the legal description hereon was prepared from an actual survey made on the ground under my direction and supervision.

  
 James C. Williford  
 Registered Professional Land Surveyor No. 5973  
 February 13, 2008  
 Job No. 08-013 Book: 8/45 Plat accompanies legal description

