

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 691 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 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.

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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

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.

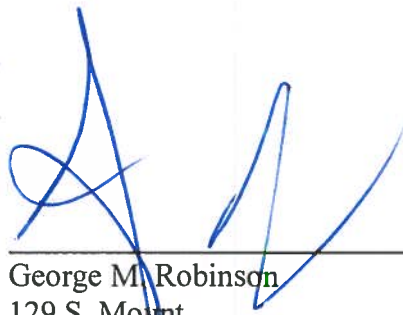
The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

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 \$30,000.00, 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', written over a horizontal line.

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

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STATE OF TEXAS

FOR: STEVE TORNO, TRUSTEE
CENTERVILLE, TEXAS
PROJECT NO. 97020

COUNTY OF FREESTONE

IT IS THE INTENT OF THESE FIELD NOTES TO DESCRIBE all that certain lot, tract or parcel of land being 2.50 acres of which 0.60 acres being in a 60 foot road and utility easement and in County Road No. 1171 in the I. & G. N. R. R. Survey A-330 in Freestone County, Texas and being a part of a 51.08 acre tract deeded from Tony S. Boykin to Steve Torno, Trustee dated April 15, 1997 and recorded in Volume 1011, Page 381 of the Freestone County Official Records in Freestone County, Texas and said 2.50 acre tract being more particularly described by metes and bounds as follows, to wit:

BEGINNING at a set iron pin for corner in County Road no. 1171 and same being the Northeast corner of the said 51.08 acre tract and the I. & G. N. R. R. Survey A-330 and in the West line of the Hugh Shepherd Survey A-34 and same being the Southeast corner of a 68.25 acre tract recorded in Volume 151, Page 183 of the Freestone County Deed Records and the E. Clements Survey A-142;

THENCE South 0 deg 30' 57" West with the West line of the Hugh Shepherd Survey A-34 and with the East line of the said 51.08 acre tract and the I. & G. N. R. R. Survey A-330 and with the said road a distance of 357.18 feet to a set iron pin for corner in the said line and same being the Northeast corner of a 5.08 acre tract, surveyed same date;

THENCE North 89 deg 04' 51" West with the North line of the said 5.08 acre tract a distance of 303.50 feet to a set iron pin for corner in the said line and same being the Southeast corner of a 1.62 acre tract, surveyed same date;

THENCE North 0 deg 30' 57" East with the East line of the said 1.62 acre tract a distance of 360.47 feet to a set iron pin for corner in the North line of the said 51.08 acre tract, said 60 foot road and utility easement and the I & G. N. R. R. Survey A-330 and in the South line of a 40 acre tract recorded in Volume 145, Page 500 of the Freestone County Deed Records and the E. Clements Survey A-142;

THENCE South 88 deg 27' 37" East with the North line of the said 51.08 acre tract, said 60 foot road and utility easement and the I & G. N. R. R. Survey A-330 and with the South line of the said 40 acre tract, said 68.25 acre tract and the E. Clements Survey A-142 a distance of 303.54 feet to the PLACE OF BEGINNING.

Contains 2.50 acres of land of which 0.60 acres being in County road no. 1171 and a 60 foot road and utility easement.

Bearings are referenced to the West line of a called 50.911 acre tract recorded in Volume 410, Page 690 of the Freestone County Deed Records

I, Richard J. Reed, Registered Professional Land Surveyor, do hereby declare that the above field notes are from an on the ground survey and are true and correct and that all work connected therewith was done under my supervision.

Date 12-22-98



Richard J. Reed
Richard J. Reed
Registered Professional Land Surveyor
State of Texas No. 1593

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EXHIBIT A



CERTIFICATION:
TRUE AND CORRECT
COPY OF ORIGINAL ON
FILE IN LEON COUNTY
CLERK'S OFFICE

ATTEST:

Debbie Mutschler
DEBBIE MUTSCHLER

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Job Check Date / Time: 01/19/1999 / 3:55:27 PM

Branch: WACO
Job Name: BRYAN K CUSHING
Job Address: NEW ADDRESS OCL FAIRFIELD, TX 75840

Date of Sale: 01/09/1999
Model: GALVESTON/961

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A TRACT OR PARCEL OF LAND CONTAINING 1.010 ACRE OUT OF THE SOUTHERLY PORTION OF A CERTAIN SO CALLED 2.500 ACRE TRACT DESCRIBED IN INSTRUMENT TO BRYAN CUSHING OUT OF A CERTAIN SO CALLED 50.911 ACRE TRACT (CALLED 51.08 ACRE) CONVEYED TO FRANK H. RIASETTE, IN INSTRUMENT DATED OCTOBER 29, 1971 RECORDED IN VOLUME 410, PAGE 698 OF THE FREESTONE COUNTY DEED RECORDS AND LATER CONVEYED TO STEVE TORMO, TRUSTEE IN INSTRUMENT RECORDED IN VOLUME 1011, PAGE 383 OF THE FREESTONE COUNTY DEED RECORDS OUT OF THE I. & G.N.R.R. CO. SURVEY, ABSTRACT 330, FREESTONE COUNTY, TEXAS SAID 1.010 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO-WIT:

COMMENCING at a 1/4 inch iron rod found at the Southeast corner of E. Clements Survey, Abstract 142 and the Northeast corner of the I. & G. N.R.R. Co. Survey, Abstract 330, and in the West boundary line of the Hugh Shepherd Survey, Abstract 34, Freestone County, Texas marking the Northeast corner of said 50.911 acre tract;
THENCE South 00 degrees 30 minutes 57 seconds West with the East right-of-way line of County Road No. 1171 and with the division line between said Abstract 330 and Abstract 34 a distance of 215.18 ft. to a 1/4 inch iron rod set at the Northeast corner and PLACE OF BEGINNING of the herein described 1.010 acre tract and marking the Southeast corner of the residue 1.490 acre tract;
THENCE South 00 degrees 30 minutes 57 seconds West continuing with said survey line and the East right-of-way line of County Road No. 1171 a distance of 145.00 ft. to a 1/4 inch iron rod found at the Southeast corner of said 2.500 acre tract and marking the Northeast corner of an adjoining 5.08 acre tract under contract by Steve Tormo, Trustee;
THENCE North 89 degrees 04 minutes 51 seconds West with the North line of 5.08 acre tract and the South line of said Cushing so called 2.500 acre tract passing an iron rod in the West right-of-way line said County Road No. 1171 and passing another 1/4 inch iron rod in line in all a total distance of 303.50 ft. to a 1/4 inch iron rod found at the Southwest corner of the herein described 1.010 acre tract and marking the Southwest corner of said original so called 2.500 acre tract;
THENCE North 00 degrees 30 minutes 57 seconds East with the East boundary line of a 1.02 acre tract previously surveyed out a distance of 145.00 ft. to a 1/4 inch iron rod set at the Northwest corner of the herein described tract and marking the Southwest corner of the residual 1.490 acre tract;
THENCE South 89 degrees 04 minutes 51 seconds East passing a 1/4 inch iron rod for reference in the West right-of-way line of county Road No. 1171 a total distance of 303.50 ft. to the PLACE OF BEGINNING and containing 1.010 acre of land and being known 225 County Road No. 1171, Fairfield, Texas 75840.

EXHIBIT B

THE STATE OF TEXAS
COUNTY OF LEON

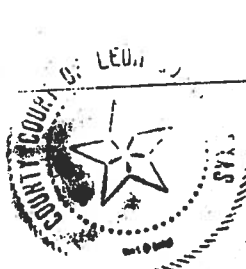
I HEREBY CERTIFY that the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the 15th day of March, A.D. 2008, at 4:55 o'clock P.M. and was duly recorded by me on the 21st day of March, A.D. 2008 in Vol. 1042 page 456 of the Official Records of said County.

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WITNESS MY HAND and the seal of the County Court of said County, at my office in Centerville, Texas, the day and year last above written.
By: Linda Mason, Deputy

CARLA McEACHERN
County Clerk Leon County, Texas

RECORDER'S NOTE: Signature(s) dim on original instrument.
RECORDER'S NOTE: Notary Seal Dim On Original Instrument.



State of Texas
County of Leon
I, Carla McEachern, County Clerk of Leon County, Texas, do hereby certify that this document is a true and correct copy of the original record as the same is on file in Vol. 1042, Page 456 of the Records of Leon County, Texas. Witness my hand and official seal of office, this 21st day of March, 2008.
CARLA McEACHERN, County Clerk,
Leon County, Texas
By: Debbie Mitschke, Deputy

DEBBIE MITSCHEFF

FILED FOR RECORD IN
Freestone County
Mary Lynn White
COUNTY CLERK
ON: Mar 28, 2008 AT 02:49P
as Recordings
Document Number: 00802108
Total Fees : 40.00
Receipt Number - 85059
By: Laurie Schick, Deputy