POSTED
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Michelle Reynolds
BY AB Deputy

FILED
MICHELLE REYNOLDS
COUNTY/DISTRICT CLERK
SOMERVELL CO., TEXAS

2016 JAN -7 AM 9:23

DEPUTY
BY AB

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:

A tract of land within Block 42 of the Milam County School Land Survey, Abstract No. 135, Somervell County, Texas, containing 13.275 acres and being a portion of the Tuscan Village Addition, plat recorded in Instrument No. 20080138 of the Official Public Records of Somervell County, and being more fully described as follows: All bearings recited herein are based on the Texas Coordinate System, North Central Zone, 1993 Datum. All iron rods set have a plastic cap marked "Clear Fork":
BEGINNING at a 4 inch pipe corner post found marking the northwesterly corner of the tract herein described, same being the southwest corner of a tract described in a deed to Charles A Davison, recorded in Volume 49, Page 526, of the Real Property Records of Somervell County. From said 4 inch pipe corner post a 5/8 inch rod found at an offset bears, South 51 deg 58 min 24 sec West for a distance of 1.93 feet;
THENCE with the northwest line of the tract herein described and southeast line of said Davison tract, North 58 deg 41 min 46 sec East for a distance of 830.65 feet to a r inch iron rod set marking the northwest corner of a 13.16 acre tract described in a deed recorded in Instrument 20080349, of the Official Public Records of Somervell County, Texas;
THENCE with the west line of said 13.16 acre tract for the following calls to 5/8 inch iron rods found:
South 05 deg 40 min 52 sec West for a distance of 116.64 feet
South 57 deg 09 min 24 sec East for a distance of 139.86 feet
South 42 deg 05 min 41 sec West for a distance of 21.90 feet
South 47 deg 54 min 19 sec East for a distance of 50.00 feet
Along a curve to the left having a radius of 437.59 feet and an arc length of 19.11 feet being subtended by a chord of South 40 deg 50 min 37 sec West for a distance of 19.11 feet
South 63 deg 40 min 34 sec East for a distance of 97.83 feet
South 34 deg 16 min 03 sec West for a distance of 55.53 feet
South 27 deg 08 min 38 sec West for a distance of 110.01 feet
South 20 deg 21 min 42 sec West for a distance of 165.43 feet
South 07 deg 36 min 21 sec East for a distance of 106.41 feet
South 14 deg 31 min 34 sec West for a distance of 107.68 feet
South 45 deg 39 min 10 sec West for a distance of 55.35 feet
South 24 deg 58 min 51 sec West for a distance of 155.63 feet
South 68 deg 08 min 13 sec East for a distance of 117.70 feet
THENCE with the west line of said 13.16 acre tract, South 31 deg 26 min 06 sec East for a distance of 15.00 feet to a ½ inch iron rod set in the northerly line of a tract described in a deed to James A Vaughn, recorded in Volume 140, Page 337 of the Real Property Records of said County for the southeasterly corner of the tract herein described;
THENCE with the southeast line of the tract herein described and northwest line of said James A Vaughn tract, South 58 deg 33 min 54 sec West for a distance of 343.74 feet to a 4 inch pipe corner post found marking the southwesterly corner of the tract herein described and also the southeast corner of a tract descried in a deed to Howard Ray

Vaughn and Donia Vaughn Gill recorded in Volume 117, Page 486, of the Real Property Records of said County;
THENCE with the southwest line of the tract herein described and northeast line of said Howard Ray Vaughn and Donia Vaughn Gill tract, North 31 deg 12 min 10 sec West for a distance of 926.17 feet to the point of beginning.
This description includes the following plated tracts: Lots 42-50 of Tuscan Village Addition, an addition to the City of Glen Rose, Somervell County, Texas according to plat filed of record on January 25, 2008 and recorded under clerk's file number 20080138, Official Public Records, Somervell County, Texas and Lots 22R, 23R, 24-1, 24-2 of Tuscan Village Addition, an addition to the City of Glen Rose, Somervell County, Texas according to replat filed of record on April 23, 2014 and recorded under clerk's file number 20140556, Official Public Records, Somervell County, Texas
SAVE AND EXCEPT: Lot 22R5, Tuscan Village according to the replat of Lot 22R and adjacent areas into Lots 22R-1, 22R-2, 22R-3, 22R-4 and 22R-5 filed of record at Instrument No. 20141258, Official Public Records of Somervell County, Texas, which is a partial replat of 13.275 acres of land in the Milam County School Land Survey, Abstract No. 135, Somervell County, Texas, more fully described in Deed of Trust at Instrument No. 2140773, Official Public Records of Somervell County, Texas.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust recorded in Instrument No. 20140773, and Modification and Extension of Real Estate Note and Lien recorded in Instrument No. 20150940, Official Public Records, Somervell County, Texas.

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

Date: February 2, 2016

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: Somervell County Courthouse in Glen Rose, Texas, at the following location: East door of the Somervell County Courthouse

The beneficiary may 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.

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 and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by JAMUS CORP.

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 executed by JAMUS CORP., and payable to the order of FIRST NATIONAL BANK OF GRANBURY. FIRST NATIONAL BANK OF GRANBURY is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

7. *Default and Request to Act.* Default has occurred in the payment of the subject note and in the performance of the obligations of 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: January 6, 2016.

Edwin J. Seinheimer
1107 W. Pearl, Suite 101
Granbury, TX 76048