

NOTICE OF FORECLOSURE SALE
(Substitute Trustee's Sale)

Notice is hereby given of a public non-judicial foreclosure sale.

Notice to Member(s) of Armed Forces: 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 a as a member of the 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. The address of the sender of this notice is set forth below.

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

All that certain lot, tract or parcel of land being all of Lot 208, TALL TIMBER ESTATES UNIT III SUBDIVISION, in Whitney, Hill County, Texas, and said land being more particularly described on **Exhibit "A"** attached hereto and incorporated herein for all purposes (the "Property").

2. **Date, Time, and Place of Sale.** The foreclosure sale (the "Sale") is scheduled to be held at the following date, time, and place:

Date: April 5, 2016

Time: The Sale shall begin no earlier than 9:00 A.M., or no later than three hours thereafter. The Sale shall be completed by no later than 12:00 P.M.

Place: Hill County Courthouse in Hillsboro, Texas, at the following location: at or around the east steps on the first floor as prescribed by the Commissioner's Court of Hill County, Texas.

FILED
NICOLE TANNER, COUNTY CLERK
HILL COUNTY, TEXAS
2016 MAR 14 P 3:09

The Deed of Trust permits the Lender 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 re-posted and re-filed in accordance with the posting and filing requirements of the Texas Property Code. Such re-posting or re-filing may be after the date originally scheduled for this Sale.

3. **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 Lender thereunder to have the bid credited to the promissory note (the "Note") up to the amount of the unpaid debt secured by the Deed of Trust at the time of the Sale. Pursuant to the

Deed of Trust, the Lender 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. The Property shall be sold on an "AS IS, WHERE IS" basis. THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE FOR THE PERSONAL PROPERTY, IF ANY, IN THIS DISPOSITION.

Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the property is sold. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

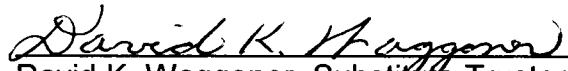
The Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. Pursuant to Section 51.0075 of the Texas Property Code, the Substitute 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 Substitute Trustee.

4. Type of Sale. The Sale is a non-judicial 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 Willie G. Harris and Robyn Daniels. The Deed of Trust is dated May 11, 2009, and is recorded in the office of the County Clerk of Hill County, Texas, under County Clerk's File Number 27276, and in Volume 1596, Page 772, of the Official Public Records of Hill County, Texas.

5. 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: (1) the Note in the original principal amount of **\$37,050.00**, executed by Willie G. Harris and Robyn Daniels, and payable to the order of Floyd A. Falter, Trustee of the Floyd A. Falter Trust No. 1; (2) all renewals and extensions of the Note; and (3) any and all present and future indebtedness of Willie G. Harris and Robyn Daniels to said trustee, who is the current owner and holder of the Obligations, and who is the Lender under the Deed of Trust.

6. Default and Request To Act. Default has occurred under the Deed of Trust and the Lender has requested me, as the duly appointed Substitute Trustee, to conduct the Sale. Notice is given that before the Sale the Lender may appoint another person as Substitute Trustee to conduct the Sale.

Executed this 14th day of March, 2016.



David K. Waggoner, Substitute Trustee

Attorney At Law

103 West Elm Street

P.O. Box 875

Hillsboro, Texas 76645

Telephone: 254-580-0265

Info@WaggonerLawFirm.net

EXHIBIT "A"

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INCE SURVEYING & ENGINEERING
184 THOUSAND OAKS DRIVE
WHITNEY, TEXAS 76692
PHONE: (254) 694-7708
FAX: (254) 694-7230

Field notes for the survey of a certain lot, tract, or parcel of land being all of Lot 208 of the Tall Timber Estates, Unit 3 Subdivision in Hill County, Texas, according to plat recorded in Slide A-97 of the Official Plat Records of Hill County. Said land is a part of those certain tracts described in a deed from Martin Vance Goff, Samuel Dale Goff, and James Dennis Goff to Floyd A. Falter recorded in Volume 1404, Page 573 of the Official Public Records of Hill County, more particularly described as follows:

BEGINNING at a 1/2" iron rod found at a chain link fence corner in the south line of Sunset Drive for the northwest corner of said Lot 208;

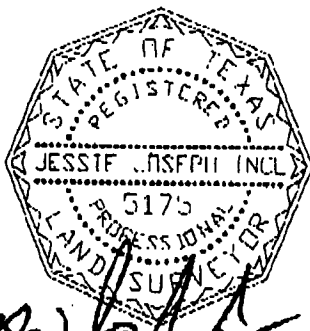
THENCE with the south line of Sunset Drive, $N60^{\circ}29'00''E$ 100.06 feet to a 1/2" iron rod found for the northeast corner of said Lot 208;

THENCE $S30^{\circ}00'17''E$ 118.95 feet to a 1/2" iron rod found in the north line of Lot 12 of the Woodland Park Subdivision, according to plat recorded in Slide A-217 of the Official Plat Records of Hill County for the southeast corner of said Lot 208;

THENCE $S60^{\circ}25'02''W$, at 97.63 feet passing a 1/2" iron rod found for the northwest corner of said Lot 12 and for the northeast corner of Lot 11 of said Woodland Park Subdivision, in all a distance of 99.93 feet to a "Mag" nail found in the north line of said Lot 11 for the southwest corner of said Lot 208;

THENCE $N30^{\circ}03'57''W$ 119.07 feet to the place of beginning, containing 0.273 acres of land.

A plat of even date accompanies these field notes.



Registered Professional Land Surveyor
04/15/09