

17 MAY 16 AM 9:01

DAVID J. BIRSON
COUNTY CLERK

BY _____ DEPUTY

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

STATE OF TEXAS '

 '

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF LAMAR '

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.

WHEREAS, by Deed of Trust dated **October 1, 2014**, **Dario Rodriguez**, hereinafter referred to as "Borrower", conveyed to Hilda Mallory, as Trustee, the following described property situated in **Lamar County, Texas**, to-wit:

ALL THAT LOT, TRACT, OR PARCEL OF LAND SITUATED IN LAMAR COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED ON THE ATTACHED EXHIBIT "A" INCORPORATED HEREIN FOR ALL NECESSARY PURPOSES;


(herein referred to as "the property"), to secure that one certain promissory note therein described in the original principal sum of **\$365,000.00**, executed by said Borrower and payable to **William E. Cupit**, (which note is hereby referred to as "note"), said Deed of Trust being recorded as **Instrument No. 119217-2014, Lamar County Official Public Records**, Lamar County Official Public Records, (herein referred to as "Deed of Trust"); and

WHEREAS, default has occurred under the terms of said Deed of Trust and the indebtedness secured thereby is now wholly due, and William E. Cupit, the owner and holder of said indebtedness, has requested the undersigned to sell the property to satisfy same.

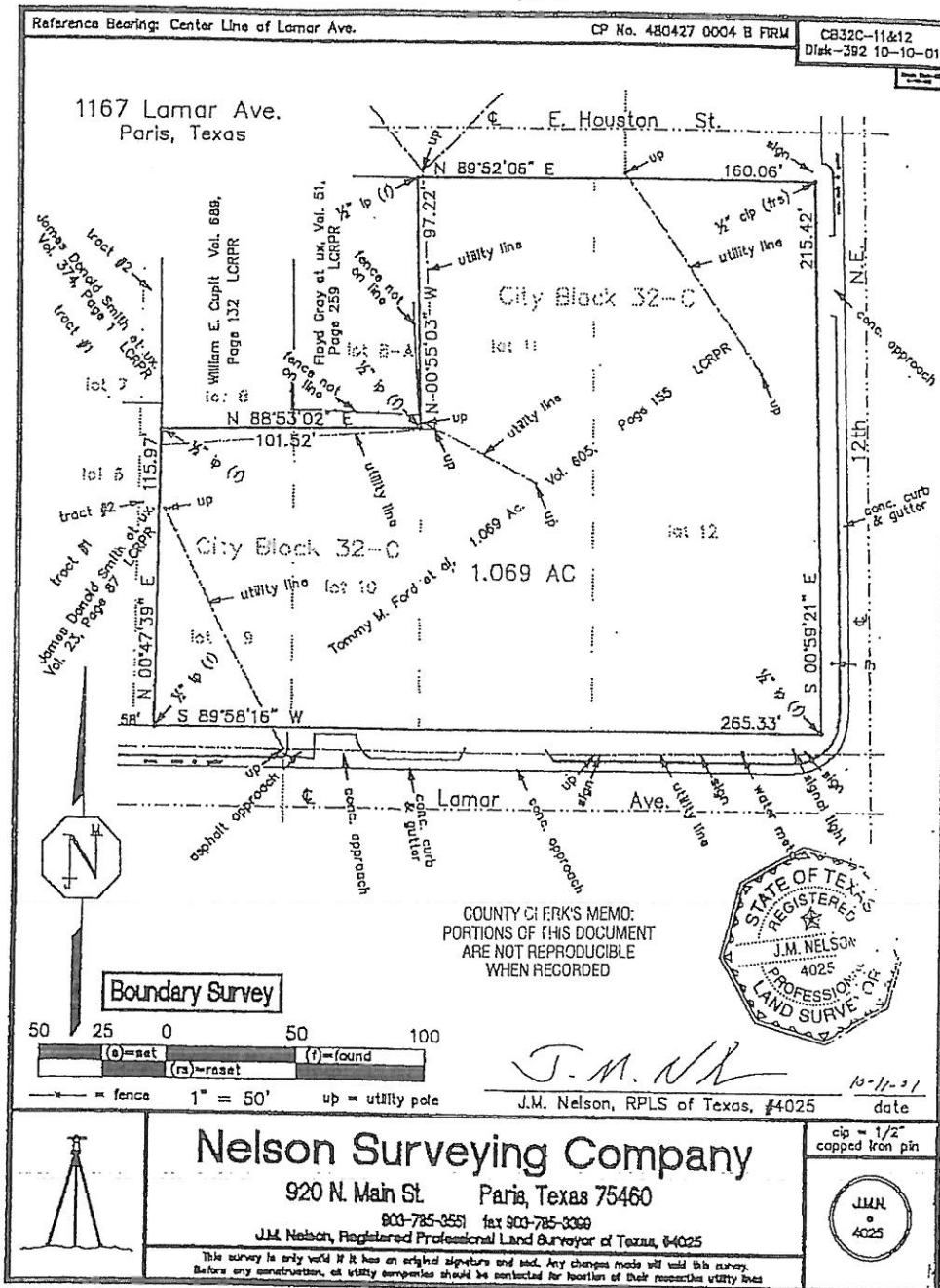
WHEREAS, the undersigned has been appointed as Substitute Trustee in the place of Hilda Mallory, Trustee, in the aforesaid Deed of Trust, said appointment being in the manner authorized by the Deed of Trust; and

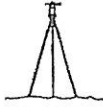
NOW, THEREFORE, notice is given that on **Tuesday, June 6, 2017**, I will sell said property at the County Courthouse in **Lamar County, Texas**, to the highest bidder, for cash. The property will be conveyed "As is" and "With All Faults." **10:00 o'clock a.m.** is the earliest time on said date at which the sale may occur and the sale will begin at that time or not later than three hours after that time. I will sell said property at the area designated by the Commissioners Court of said County for such sale, to-wit: **the East Foyer, just inside what is now called the first floor East entrance to the Lamar County Courthouse, 119 North Main Street, Paris, Lamar County, Texas or as designated by the commissioner's court of said County.**

WITNESS MY HAND this **16th** day of **May, 2017.**



DON BIARD, Substitute Trustee
38 First Street NW
Paris, Texas 75460
(903) 785-1606





Nelson Surveying Company

920 North Main Street Paris, Texas 75460
903-785-3551 fax 903-785-3399 e-mail jimn@stargate.1starnet.com
Jim Nelson, owner

J. M. Nelson, Registered Professional Land Surveyor of Texas, #4025

CB32C-11&12 Disk-392 LRattan #778 Lamar Ave.

FIELD NOTES

Situated within the Corporate Limits of the City of Paris, County of Lamar, and State of Texas, a part of the Larkin Rattan Survey #778, and being a called 1.069 acre tract of land conveyed to Tommy M. Ford et al, by deed recorded in Vol. 605, Page 155, of the Real Property Records of said County and State, said 1.069 acre tract of land being a combination of lots 9, 10, 11, & 12, in City Block 32-C (plat not recorded).

Beginning at a 1/2" iron pin (f) for corner at the Southwest corner of said 1.069 acre tract and said lot 9, and the Southeast corner of tract #2, a lot conveyed to James Donald Smith et ux, by deed recorded in Vol. 23, Page 87, of said Real Property Records, said tract #2 being known as lot 6, City Block 32-C.

Thence North 0°47'39" East along the East Boundary Line of said Smith lot a distance of 115.97 feet to a 1/2" iron pin (f) for corner at the Westerly Northwest corner of said 1.069 acre tract and said lot 9, and at the Southwest corner of a lot conveyed to William E. Cupit by deed recorded in Vol. 689, Page 132, of said Real Property Records, said Cupit lot being known as lot 7, City Block 32-C;

Thence North 88°53'02" East a distance of 101.52 feet to a 1/2" iron pin (f) at an el corner of said 1.069 acre tract and the Northeast corner of said lot 10, and at the Southeast corner of a lot conveyed to Floyd Gray et ux, by deed recorded in Vol. 51, Page 259, of said Real Property Records, said Gray lot being known as lot 8-A, City Block 32-C;

Thence North 0°55'03" West a distance of 97.22 feet to a 1/2" iron pin (f) for corner at the Northerly Northwest corner of said 1.069 acre tract and said lot 11, and at the Easterly Northwest corner of said Gray lot;

Thence North 89°52'06" East along the South Boundary Line of E. Houston St. a distance of 160.06 feet to a 1/2" capped (JMN - 4025) iron pin (frs) for corner at the Northeast of said 1.069 acre tract and said lot 12;

Thence South 0°59'21" East along the West Boundary Line of 12th N.E. a distance of 215.42 feet to a 1/2" iron pin (f) for corner at the Southeast corner of said 1.069 acre tract and said lot 12;

Thence South 89°58'16" West along the North Boundary Line of Lamar Ave. a distance of 265.33 feet to the place of beginning and containing 1.069 acres of land.

I, J.M. Nelson, Registered Professional Land Surveyor of Texas, #4025, certify that the above depicted and described tract of land was taken from an actual survey made on the ground and completed by me on the 10th day of October, 2001, that there doesn't appear to be any visible easements or encroachments other than those shown thereon, and that this tract of land does not appear to lie in a flood zone as indicated by Community Panel No. 480427 0004 B of the Flood Insurance Rate Maps.



J.M. Nelson (signature)

J.M. Nelson, RPLS of Texas, #4025

10-11-01 date

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VOTES
P.50

TRACT 2:

A part of the Larkin Rattan Survey and of City Block No. 32-C within the corporate limits of the City of Paris; described by metes and bounds as follows:

BEGINNING at a stake in the SB line of East Houston Street at a point 161 feet West of the intersection of the SB line of East Houston Street and the WB line of 12th Street NE;

THENCE WEST 49 feet, a stake at a point 50 feet East of the NE corner of an 8-foot strip of land sold by L. C. Hill to J. Hugh Johnson, by deed of record in the Deed Records of Lamar County, Texas;

THENCE SOUTH 98 feet, a stake;

THENCE EAST 50 feet, a stake;

THENCE NORTH 98 feet to the place of beginning, and being the same property conveyed by Lee Vickers and wife, Dianne Vickers, to Gerald Whitesides on December 22, 1987, by deed of record in Book 716, Page 681, Lamar County Deed Records; reference being made to all the above mentioned instruments and records for all necessary purposes;