

FILED FOR RECORD
LAMAR COUNTY, TEX.

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RUTH SISSON
COUNTY CLERK

NOTICE OF FORECLOSURE SALE

State of Texas §
 §
County of Lamar §

BY _____ DEPUTY

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

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

SEE ATTACHED EXHIBIT "A"

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

Date: **January 2, 2018**

Time: The sale shall begin no earlier than **01:00 PM** or no later than three hours thereafter.

Place: **Lamar** County Courthouse in **Paris, Texas**, at the following location: the area designated by the Commissioners Court of **Paris, Lamar County, Texas**, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).

The deed of trust permits the Mortgagee of Record 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.

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.

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 Mortgagee of Record 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.

1005462-1

Foreclosure Services

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

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 **Edwin F Bookter Jr – A Single Person.**
5. Obligations Secured. The Deed of Trust is dated **December 19, 2016**, and is recorded in the office of the County Clerk of **Lamar County, Texas**, in/under **Document No. 139315-2016, Official Public Records** of **Lamar County, Texas**. 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 the promissory note in the original principal amount of **\$102,340.00**, executed by **Edwin F Bookter Jr**, and payable to the order of **The Callaway Bank**.

Original Mortgagee: The Callaway Bank.

Current Mortgagee of Record: Flagstar Bank, FSB whose address is **5151 Corporate Drive, Troy, MI 48098.**

6. Default and Request To Act. Default has occurred under the deed of trust, and the beneficiary has requested me, as Substitute Trustee, to conduct this public sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.
7. **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.**

Robertson Anschutz Veters
1500 CityWest Blvd., Suite 700
Houston, TX 77042

DATED December 11, 2017.



Robert LaMont, David Sims, Harriett Fletcher, Allan Johnston, Ronnie Hubbard, Kelly Goddard, Substitute Trustee
c/o Robertson Anschutz Veters
1500 CityWest Blvd., Suite 700
Houston, TX 77042
Phone: 713-244-1360

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

1005462-1

EXHIBIT A

Field Notes

Being all that certain tract of land situated about 10.5 miles North 11° East of the City of Paris, Lamar County, Texas, a part of the S.M. Fulton Survey Abstract No. 329 and including the same 3.23 acre tract of land conveyed to Ricky and Courtney Dawes by deed recorded in Volume 1350, Page 154 of the Lamar County Real Property Records and including Lots 1,2,3 and 4, Block 1 of the Lenoir Addition as shown by plat recorded in Volume 53, Page 446 and 447 of the Lamar County Deed Records and being further described as follows:

Beginning at a iron pin found for corner in the South line of F.M. Highway No. 3298 and a curve to the left having a radius of 1959.86 feet, the Northwest corner of said 3.23 acres;

Thence Easterly with said South line the following:

Easterly with said curve having a long chord bearing South 88°40' East 370.82 feet, an arc distance of 371.37 feet to a concrete marker found for corner;

North 85°53' East (basis of bearing per North line of said 3.23 acres) with said North line a distance of 413.39 feet to a concrete marker found for corner;

North 89°32' East a distance of 67.92 feet to a concrete marker found for corner at the beginning of a curve to the right having a radius of 1855.86 feet;

Easterly with said curve having a long chord bearing North 89°02'50" East 194.69 feet, an arc distance of 194.78 feet to an iron pin set for corner (capped Chaney 4057) in the intersection with the West line of County Road No. 44080, the Northeast corner of said 3.23 acres;

Thence South 0°42'52" East with said West line a distance of 211.45 feet to an iron pin set for corner (capped Chaney 4057), the Southeast corner of said 3.23 acres;

Thence South 88°04'14" West with the South line of said 3.23 acres and the North line of a remainder of a tract conveyed to A.T. Edzards by deed recorded in Volume 544, Page 33 of the Lamar County Deed Records a distance of 406.3 feet to an iron pin found for corner;

Thence South 15°10'57" West with the West line of said Edzards remainder and the East line of Block 1 of said Lenoir addition a distance of 191.34 feet to a found fence corner;

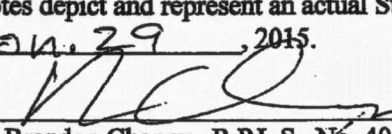
Thence North 80°15'30" West with the South line of said Block 1 and the North line of a tract conveyed to Amelia Harris by deed recorded in Volume 1205, Page 104 of the Lamar County Real Property Records a distance of 220.0 feet to an iron pin set for corner (capped Chaney 4057) in the East line of Fitzhugh Avenue (Not Open);

Thence North 15°10'57" East with said East line a distance of 204.35 feet to an iron pin set for corner (capped Chaney 4057);

Thence North 76°52'10" West with the South line of said 3.23 acres and the North line of the end of said Fitzhugh Avenue, continuing with said South line and the North line of Block 14 of said Lenoir Addition in all a distance of 444.95 feet to a bollard post found for corner, the Southwest corner of said 3.23 acres;

Thence North 11°30' East with the West line of said 3.23 acres a distance of 22.7 feet to the place of beginning and containing 4.232 acres of land.

I, R. Brandon Chaney, Registered Professional Land Surveyor No. 4057, State of Texas, state that the above Plat and Field Notes depict and represent an actual Survey made on the ground under my supervision and finished Jan. 29, 2015.


R. Brandon Chaney · R.P.L.S. No. 4057
Chaney Engineering, Inc. 903-784-6393
Firm No. 10153700

