## NOTICE OF SUBSTITUTE TRUSTEE'S SALE

18 APR -6 PM 1:24

WHEREAS, on March 11, 2003, Luther R. Durham executed a Deed of Trust (the "Deed of Trust") conveying to Tyson T. Abston, Trustee, certain real property more particularly described in Exhibit A, which is attached hereto and incorporated herein by reference to connection with all improvements, fixtures and personal property located thereon or used in connection therewith and certain other personal property as more fully described in the Deed of Trust (all of the real and personal property covered by the Deed of Trust is hereinafter referred to collectively as the "Property"), said Deed of Trust being recorded in Volume 79, Page 895 of the Real Property Records of Franklin County, Texas; Modification of Note and Lien dated March 16, 2006, filed September 3, 2009 in Volume 214, Page 225 of the Real Property Records of Franklin County, Texas; and

WHEREAS, Guaranty Bank & Trust, N.A. (formerly Guaranty Bond Bank, N.A.) ("Holder") has all interest in, to and under the Note and Deed of Trust and in and to all other indebtedness secured by the Deed of Trust; and

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust; and

WHEREAS, default has occurred pursuant to the provisions of the Deed of Trust, the indebtedness is now wholly due, and Holder, being the owner and holder of said Indebtedness has requested the undersigned to sell the Property to satisfy the Indebtedness;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, May 1, 2018 at 10:00 a.m. or within three hours after that time, the undersigned will sell the Property at the entrance of the Franklin County Courthouse, Mt. Vernon Texas, as designated by the Commissioner's Court in Franklin County, Texas, to the highest bidder for cash.

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.

WITNESS my and this \_\_\_\_\_ day of april\_\_\_\_, 2018.

Name: Donna Hughes

Substitute Trustee

Address: 100 W. Arkansas Street

Mt. Pleasant, Texas 75455

Phone: 903-572-9881

## THE STATE OF TEXAS

## COUNTY OF TITUS

This instrument was acknowledged before me on the \_\_\_\_\_\_ day of \_\_\_\_\_\_, 2018, by Donna Hughes, Substitute Trustee, in the capacity therein stated.

SUSAN OLD Notary Public STATE OF TEXAS My Comm. Exp. 10/08/2019

Notary Public in and for the State of Texas

## EXHIBIT "A"

All that certain tract or parcel of land situated in Franklin County, Texas and described as follows, to-wit:

Being a 5.529 acre tract of land situated in the Jacob Dacon Survey, A-134, Franklin County, Texas, and being a part of a called 25.75 acre tract described in a Doed from Don Shaver and wife, Johnois Shaver to James E. Mitchell and wife, Melba Mitchell dated February 7, 1977, as shown of record in Volume 136, Page 541, Deed Records, Franklin County, Texas, said 5.529 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron red set at the occupied Southeast corner of suid Mitchell 25.75 acre tract, said corner being in an 18 inch Pine tree fence corner;

THENCE S 88° 02' 57" W along the South houndary fence and occupation line of said Mitchell 25.75 acre tract a distance of 201.57 feet to a 1/2 inch iron rod set for a corner in the North or Northeast right of way line of Texas Farm Road No. 3122;

THENCE N 58° 04' 89" W along said right of way line same being parallel with and 60.00 feet from the corterline of said Highway, a distance of 419.19 feet to a 1/2 inch from rad set for a corner;

THENCE N 32º 15' 07" E a distance of \$17.00 feet to a 1/2 inch rod set for a corner;

THENCE 8 56° 48' 63" E a distance of 336.19 feet to a 1/2 inch from rod set for a corner in the East boundary fence and occupation line of said Mitchell 25.75 acre tract;

THENCE South along said East boundary Sence a distance of 468.00 feet to the Point of Beginning, and containing 5.529 seres of land.