NOTICE OF FORECLOSURE SALE

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Notice is hereby given of a public nonjudicial foreclosure sale.

Betty Crane

1. <u>Deed of Trust</u>. The sale is a nonjudicial deed of trust lien for the sale being conducted pursuant to the power of sale granted by the following described deed of trust:

Date:

July 1, 2014

Grantor:

Longhorn MTV, Inc.

Beneficiary:

Texas Heritage National Bank

Substitute Trustee:

Scott A. Ritcheson, and/or Douglas A. Ritcheson, and/or Charles E. Lauffer, Jr., and/or Lance

Vincent

Recording Information:

Deed of Trust recorded in Volume 297, Page 477,

of the Official Public Records of Franklin County,

Texas.

2. <u>Property to be Sold.</u> The property to be sold (the "<u>Property</u>") is described as follows:

All those certain lots, tracts or parcels of land situated in Franklin County, Texas, and being more particularly described on what is attached hereto as Exhibit "A" and made a part hereof for all purposes.

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

Date:

November 6, 2018

Time:

The sale shall begin no earlier than 1:00 p.m. or no later than three

(3) hours thereafter. The sale shall be completed by no later than

4:00 p.m.

Place:

Franklin County Courthouse in Mount Vernon, Texas, at the

following location:

In the area of such Courthouse designated by the Franklin County Commissioners' Court as the area where foreclosure sales shall take place, or, if no such area has been designated, then on the South steps to the Franklin County Courthouse in Mt. Vernon, Texas.

The deed of trust permits the beneficiary 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. Such reporting or refiling may be after the date originally scheduled for this sale.

4. <u>Terms of Sale</u>. 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 cash on the date the property is sold.

The sale will be made expressly subject to unpaid ad valorem taxes and 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 other 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

A purchaser at the sale of the Property "acquires the Property "AS IS" without any expressed or implied warranties" (except as to the warranties of title from the grantor identified in the deed of trust described below). Any purchaser acquires the Property "at the purchaser's

own risk." Texas Property Code §51.009. Nothing set forth in this Notice is an express or implied representation or warranty regarding the Property, all of which are specifically disclaimed by the undersigned and by the beneficiary of the herein described deed of trust.

- 5. Type of Sale. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Longhorn MTV, Inc. The deed of trust is dated July 1, 2014, and is recorded in the office of the County Clerk of Franklin County, Texas, in Volume 297, Page 477 of the Official Records of Franklin County, Texas.
- 6. 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 July 1, 2014 promissory note in the original principal amount of \$231,260.63, executed by Longhorn MTV, Inc., and payable to the order of Texas Heritage National Bank; (2) all renewals and extensions of the note; (3) all interest, late charges, fees and other expenses payable under said note on the herein described deed of trust; and (4) all other debts and obligations described in the deed of trust (including all debts secured by any cross-collateralization clause in the deed of trust). Texas Heritage National Bank is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Texas Heritage National Bank, Attention: Kelly Patterson, telephone (903) 438-2000.

7. <u>Default and Request to Act.</u> Default has occurred under the deed of trust, and the beneficiary has asked me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

NOTICE OF FORECLOSURE; PAGE 3

DATED: October <u>4</u>, 2018.

SCOTT A. RITCHESON, Substitute Trustee

821 ESE Loop 323, Suite 530

Tyler, Texas 75701 Tel: (903) 535-2900 Fax: (903) 533-8646

Notice to Members of the Armed Forces of the United States:

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.

EXHIBIT "A"

All that certain lot, tract or parcel of land situated in Franklin County, Texas, and being % acre of land in the B. W. Matthews Survey, A-612, and described as follows:

BEGINNING at the NEC of a 1.03 acre tract described in deed from Jim Long et al to American Petrofina Co., dated March 10, 1964, shown of record in Vol. 85, Page 6, Deed Records of Franklin County, Texas, said point being in West right-of-way of FM State Hwy. 899;

THENCE North 148 feet with said Hwy. 899 to a stake in West right-of-way of same:

THENCE West 147 feet, to stake for corner:

THENCE South 148 feet to stake for corner; same being on NBL of tract conveyed to American Petrofina Co. (now owned by Robble E. Turner);

THENCE East 147 feet with NBL of said tract to the place of beginning, containing % acre of land, more or less.

BEING the same land in deed from Robbie E. Turner to Turner Automotive, Inc., dated November 10, 1981, and recorded in Vol. 174, Page 369 of the Deed Records of Franklin County, Texas.

TRACT TWO:
All that certain tract or parcel of land situated in the B. W. Matthews Survey. A-612, Franklin County, Texas; being out of that certain 48.289 acre tract described in Deed to the Franklin County Industrial Foundation, Inc., dated January 5, 1987, recorded in Vol. 198, Page 433, Deed acre tract described as follows:

BEGINNING at the SW corner of a 0.5 acre tract described in Deed to Turner Automotive, Inc., recorded in Vol. 174, Page 369 of said Deed Records;

THENCE S 89 deg. 31 min. 46 sec. West - 61.9 feet to the NW corner of a 1.03 acre tract described in Deed to Turner Automotive. Inc., recorded in Vol. 174, Page 371 of said Deed Records;

THENCE N 11 deg. 28 min. 01 sec. W - 277.56 feet to the NW corner of a 0.5 acre tract described in Deed to Turner Automotive, Inc., recorded in Vol. 147, Page 46 of said Deed Records;

THENCE in a Southerly direction; S 24 deg. 18 min. 45 sec. E - 149.81 feet and S 22 deg. 18 min. 48 sec. E - 145.91 feet to the place of beginning containing 0.202 acres, more or less.

BEING the same land in deed from Franklin County Industrial Foundation, Inc. to Turner Automotive, Inc., dated March 17, 1989, and recorded in Vol. 211, Page 417 of the Deed Records of Franklin County, Texas.

TRACT THREE

All our undivided interest in and to all that certain lot, tract or parcel of land situated in the B. W. Matthews Survey. A-612 of Franklin County, Texas, a part of a 43.24 acre tract of land belonging to M. P. Long and Jim Long of Mt. Vernon, Texas. See Vol. 81, Page 13 for the deed of transfer to them. A description of this land follows:

BEGINNING at a point on the WBL of Hwy. Spur 423, 349 feet from the North access road of Interstate. Hwy. 30, a corner post in the fence line, the corner post being the Northeast corner of the Turner Automotive Repair Lot;

THENCE in a Westerly direction along Turner's fence line 148 feet to his Northwest corner for the Southwest corner of this lot;

THENCE in a Northerly direction 150 feet to an iron stake in the ground for the Northwest corner of this lot;

THENCE in an Easterly direction 142.4 feet to another iron stake in the WBL of said Spur Hwy. for the Northeast corner of this lot;

THENCE South along sald right-of-way 150 feet to the place of beginning, containing 0.50 acres of land, more or less.

BEING the same land in deed from Eddie Turner and wife Sonia A. Turner to Robbie E. Turner, dated December 21, 1993, and recorded in Vol. 174, Page 369 of the Deed Records of Franklin County, Texas.