

FILED

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Notice of Foreclosure Sale

September 3, 2019

Betty Crane
CLERK COUNTY COURT
FRANKLIN CO., TX

Contract for Deed (the "Contract"):

Dated: January 30, 2009 (effective February 1, 2009)

Purchaser: Dori Ramirez and German T. Ramirez

Trustee: Lance W. Hinson

Lender: Jacqueline I. Bateman (now Jacqueline Miller)

Recorded in: Volume 219, Page 298, of the real property records of Franklin County, Texas

Legal Description: See Exhibit A attached hereto and made a part of this instrument for all purposes

Secures: Contract for Deed ("Contract") in the original principal amount of \$84,000.00, executed by Dori Ramirez and German T. Ramirez

Property: The real property, improvements, and personal property described in and mortgaged in the Contract for Deed, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Trustee: Lance W. Hinson

Trustee's Address: 311 E 16th St Frnt, Mt. Pleasant, Texas, 75455

Foreclosure Sale:

Date: Tuesday, September 3, 2019

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three hours thereafter.

Place: South Entrance, Franklin County Courthouse, 200 N Kaufman St, Mount Vernon, Texas

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Jacqueline Miller's bid may be by credit against the indebtedness secured by the lien of the Contract for Deed.

Default has occurred in the payment of the Contract and in the performance of the obligations of the contract. Because of that default, Jacqueline Miller, the owner and holder of the indebtedness secured by the Contract for Deed, has requested Trustee to sell the Property.

The Contract for Deed may encumber both real and personal property. Formal notice is hereby given of Jacqueline Miller's election to proceed against and sell both the real property and any personal property described in the Contract for Deed in accordance with Jacqueline Miller's rights and remedies under the Contract and section 9.604(a) of the Texas Business and Commerce Code and the Texas Property Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Contract for Deed, and applicable Texas law.

If Jacqueline Miller passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Contract for Deed and the Texas Property Code.

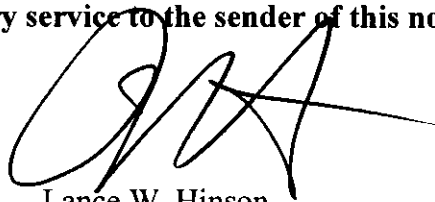
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Contract for Deed, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Contract for Deed. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Contract for Deed by Jacqueline Miller. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Contract for Deed. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Trustee.

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.

A handwritten signature in black ink, appearing to be 'LWH', written over the printed name.

Lance W. Hinson
311 E 16th St Frnt
Mt. Pleasant, Texas 75455
Telephone (903) 572-9831
lwhinson@att.net

SURVEY PLAT

To all parties interested in premises surveyed.

This is to certify that I have this date, May 29, 2001, made a careful and accurate on-the-ground survey of property located on State Highway No. 37, Franklin County, Texas described as follows:

BEING a tract of land situated in the Daniel McCall Survey, Abstract No. 305, Franklin County, Texas and being part of a tract of land conveyed to Karl Renshaw by Massey Heirs, deed recorded in Volume 239, page 948 Deed Records of Franklin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a $\frac{1}{2}$ inch capped iron rod set for corner in the east line of State Highway No. 37 (having a 100 feet wide right-of-way.) Same being the northwest corner of a tract of land conveyed to James H. Driggs et ux Susie M. Driggs by deed recorded in Volume 243, page 183 in the Deed Records of Franklin County, Texas.

THENCE north along said east line of State Highway No. 37 for a distance of 360.20 feet to a $\frac{1}{2}$ capped iron rod set for corner.

THENCE east for a distance of 544.08 feet to a $\frac{1}{2}$ inch capped iron rod set for corner in the east line of the above mentioned Karl Renshaw tract and the west line of a tract of land conveyed to James D. Long Jr. By Christine Newsom by deed recorded in Volume 29 page 258 in the Deed Records of Franklin County, Texas.

THENCE south 01 degrees 06 minutes 00 seconds east along the common line between said Renshaw and Long tract for a distance of 386.68 feet to a $\frac{1}{2}$ iron rod found for corner in the north line of a tract land conveyed to Daron R. Medders by deed filed in Volume 24, page 173 in the Deed Records of Franklin County, Texas; same being the southeast corner of said Renshaw tract.

THENCE south 88 degrees 29 minutes 03 seconds west along the common line between said Medders and Renshaw tracts for a distance of 475.70 feet

to a $\frac{1}{2}$ inch capped iron rod set for corner, same being the southeast corner of said Driggs tract.

THENCE north for a distance of 41.00 feet to a $\frac{1}{2}$ inch capped iron rod set for a corner; same being the northeast corner of said Driggs tract.

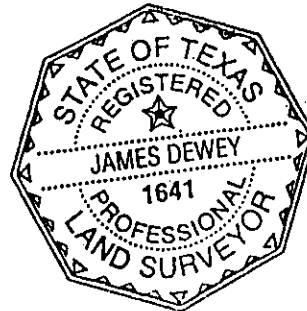
THENCE south 88 degrees 29 minutes 03 seconds west for a distance of 76.00 feet to the POINT OF BEGINNING.

CONTAINING 4.88 acres of land more or less.

Sheet 3 of 3

File No. 010504

Date: May 29, 2001



JAMES DEWEY

Registered Professional Land Surveyor No. 1641