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## NOTICE OF FORECLOSURE SALE

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.

1. Trustee. Derek Long

Trustee's Address. 5950 Sherry Lane, Suite 220, Dallas, Texas 75225

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

All that certain tract or parcel of land situated in the County of Franklin, State of Texas, being in the John Maximillian Survey, Abstract No. 306, being a part of that certain 10.536 acre tract described in a Deed from Michael Dean Johnson, Executor, of the Estate of Betty Lou Johnson, to JEH FARM TRUST, Blanche Handy Sparks, Trustee, filed May 05, 2011, recorded in Volume 240, Page 515, Official Public Records of said County, and bounded as follows:

Beginning at a 1/2 inch iron rod (TSR) set on the NWC of said 10.536 acre tract, same being on the SWC of an 18.63 acre tract described in a Deed from Dorothy Q. Whitson, to Sam Horton, et ux, Beverly D., filed May 04, 1984, recorded in Volume 182, Page 262, Deed Records of said County and being on the East right-of-way line of F.M. Highway 115;

Thence North 90° 00' 00" East, generally along the fenced NBL of said 10.536 acre tract and the SBL of said 18.63 acre tract, for a distance of 787.42 feet to a 4 inch diameter fence corner post found on the NEC of said 10.536 acre tract and being on the Northernmost NWC of a called 69.0 acre tract conveyed in a Deed from a Double MM Farms, Inc., to T.C. Graves, filed June 11, 2018, recorded in Volume 355, Page 783, Official Public Records of said County;

Thence South 00° 25' 07" East, generally along the fenced EBL of said 10.536 acre tract and the Easternmost WBL of said called 69.0 acre tract, for a distance of 417.09 feet to a 4 inch diameter iron pipe fence corner post found on the Northernmost SEC of said 10.536 acre tract and being on an angle corner of said called 69.0 acre tract;

Thence South 48° 15′ 16″ West, generally along the fenced Southernmost EBL of said 10.536 acre tract and along the Southwest right-of-way line of a service road, for a distance of 297.04 feet to a 4 inch diameter fence corner post found on the Southernmost SEC of said 10.536 acre tract and being on the Southernmost NBL of said called 69.0 acre tract;

Thence South  $86^{\circ}$  30' 58" West, generally along the SBL of said 10.536 acre tract and the Southernmost NBL of said called 69.0 acre tract, for a distance of 187.23 feet to a 1/2 inch iron rod (TSR) set on the SEC of a 2.000 acre tract surveyed out of said 10.536 acre tract;

Thence North 2° 38′ 41″ West, along the EBL of said 2.000 acre tract, for a distance of 250.40 feet to a 1/2 inch iron rod (TSR) set on the NEC of said 2.000 acre tract;

Thence South 87° 42' 38" West, along the NBL of said 2.000 acre tract, for a distance of 342.92 feet to a 5 inch diameter fence corner post found on the NWC of said 2.000 acre tract and being on the WBL of said 10.536 acre tract and also being on the East right-of-way line of said F.M. Highway 115;

Thence in a Northwesterly direction with the WBL of said 10.536 acre tract and the East right-of-way line of said F.M. Highway 115 and a curve to the left having a chord which bears North 3° 37' 07" West -146.38 feet, having a radius of 19050.00 feet and an arch length of 146.38 feet to a point for corner and the end of said curve continuing North 4° 20' 50" West, for a distance of 244.42 feet to the Place of Beginning containing 8.537 acres.

Commonly known as 11113 FM 115, Scroggins, Texas 75480

- 3. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust filed June 21, 2021, recorded under Clerk's File No. 161792 / Volume 411, Page 175 of the Real Property Records of Franklin County, Texas. The debtor is Dickson Githua and Jewell Githua.
- 4. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: Tuesday, the 7<sup>th</sup> day of November, 2023.

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale will be completed by no later than 4:00 p.m.

Place: The south steps of the Franklin County Courthouse or any other area as designated by the County Commissioners of Franklin County, Texas, pursuant to Section §51.002 of the Texas Property Code as amended.

JR Partners, LLC, a Texas limited liability company ("Mortgagee") has appointed Derek Long as Trustee to act under the Deed of Trust. Mortgagee has instructed Trustee to offer the Property for sale toward satisfaction of the Note.

Notice is given that on the Date, Time and Place of Sale, Trustee will offer the property for sale at public auction at the Place, to the highest bidder for cash, "AS IS". THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE FOR THE PERSONAL PROPERTY, IF ANY, IN THIS DISPOSITION. The earliest time the sale will occur is the Time, and the sale will be conducted no later than three hours thereafter.

DATED: OCTOBER 12, 2023.

Derek Long

Penfold & Long, PC

5950 Sherry Lane, Suite 220

Dallas, Texas 75225

Tel:

(214) 559-3131

Fax:

(214) 521-2428

Email: <u>Derek@PenfoldLong.com</u>

## **CERTIFICATE OF POSTING**

I am Derek Long whose address is 5950 Sherry Lane, Suite 220, Dallas, Texas 75225. I declare under penalty of perjury that on October 12, 2023, I filed and/or recorded this Notice of Foreclosure Sale at the office of the Franklin County Clerk and caused it to be posted at the location directed by the Franklin County Commissioners Court.

Derek Long/