

THIS INSTRUMENT APPOINTS THE TRUSTEE / SUBSTITUTE TRUSTEE 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. (Tex. Prop. Code § 51.0076)

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. (Tex. Prop. Code § 51.002 (i) )

NOTICE OF FORECLOSURE SALE

THE STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF TRINITY

§

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FILED  
at 2:00 o'clock p.m.

Property to be Sold

APR 09 2019

The following **two (2)** tracts of land in Trinity County, Texas:

SHASTA BERGMAN  
COUNTY CLERK TRINITY CO. TEXAS  
Deputy

Tract One:

Being **161.523 acres** out of and a part of **CHAS. STEPHANES SURVEY, A-568**, Trinity County, Texas, and being out of and a part of a called 191.33 acre tract owned by J. B. Dunaway and being recorded in Volume 120, Page 313, of the Trinity County Deed Records, said 161.523 acres being more particularly described by metes and bounds property description attached hereto as **EXHIBIT A**;

Tract Two:

Being **23.421 acres** out of and a part of **CHAS. STEPHANES SURVEY, A-568**, Trinity County, Texas and being out of and a part of a called 191.133 acre tract owned by J. B. Dunaway and being recorded in Volume 120, Page 313, of the Trinity County Deed Records, said 23.421 acres being more particularly described by metes and bounds property description attached hereto as **EXHIBIT A**.

## **Instrument to be Foreclosed**

Deed of Trust dated January 18, 2018, from William S. Crawford and Jaqueline M. Crawford (*Grantor*) to Kerry Carl Hagan, Trustee, filed on January 22, 2018, under Clerk's File No. 174875, at Volume 0996, Page 0050, of the Official Public Records of Trinity County, Texas.

## **Date, Time, and Place of Sale**

The sale is scheduled to be held at the following date, time, and place:

**Date:** first Tuesday of May - May 7, 2019

**Time:** The sale will begin no earlier than 1:00 p.m. or no later than three hours thereafter. The sale will be completed by no later than 4:00 p.m.

**Place:** 162 West 1<sup>st</sup> Street, Groveton, Texas, middle steps south side of the Courthouse in Groveton, Trinity County, Texas.

The *Deed of Trust* permits the *Beneficiary* to postpone, withdraw, or reschedule the sale for another day. In that case, the 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 refileing may be after the date originally scheduled for this sale.

## **Terms of Sale**

1. 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.
2. Those desiring to purchase *the Property* will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.
3. 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 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.

4. Pursuant to the *Deed of Trust*, the *Beneficiary* has the right to direct the Trustee to sell *the Property* in one or more parcels and/or to sell all or only part of *the Property*.
5. 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 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*.
6. 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

### **Type of Sale**

The sale is a non judicial Deed-of-Trust lien foreclosure sale being conducted pursuant to the power of sale granted in the *Deed of Trust*.

### **Obligations Secured**

The *Deed of Trust* provides that it secures the payment of the indebtedness and obligations therein described (*the Obligations*) including but not limited to (a) the Promissory Note dated January 18, 2018, in the Original principal amount of \$602,772.00, executed by William S. Crawford and Jaqueline M. Crawford (identified herein as *Grantor*,) and payable to the order of Michael James Balette; and (b) all renewals and extensions of *the Note*. Michael James Balette is the current owner and holder of *the Obligations* and is the *Beneficiary* under the *Deed of Trust*.

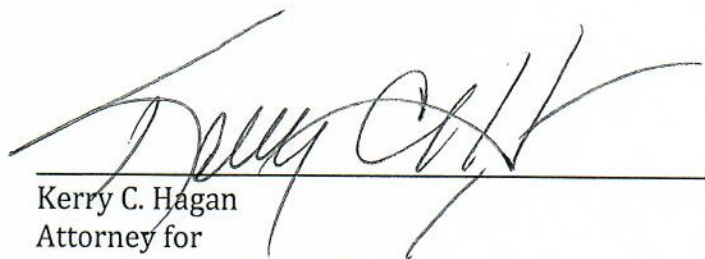
As of April 9, 2019, there was owed at least the sum of \$605,122.00 which consists of the amount of the note that has been accelerated as of April 8, 2019 (\$602,772.00), plus late fee of \$2,000 for the unpaid payment due on January 17, 2019, plus attorneys fees in the amount of \$350.00.

Questions concerning the sale may be directed to the undersigned.

### **Default and Request to Act**

Default has occurred under the *Deed of Trust*, and the *Beneficiary* has requested me, as Trustee, to conduct this sale. Notice is given that before the sale the *Beneficiary* may appoint another person as Substitute Trustee to conduct the sale.

DATED: April 9, 2019



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