

NOTICE OF TRUSTEE'S SALE

Date: December 12, 2022
Trustee: Jeff S. Chance
Mortgagee: Commercial Bank of Texas, N.A.
Note: April 28, 1994 in the original principal amount of \$33,650.00

Deed of Trust

Date: April 28, 1994
Grantor: Cary Douglas McBride
Mortgagee: Commercial Bank of Texas, N.A.

FILED
at 1:35 o'clock PM
DEC 12 2022
SHASTA BERGMAN
COUNTY CLERK, TRINITY CO., TEXAS

Recording information: Promissory Note dated April 28, 1994 in the original principal amount of \$33,650.00 from Cary Douglas McBride to Lufkin Federal Savings and Loan Association, now known as Commercial Bank of Texas, N.A. ("mortgagee"), secured by a deed of trust of even date recorded in Volume 550, Page 193 in the Official Public Records of Trinity County, Texas.

Property: The real property located in Trinity County, Texas described in the attached **Exhibit "A"**.

County: Trinity County, Texas

Date of Sale
(first Tuesday of month): January 3, 2023

Time of Sale: 10:00 a.m.

Place of Sale: The front of the center steps of the South portico of the courthouse, located on the courthouse square, 162 W. First Street, Groveton, Texas.

Mortgagee has instructed Trustee to offer the Property for sale toward satisfaction of the Note.

Notice is given that on the Date of Sale, Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash. The earliest time the sale will occur is the Time of Sale, and the sale will be conducted no later than three hours thereafter.

The foreclosure 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 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 Deed of Trust. 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 Deed of Trust by Mortgagee. 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 Deed of Trust. 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 to Chance Law Firm, PLLC, 2009 Tulane Drive, Lufkin, Texas 75901.



Jeff S. Chance, Trustee

EXHIBIT "A"

BEING all that certain tract or parcel of land lying and situated in Trinity County, Texas out of the W. J. GOODSON SURVEY, ABSTRACT NO. 692 and the J. T. DEATON SURVEY, ABSTRACT NO. 174 and being all that certain called 27 acre tract of land described in a Deed from Joe C. English et ux to Walter L. Ammons et ux, dated February 23, 1963 and recorded in Volume 163, on Page 205 of the Deed Records of Trinity County, Texas to which reference is hereby made for all purposes and the said tract or parcel being described by notes and bounds as follows, to-wit:

BEGINNING at the Southeast corner of the aforesaid referred to 27 acre tract, same being the Northeast corner of that certain 22.57 acre tract of land described in a Deed from Leland Ray Moore et ux to Earline Jones, dated November 16, 1981 and recorded in Volume 298, on Page 522 of the Deed Records of Trinity County, Texas, a 1/2" iron rod set for corner on the Northwest Boundary line of that certain 40 acre tract of land described in a Deed from Hazel Moore to Leland Ray Moore, dated February 6, 1984 and recorded in Volume 317, on Page 713 of the Deed Records of Trinity County, Texas, witnessed by a 18" Sweet Gum brg. S 76° 30' W 11.44 feet, center, (record, Vol. 163, Pg. 205) and a 18" Sweet Gum brg. N 32° 15' E 21.3 feet, center;

THENCE S 81° 45' 00" W, with the South Boundary line of the said 27 acre tract and with the North Boundary line of the aforesaid referred to 22.57 acre tract, at 1566.15 feet, the Southwest corner of the said 27 acre tract, same being the Northwest corner of the said 22.57 acre tract, a 1/2" iron rod set for corner on the East R. O. W. line of Scrub Creek Road, (also called the Groveton and Centralia Road);

THENCE Two (2) lines with the West Boundary line of the said 27 acre tract and with the East R. O. W. line of the aforesaid Scrub Creek Road as follows:

(1) N 14° 07' 00" E, at 185.42 feet, a 1/2" iron rod set for corner;

(2) N 05° 28' 00" E, at 655.89 feet, the West corner of the said 27 acre tract, a 1/2" iron rod set for corner on the Southeast Boundary line of that certain 49.558 acre tract of land described in a Deed from Doris Barton to H. T. Deaton, dated April 7, 1986 and recorded in Volume 361, on Page 150 of the Deed Records of Trinity County, Texas;

THENCE N 44° 27' 27" E, (called N 45° E), with the Northwest Boundary line of the said 27 acre tract and with the Southeast Boundary line of the aforesaid referred to 49.588 acre tract, (called N 44° 34' 57" E), at 689.06 feet, the North corner of the said 27 acre tract, same being the West corner of that certain 20 acre tract of land described in a Deed from J. P. Bugg et ux to Juanelle O. Little, dated February 15, 1985 and recorded in Volume 336, on Page 294 of the Deed Records of Trinity County, Texas, a 1/2" iron rod set for corner;

THENCE S 45° 03' 00" E, with the Northeast Boundary line of the said 27 acre tract, (called S 45° E 1444.44 feet) and with the Southwest Boundary line of the aforesaid referred to 20 acre tract, at 1452.31 feet, the East corner of the said 27 acre tract, a Petrified Rock found for corner on the Northwest Boundary line of the aforesaid referred to 40 acre tract;

THENCE S 42° 45' 00" W, with the Southeast Boundary line of the said 27 acre tract and with the Northwest Boundary line of the said 40 acre tract, at 100.48 feet, the point and place of beginning and containing 27.511 acres of land, more or less of which approximately 17.662 acres lies within the said W. J. Goodson Survey and approximately 9.849 acres lies within the said J. T. Deaton Survey.

NOTE: Bearings based on the South Boundary line of the 27.511 acre tract.