

NOTICE OF SUBSTITUTE TRUSTEE'S SALE
(NON-JUDICIAL FORECLOSURE)

July 9, 2021

Notice is hereby given of a public, non-judicial foreclosure sale.

Notice to Member(s) of Armed Forces: 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 the 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. The address of the sender of this notice is set forth below.

Deed of Trust:

Dated: January 16, 2020

Grantor: Henry Moseley and Robert Wheat

Trustee: Paul A. Sloan

Beneficiary: Powell State Bank

Recorded in: Clerk's Instrument Number 00000524,
Official Public Records of Navarro County, Texas

Secures: Promissory Note (the "Note") in the original principal amount of \$14,400.00, executed by Henry Moseley and Robert Wheat and payable to the order of Powell State Bank.

Description of the Real Property: All of the real property described on **Exhibit "A"** attached hereto and incorporated herein for all purposes (the "Property").

Substitute Trustee: David K. Waggoner

Substitute Trustee's Address: 103 West Elm Street
P.O. Box 875
Hillsboro, Texas 76645

2021-37
FILED FOR RECORD
AT 8:25 O'CLOCK A M.
JUL 09 2021
SHERRY DOWD, County Clerk
NAVARRO COUNTY, TEXAS
BY KO DEPUTY

Foreclosure Sale (the "Sale"):

Date: Tuesday, August 3, 2021

Time: The Sale shall begin no earlier than 1:00 P.M., or no later than three hours thereafter. The Sale shall be completed by no later than 4:00 P.M.

Place: On the ground level of the south exterior steps of the Navarro County Courthouse, 300 West Third Avenue, in Corsicana, Texas, in the area designated for foreclosure sales by the Commissioners Court of Navarro County, Texas, pursuant to Section 51.002 of the Texas Property Code.

Terms of Sale: 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 the Sale. 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.

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 re-posted and re-filed in accordance with the posting and filing requirements of the Texas Property Code. Such re-posting or re-filing may be after the date originally scheduled for this Sale.

A contingency stated in the Deed of Trust as a condition precedent for the appointment of a Substitute Trustee occurred, and David K. Waggoner was appointed by Appointment of Substitute Trustee executed by Powell State Bank, dated July 7, 2021, and recorded among the Official Public Records of Navarro County, Texas. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE BENEFICIARY.

Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the property is sold. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

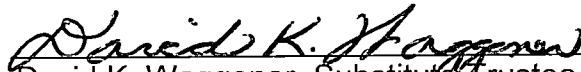
The Sale is a non-judicial Deed of Trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust. The Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. Pursuant to Section 51.0075 of the Texas Property Code, the Substitute 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 Substitute Trustee.

Pursuant to section 51.009 of the Texas Property Code, the Property shall be sold on an "AS IS, WHERE IS" basis, without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.

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

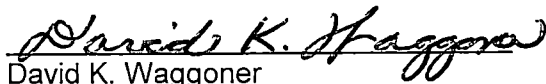
Executed this 9th day of July, 2021.



David K. Waggoner, Substitute Trustee
State Bar No. 50511604
103 West Elm Street
P.O. Box 875
Hillsboro, Texas 76645
Telephone: 254-580-0265
Info@WaggonerLawFirm.net

CERTIFICATE OF POSTING

I am David K. Waggoner, whose address is 103 West Elm Street, Hillsboro, Texas, 76645. I hereby declare under penalty of perjury that on July 9, 2021, I filed this Notice of Substitute Trustee's Sale at the office of the Navarro County Clerk and caused it to be posted at the location directed by the Navarro County Commissioners Court.



David K. Waggoner

EXHIBIT "A"

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Property (including any improvements):

All those certain lots, tracts or parcels of land, situated in the City of Kerens, Navarro County, Texas, and being Lots 9, 10, 11, 12, and 13, Block 80 of said City according to the plat recorded in Volume 2, page 15B, Plat Records of Navarro County, Texas.

SAVE AND EXCEPT:

Being 0.062 acres of land, more or less, part of Lots 9 through 13 in Block 80 of the City of Kerens, Situated in the Hiram Bush Survey (Abstract 46) as shown on the Revised Map of the Stockton Addition recorded in Volume 2 page 15 of the Plat Records of Navarro County, Texas, and being more particularly described as follow:

BEGINNING at a point in the east line of Lot 13 Block 80, said point being S 8 deg. 05 min. E, a distance 132.59 feet, more or less, from the northeast corner of said Lot 13 and being in the west line of Stockton Avenue;

THENCE S 8 deg. 05 min. E along the west line of Stockton Avenue, a distance of 7.41 feet to the southeast corner of Lot 1 Block 80 in the north line of South 4th Street;

THENCE S 80 deg. 32 min. W along the north line of South 4th Street, a distance of 363.92 feet, more or less, to the southwest corner of Lot 9 Block 80;

THENCE N 27 deg. 42 min. W along the common line between Lot 9 and Lot 8, a distance of 7.71 feet to a point for corner;

THENCE N 80 deg. 32 min. E, a distance of 293.51 feet to the point of curve of a curve to the left whose radius is 1849.8593 feet;

THENCE in a northeasterly direction along said curve to the left, a distance of 73.01 feet to the point of beginning.