

Notice of Foreclosure Sale

8/8/2019

FILED FOR RECORD

AUG 08 2019

Deed of Trust ("Deed of Trust"):

SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX
BY _____ DEP

Dated: October 29, 2010

Grantor: Christopher Celsur and Carrie Celsur

Trustee: R. Paul Elliott

Lender: J. D. Wilkerson and David Tunnell

Recorded in: Document No. 2010-008992 of the real property records of Van Zandt County, Texas

Secures: Purchase Money Note ("Note") in the original principal amount of \$37,125.00, executed by Christopher Celsur and Carrie Celsur ("Borrower") and payable to the order of Lender

Assignment: None.

Legal Description:

All that certain lot, tract or parcel of land situated in the S. T. MEEKS SURVEY A-561, Van Zandt County, Texas, same being part of a called 37.73 acre tract as found in Trustee's Deed dated April 5, 1983 from C.L. Stanford, Trustee, to Wilkerson and Tunnell as found recorded in Vol. 1003, Page 99 of the Real Records of Van Zandt County, Texas, and being more fully described as follows:

BEGINNING at a point within the Right of Way of County Road 4106, and in the Northeast line of said 37.73 acre tract, same being the East corner of a called 5.0 acre tract now or formerly owned by John Saine as found recorded in Vol. 1426, page 914, Real Records from which a 3/8" Iron Rod reference was found South 46 deg. 03 min. 16 sec. West 33.34 feet;

THENCE: South 34 deg. 05 min. 49 sec. East 147.90 feet with said road and the Northeast line of said 37.73 acre tract to a 60d nail found for the North corner of a called 5.0 acre tract now or formerly owned by Walter Skipper as found recorded in Vol. 1311, Page 941, Real Records, a 1/2" Iron Rod reference bears south 20 deg. 13 min. 47 sec. West 32.50 feet;

THENCE: South 20 deg. 13 min. 47 sec. West 762.12 feet with the West line of said Skipper tract to a 3/8" Iron Rod found for the Northeast corner of a called 2.08 acre tract now or formerly owned by John Harris as found recorded in Vol. 1109, page 389, Real Records;

THENCE: North 43 deg. 54 min. 40 sec. West 477.72 feet to a 1/2" Iron Rod found for the South corner of a called 5.0 acre tract now or formerly owned by Bruce Ruckman et ux, as found recorded in Vol. 1348, page 652, Real Records;

THENCE: North 46 deg. 03 min. 16 sec. East 711.02 feet with the Southeast line of said Ruckman and Saine tract to the place of beginning containing 4.95 acres of land.

Foreclosure Sale

- Date:** Tuesday, September 3rd, 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 AM and not later than three hours thereafter.
- Place:** In Canton, Van Zandt County, Texas, in the area of the courthouse designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code, as the place where foreclosure sales are to take place. (outside the North Entrance to the County Courthouse at 121 E. Dallas St., Canton, TX
- 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 J. D. Wilkerson and David Tunnell's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, J. D. Wilkerson and David Tunnell, the owners and holders of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of J. D. Wilkerson and David Tunnell's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with J. D. Wilkerson and David Tunnell's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce 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 Deed of Trust, and applicable Texas law.

If J. D. Wilkerson and David Tunnell 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 Deed of Trust and the Texas Property Code.

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 R. Paul Elliott. 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, Substitute 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 Substitute 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.

**I AM ATTEMPTING TO COLLECT A DEBT.
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**



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