

AT 3:00 O'CLOCK P M

**NOTICE OF FORECLOSURE SALE**

**MAY 15 2018**

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

BOBBIE DAVIS  
COUNTY CLERK, PANOLA COUNTY, TEXAS  
BY P. Woodard DEPUTY

**PARCEL NO. 1:**

All those certain tracts or parcels of land described as the *FIRST TRACT, SECOND TRACT, THIRD TRACT, FOURTH TRACT and FIFTH TRACT* in a Deed of Trust dated April 4, 2011, from Georgia L. Underwood to Billy J. Langford and recorded in Volume 1638, Page 709, Official Public Records of Panola County, Texas, and said tracts are being further described on Exhibit "A" attached hereto and made a part hereof for all purposes. SAVE AND EXCEPT the undivided Ten Percent (10%) of the above described *FIRST TRACT, SECOND TRACT and FOURTH TRACT* owned by Billy J. Langford and described in Warranty Deed dated May 20, 2013, filed of record under File No. 174827, Official Public Records of Panola County, Texas, and the undivided Ten Percent (15) of the above described *FIFTH TRACT* owned by Billy J. Langford and described in Mineral Deed dated May 20, 2103, filed of record under File No. 174828, Official Public Records of Panola County, Texas, and the *THIRD TRACT* which the Grantor and the Beneficiary herein agreed Billy J. Langford owns.

**PARCEL NO. 2:**

All that certain tract of land being 30 acres situated in Panola County, Texas, part of the 192-68/100 acres of the Samuel Duncan Survey, A-158 and being further described in a Deed of Trust dated November 12, 2012, from Louise Fite LeBlanc to Georgia Underwood to Joseph Plante and Monroe Russom and filed of record in Volume 1698, Page 481, Official Public Records of Panola County, Texas.

2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust in Renewal and Extension, dated June 1, 2013, recorded in Volume 1729, Page 427, Official Public Records of Panola County, Texas, executed by Georgia L. Underwood, Grantor, to Robert Underwood, Trustee, for the benefit of Billy J. Langford (the "Deed of Trust"), securing the payment of that one certain promissory note of even date therewith in the original principal amount of \$430,563.34 (the "Note"). The undersigned, Robert A. Sherman, has been duly and properly appointed as Substitute Trustee under the Deed of Trust.

3. **Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:

Date: June 5, 2018.

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

Place: Panola County Courthouse in Carthage, Texas, at the following location: 110 South Sycamore Street, Carthage, Texas, at area designated by the Panola County Commissioners Court .

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 reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

4. ***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 sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

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. 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.

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 as to 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.

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 or any substitute trustee.

5. **Obligations Secured.** The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of \$430,563.34, executed by Georgia L. Underwood, and payable to the order of Billy J. Langford; (b) all renewals and extensions of the note; and (c) any and all present and future indebtedness of Georgia L. Underwood to Billy J. Langford. Billy J. Langford is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

6. **Default and Request to Act.** Default has occurred under the Deed of Trust, and the beneficiary has requested me, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Dated: May 15, 2018.



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Robert A. Sherman, Substitute Trustee  
312 West Sabine  
Carthage, Texas 75633  
Telephone: (903) 693-2206

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FIRST TRACT: 30 acres of the subdivision of 192.68 acres (Frank Fite subdivision) of the Samuel Duncan Survey and designated on a map by R. W. Priest I. STS. as Lot 4, described by metes and bounds as follows:

BEGINNING at the extreme SWC of Lot 2 conveyed to Louise Fite;  
THENCE E with her South line at 215 vrs. pass her SEC and at 310 vrs. to the NWC of Lot 5 on South line of Lot 3;  
THENCE South with W line of Lot 5, 765 vrs. to the South corner of said lot in the Channel of Hog Bayou at a point 20 vrs. S. 57-1/2 W from the extreme S or SEC of said 192.68 acres at the end of the 1225 yard line;  
THENCE up said bayou with its meanders S 57-1/2 W 20 vrs. S 81 W 60 vrs. S 29-1/2 E 40 vrs.; N 59-1/4 W 36 vrs; N 4 E 20 vrs. N 61 W 40 vrs and N: 41-1/4 W 47 vrs. the extreme SWC of the original 192.68 acres in the channel of said bayou;  
THENCE North 75 E 96 vrs. to an ell corner;  
THENCE N 38 W 328 vrs. to another corner;  
THENCE N 20 W 405 vrs to extreme W corner of said 192.68 acres;  
THENCE N 70 E 94 VRS. To an ell corner of the same;  
THENCE N 15 E 40 vrs. to the place of beginning.

SECOND TRACT: 36 acres of land, a part of the Frank Fite Subdivision of 192.68 acres out of the Samuel Duncan Survey, and designated as Lot 5 of said Subdivision and described by metes and bounds as follows:

BEGINNING at a stake on the SE line of the 192.68 acres standing 310 vrs. S 34 W from its corner in the center of the Carthage and Beckville Highway;  
THENCE With said line S 34 W 915 vrs. to the channel of Hog Bayou;  
Thence with the said bayou S 57-1/2 W 20 vrs. to the S corner of Lot 4 conveyed to F. T. Fite.  
THENCE North with his E. line 765 vrs. to his NE corner on S line of Lot 5;  
Thence E 525 vrs. to the beginning, containing 36 acres of land, more or less.

THIRD TRACT: All that certain parcel or tract of land situated in the City of Carthage, a part of the GEORGE GOODWIN Survey, A-224, and being that 1/2 acre more or less on the North side of West Panola Street in said City conveyed by W. R. Jones, et al, to B. M. Mitchell, dated December 29, 1923 of record in Volume 99, Page 232, Panola County, Texas, and also the same land described in the deed from B. M. Mitchell et ux to George E. Underwood and Louise Underwood, dated August 21, 1940 of record in Volume 135, Page 111, Panola county Deed Records, which tract is now known and designated as Lot 1, Block 256 to the City of Carthage as shown on the official plat of City of Carthage of record in Plat Book 3, Page 396, Plat Records of Panola County, Texas.

FOURTH TRACT: All that certain tract of land in Panola County, Texas, part of the Samuel Duncan League Survey, being Lot No. 2 of 30 acres, more or less, of the partition of the 192-68/100 acres, the home place of Frank Fite and Nannie Fite, according to a map made by R. W. Priest, Licenced State Surveyor, and described as follows:

BEGINNING in the center of the Carthage and Beckville Highway, at N.W. corner of Lot No. 1, this day conveyed by us to R. C. and Joe Ben Fite, where Frank Fite and Nannie Fite home place's Northwest line crosses the said Highway.

Thence with said Highway S 44 E 177 vrs. to a point in the center of the same.

Thence S 34 W 758 vrs. to stk. on North line of Lot No. 4 of 30 acres, deeded to F. T. Fite on September 24, 1938.

Thence West with his North line 215 vrs. to a stk. on west line of said Frank Fite and Nannie Fite home place, 40 vrs. N 15 E from one of said Frank Fite and Nannie Fite home place ell corners.

*Fourth tract excludes  
home and one acre*

*Georgia L. Underwood  
\$200*



Thence N 15 E with said line 270 vrs. to another original corner.

Thence S 53 E 150 vrs. to another corner of said 192-68/100 acre tract.

Thence N 20 E 120 vrs. to another corner of same.

Thence N 1-1/2 E 120 vrs. to another corner of same.

Thence N 27 E 110 vrs. to another corner.

Thence N 30 E 140 vrs. to another corner.

Thence N 46-1/2 E 96 vrs. to another corner.

Thence N 52 E 116 vrs. to the place of beginning.

This being the same tract of land that was conveyed from Frank Fite and Nannie Fite to Mellie Verne Fite of the County of Panola, State of Texas, by Warranty Deed dated September 24, 1938, recorded in Volume 134, Page 566, Deed Records, Panola County, Texas, and further bequeathed to Georgia Lou Underwood by Last Will and Testament of Mellie V. Fite, filed of record in the probate minutes of Panola County, Texas, in Cause No. 3664, Estate of Mellie V. Fite, Deceased.

*GLU*

*Georgia L. Underwood*

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**Exhibit A**

FIFTH TRACT: Any and all mineral interest in and to all of the oil, gas and other minerals in and under, and that may be produced from the following described unit situated in Panola County, Texas, to-wit:

1. 0.00899100 RI in Property: 0010060700001 CGU 13-1P (Lower), Panola County, Texas:
2. 0.00014100 RI in Property: 0010062100001 CGU 33-1P (Lower), Panola County, Texas:
3. 0.00899100 RI in Property: 0010063400001 CGU 13-3T, Panola County, Texas:
4. 0.00014100 RI in Property: 0010064000002 CGU 33-2T, Panola County, Texas:
5. 0.00899100 RI in Property: 0010069300002 CGU 13-4T, Panola County, Texas:
6. 0.00014100 RI in Property: 0010071300002 CGU 33-3T, Panola County, Texas:
7. 0.00899100 RI in Property: 0010076600002 CGU 13-5T, Panola County, Texas:
8. 0.00014100 RI in Property: 0010077300002 CGU 33-4T, Panola County, Texas:
9. 0.00014100 RI in Property: 0010078800002 CGU 33-5T, Panola County, Texas:
10. 0.00899100 RI in Property: 0010080200002 CGU 13-7T, Panola County, Texas:
11. 0.00014100 RI in Property: 0010116800001 CGU 33-6T, Panola County, Texas:
12. 0.00899100 RI in Property: 0010132900002 CGU 13-10T, Panola County, Texas:
13. 0.00014100 RI in Property: 0010137200002 CGU 33-7T, Panola County, Texas:
14. 0.00899100 RI in Property: 0010180900001 CGU 13-8T, Panola County, Texas:
15. 0.00899100 RI in Property: 0010181300001 CGU 13-5T, Panola County, Texas:
16. 0.00899100 RI in Property: 0010261700002 CGU 13-11T (Upper) Panola County, Texas:
17. 0.00899100 RI in Property: 0010463400001 CGU 13-12, Panola County, Texas:

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*Georgia L. Underwood*

*BY*



18. 0.00899100 RI in Property: 0010555200002 CGU 13-13. Panola County, Texas:
19. 0.00899100 RI in Property: 0010672900001 CGU 13-19. Panola County, Texas:
20. 0.00014100 RI in Property: 0010677900001 CGU 33-12. Panola County, Texas:
21. 0.00014100 RI in Property: 0010678200002 CGU 33-13. Panola County, Texas:
22. 0.00014100 RI in Property: 0010792300002 CGU 33-8. Panola County, Texas:
23. 0.00899100 RI in Property: 0021001700004 CGU 13-7C Workover. Panola County, Texas:
24. 0.00899100 RI in Property: 0021003300003 CGU 13-9T. Panola County, Texas:
25. 0.00899100 RI in Property: 0021074300002 CGU 13-i6. Panola County, Texas:
26. 0.00899100 RI in Property: 0021074400001 CGU 13-17. Panola County, Texas:
27. 0.00014100 RI in Property: 0021193600001 CGU 33-16. Panola County, Texas:
28. 0.00001713 RI in Property: 0040018500001 CGU 32-2. Panola County, Texas:
29. 0.00001200 RI in Property: 00400185C1003 CGU 32-2. Panola County, Texas:
30. 0.00001300 RI in Property: 0040026400001 CGU 32-3. Panola County, Texas:
31. 0.00001200 RI in Property: 00400264C1001 CGU 32-3. Panola County, Texas:
32. 0.00001720 RI in Property: 0040041900001 CGU 32-4. Panola County, Texas:
33. 0.00001200 RI in Property: 0040419C101 CGU 32-4. Panola County, Texas:
34. 0.00002059 RI in Property: 0040043200001 CGU 32-5. Panola County, Texas:
35. 0.00009834 RI in Property: 00400432C1002 CGU 32-5. Panola County, Texas:
36. 0.00002059 RI in Property: 0040095400002 CGU 32-7 CV. Panola County, Texas:
37. 0.00001200 RI in Property: 00400954C1003 CGU 32-7 CV. Panola County, Texas:
38. 0.00003078 RI in Property: 0040392000001 CGU 32-8. Panola County, Texas:
39. 0.00009834 RI in Property: 00403920C1001 CGU 32-8. Panola County, Texas:

*Georgia P. Underwood*

*BPH*

**Exhibit A**