

Notice of Trustee's Sale

FILED FOR RECORD
IN MY OFFICE
AT 3:02 O'CLOCK P M

Date: May 13, 2016

MAY 13 2016

Trustee:

CODY COCKERHAM

BOBBIE DAVIS
COUNTY CLERK, PANOLA COUNTY, TEXAS

Trustee's Address:

P.O. Drawer 579
Carthage, Texas 75633

BY 8310015 DEPUTY

Mortgagee: FIRST STATE BANK AND TRUST COMPANY, CARTHAGE, TEXAS, a Texas bank

Note: Note dated January 20, 2012 in the amount of ONE HUNDRED FORTY-FIVE THOUSAND TWO HUNDRED EIGHTY-EIGHT AND 34/100 DOLLARS (\$145,288.34)

Deed of Trust

Date: January 20, 2012

Grantor: BRANDY N. KAHLER and LAWRENCE KAHLER, a married couple

Mortgagee: FIRST STATE BANK AND TRUST COMPANY, CARTHAGE, TEXAS, a Texas bank

Recording information: Volume 1659, Page 137, Official Public Records of Panola County, Texas

Property:

All that certain 3.12 acre lot, tract or parcel of land located in the MATTHEW PAYNE Survey, A-526, in Panola County, Texas, and being the same land described in deed dated August 7, 2009, from Sharon Marie Waldrop Ellett, Paul Jack Ellett, and Roger Dale Waldrop to Brandy Kahler and Lawrence Kahler, recorded in Volume 1520, Page 39 of the Official Public Records of Panola County, Texas. Said tract being part of a called 17.46 acre tract of land conveyed from Gwenoth Joy Waldrop to Sharon Marie Waldrop Ellett and Roger Dale Waldrop, recorded in Volume 1139, page 505 of the Official Public Records of Panola county, Texas, and being further described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all intents and purposes.

County: Panola

Date of Sale (first Tuesday of month): June 7, 2016

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

Place of Sale: Panola County Courthouse in Carthage, Texas, at the following location: Courthouse steps on the East side of the Panola County Courthouse situated on 110 S. Sycamore Street, Carthage, Texas 75633

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.

CODY COCKERHAM is Trustee under the Deed of Trust. Mortgagee has instructed Trustee to offer the Property for sale toward the 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, "AS IS". The sale will begin at the Time of Sale or not later than three hours thereafter.



CODY COCKERHAM, Trustee for
First State Bank and Trust Company, Carthage,
Texas
P.O. Drawer 579
Carthage, Texas 75633



**ROBERTS
SURVEYING, LLC**

(903) 660-2910 www.robertssurveying.net (903) 758-7876
Fax (903) 660-2910
180 Lasiter Road Longview, TX, 75602

Boundary Description

Field Notes for 3.12 acres at 1792 U.S. Highway 59 S., near Carthage, Texas,
in Panola County, Texas

All that certain 3.12 acre lot, tract or parcel of land located in the Matthew Payne Survey, A-526, in Panola County, Texas. Said tract being part of a called 17.46 acre tract of land conveyed from Gwenoth Joy Waldrop to Sharon Marie Waldrop Ellett and Roger Dale Waldrop, recorded in Vol. 1139, Page 505, Official Public Records of Panola County, Texas (OPROPCT), and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with J. Roberts plastic cap, set for corner on the southwest R.O.W. of U.S. Highway 59 South (100' to centerline). Said corner being the SEC of this tract the SEC of the residue of said 17.46 acre tract, the NEC of a called 2.50 acre George Clakley tract described in Vol. 813, Page 261, Deed Records of Panola County, Texas (DROPCT), the SWC of a called 1.626 acre State of Texas tract described in Vol. 810, Page 448 (DROPCT), and the NWC of a called 0.308 acre State of Texas tract described in Vol. 809, Page 609 (DROPCT);

THENCE N77°49'18"W, with the common south line of the residue of said 17.46 acre tract, and the north line of said Clakley tract, 487.38 feet, to a 1/2" iron rod with J. Roberts plastic cap, set for corner to replace a found 60D nail, from which a 60" oak tree with "X" blaze found for witness bears N49°22'17"W, 31.6 feet, and a 9" oak tree with "X" blaze found for witness bears N35°52'15"E, 7.5 feet. Said corner being the SWC of this tract and the SEC of a called 5.00 acre Paul Jack Ellett tract described in Vol. 1112, Page 320 (OPROPCT);

THENCE N07°58'19"W, with the common west line of the residue of said 17.46 acre tract, and the east line of said Ellett tract, 259.27 feet, to a 1/2" iron rod with J. Roberts plastic cap, set for the NWC of this tract;

THENCE N63°22'09"E, across said 17.46 acre tract, 277.22 feet, to a 1/2" iron rod with J. Roberts plastic cap, set for corner on the southwest R.O.W. of said Highway. Said corner being the NEC of this tract, on the east line of the residue of said 17.46 acre tract, and on the west line of said 1.626 acre tract;

THENCE S28°40'10"E (Base Bearing), with the common east line of the residue of said 17.46 acre tract, the west line of said 1.626 acre tract, and the southwest R.O.W. of said Highway, 551.45 feet, to the Place of Beginning containing 3.12 acres more or less.

Note: All bearings in this survey based on the U.S. Highway 59 S., from a deed in Vol. 810, Page 448 (OPROPCT).

Plat Accompanies This Description.

I, Jackie Roberts, Registered Professional Land Surveyor No. 5015, do hereby certify that these field notes were prepared from an actual survey made on the ground, under my supervision, during the month of May, 2009.

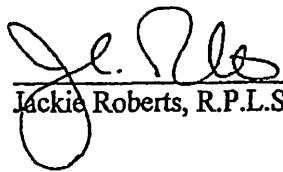

Jackie Roberts, R.P.L.S. #5015
5/21/09
Date

Exhibit A