

NOTICE OF TRUSTEE'S SALE

AUG 05 2017

You, Monte Hal Cunningham and wife, Debra Inez Cunningham, are hereby notified that on October 3, 2017, between the hours of 10:00 a.m. and 1:00 p.m. on the front steps of the County Courthouse at 110 S. Sycamore, in the City of Carthage, County of Panola, State of Texas, or at whatever address designated by the commissioner's Court, the undersigned will sell at public auction to the highest bidder for cash the following real property:

BOBBIE DAVIS
COUNTY CLERK, PANOLA COUNTY, TEXAS
BY [Signature] DEPUTY

TRACT ONE:

All that certain 1.00 acre tract of land, a part of the T. Applewhite Survey, Abstract No. 36, Panola County, Texas, and being the same tract of land described as "Tract One" in deed dated July 30, 2008, from Carroll K. Beck and Valta G. Beck, to Cessele Wiler and Kenneth Norman, recorded in Volume 1458, Page 792 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.

TRACT TWO:

All that certain 1.00 acre tract of land, a part of the M. Hoffman Survey, Abstract No. 330, Panola County, Texas, and being the same tract of land described as "Tract Two" in deed dated July 30, 2008, from Carroll K. Beck and Valta G. Beck to Cessele Wiler and Kenneth Norman recorded in Volume 1458, Page 792 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.

The above described tracts are also described in Warranty Deed from Cessele Wiler and Kenneth Norman, to John Timmy Spradley, dated June 7, 2010, recorded in Volume 1568, Page 92, Official Public Records of Panola County, Texas, and also described in Warranty Deed with Vendor's Lien dated January 31, 2013, from John Timmy Spradley and wife, Pamela Spradley, to Monte Hal Cunningham and wife, Debra Inez Cunningham, recorded in Volume 1710, Page 476, Official Public Records of Panola County, Texas.

The earliest time that the sale will begin is 10:00 a.m.

The address or other common designation of this real property is 1341 CR 110, Carthage, Panola County, Texas 75633.

The sale will be made to satisfy the debt evidenced by the Promissory Note dated January 31, 2013, in the original principal sum of \$27,785.00, executed by you as Makers to John Timmy Spradley and wife, Pamela Spradley, as payee, and secured by and pursuant to the power of sale conferred in the Deed of Trust dated January 31, 2013. The Deed of Trust was executed by you as Grantors to Walter Vivaldi as Trustee for the benefit of John Timmy Spradley and Pamela Spradley, and was recorded in Vol. 1710, Page 480 of the Official Public Records of Panola County, Texas. John Timmy Spradley and wife, Pamela Spradley, the current holders of the Note and Deed of Trust, have requested me, the Trustee, to enforce this trust by selling the real property because you are in default of the Deed of Trust, which requires you to make monthly payments constituting principal and interest. You have failed to make monthly payments to John Timmy Spradley and Pamela Spradley, as agreed.

Your debt has been accelerated, and the entire unpaid balance of your note is now due and payable. Your payoff good through September 15, 2017, is \$24,341.25. Said balance continues to accrue interest per day. The debt has been accelerated because you failed to cure the default as was requested in the Notice of Default and Intent to Accelerate previously sent to you.

Questions concerning this matter may be made to the undersigned at (903) 693-3886, or by mail at 300 W. Sabine at Sycamore, Carthage, Texas 75633.

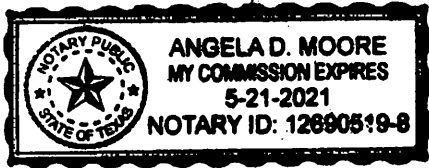
Dated this 5th day of September, 2017.

Walter Vivaldi
Walter Vivaldi, Trustee

STATE OF TEXAS §
 §
COUNTY OF PANOLA §

SUBSCRIBED AND SWORN TO BEFORE ME on this 5th day of September, 2017, by
Walter Vivaldi.

Angela D Moore
NOTARY PUBLIC In and For
The State of Texas



Printed Name:

Angela D. Moore

My Commission Expires:

EXHIBIT "A"

TRACT NO. 1

All that certain 1.014 acre tract of land, a part of the THOS. APPLEWHITE Survey, Abstract No. 36, Panola County, Texas, and being that same tract of land called 1.00 acre described as "Tract One" in a deed from Carroll K. Beck and Valta G. Beck, to Cessele Wiler and Kenneth Norman, dated July 30, 2008, recorded in Vol. 1458, Page 792 of the Official Public Records of Panola County, Texas, and the said 1.014 acre subject tract is more particularly described as follows:

BEGINNING at a ½-inch iron pipe found for the Southeast corner of the subject tract in the East line of the said APPLEWHITE Survey, also being located in the North boundary line of that certain 1.000 acre tract of land described as "Tract Two" in a deed from Cherie Gibert to Robert Lewis, Jr., dated February 10, 2010, recorded in Vol. 1548, Page 659 of the said Official Public Records;

THENCE South 79° 40' 11" West with the North boundary line of the said Lewis tract a distance of 120.83 feet to a ½-inch iron rod found for its Northwest corner, same being the Northeast corner of that certain 1.000 acre tract described as "Tract One" in the above mentioned deed from Gibert to Lewis, recorded in Vol. 1548, Page 659;

THENCE South 79° 40' 11" West with the North boundary line of the said Lewis tract a distance of 348.49 feet to a point for its Northwest corner in the center of Panola County Road No. 110, same being the Southwest corner of the subject tract, from which a ½-inch iron pipe found for a reference corner bears North 79° 40' 11" East at a distance of 21.35 feet;

THENCE North 10° 02' 46" West with the said County Road center line along the West boundary line of the subject tract a distance of 94.94 feet to a point for its Northwest corner, same being the Southwest corner of that certain called 1.129 acre tract described as "Second Tract" in a deed from A. J. Walker to Rubie Neal Walker, dated August 12, 1999, recorded in Vol. 1074, Page 349 of the said Official Public Records, from which a ½-inch iron pipe found for a reference corner bears North 79° 52' 46" East at a distance of 20.75 feet;

THENCE North 79° 52' 46" East with the South boundary line of the said called 1.129 acre tract a distance of 469.29 feet to a point for its Southeast corner near a tree fence corner, same being the Northwest corner of that certain 1.000 acre tract described as "Tract Two" in the aforesaid deed from Beck to Wiler and Norman, recorded in Vol. 1458, Page 792, from which a ½-inch iron rod set for a reference corner bears South 4° 32' 20" West at a distance of 3.64 feet;

THENCE South 10° 03' 25" East with the West boundary line of the said 1.000 acre tract a distance of 93.22 feet to the Point of Beginning, containing a total area of 1.014 acres.

TRACT NO. 2

All that certain 1.000 acre tract of land, a part of the M. HOFFMAN Survey, Abstract No. 330, Panola County, Texas, and being that same tract of land described as "Tract Two" in a deed from Carroll K. Beck and Valta G. Beck, to Cessele Wiler and Kenneth Norman, dated July 30, 2008, recorded in Vol. 1458, Page 792 of the Official Public Records of Panola County, Texas, and the said 1.000 acre subject tract is more particularly described as follows:

BEGINNING at a ½-inch iron pipe found for the Southwest corner of the subject tract in the West line of the said HOFFMAN Survey, also being located in the North boundary line of that certain 1.000 acre tract of land described as "Tract Two" in a deed from Cherie Gibert to Robert Lewis, Jr., dated February 10, 2010, recorded in Vol. 1548, Page 659 of the said Official Public Records;

THENCE North 78° 14' 00" East with the North boundary line of the said Lewis tract a distance of 222.95 feet to a ½-inch iron rod found for its Northeast corner;

THENCE North 78° 14' 00" East continuing with the South boundary line of the subject tract a distance of 244.53 feet to a ½-inch iron rod found for its Southeast corner;

THENCE North 10° 03' 25" West with the East boundary line of the subject tract a distance of 93.22 feet to a ½-inch iron rod found for its Northeast corner;

THENCE South 78° 14' 00" West with the North boundary line of the subject tract a distance of 467.48 feet to a point for its Northwest corner near a tree fence corner, same being the Northeast corner of that certain called 1.00 acre tract of land described as "Tract One" in the aforesaid deed from Beck to Wiler and Norman, recorded in Vol. 1458, Page 792, from which a ½-inch iron rod set for a reference corner bears South 4° 32' 20" West at a distance of 3.64 feet;

THENCE South 10° 03' 25" East with the East boundary line of the said called 1.00 acre tract a distance of 93.22 feet to the Point of Beginning, containing a total area of 1.000 acres.