

MAR 10 2017

BOBBIE DAVIS  
COUNTY CLERK, PANOLA COUNTY, TEXAS  
BY Gina Golden DEPUTY**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

You, Mary J. Nance (by and through Independent Executor Ryan Carlton Nance) and Sam Q. Born a/k/a Samuel Born (by and through Independent Administrator Michael Dean Born), are hereby notified that on Tuesday, April 4, 2017 between the hours of 10:00 a.m. and 1:00 p.m., at the Panola County Courthouse, 110 S. Sycamore, in the city of Carthage, County of Panola, State of Texas 75633, or wherever else designated by the commissioner's court for foreclosures, I the undersigned will sell at public auction to the highest bidder for cash the following real property:

**All that certain 12.354 acre tract of land situated in Panola County, Texas, being a part of the JOHN HITE SURVEY, Abstract No. 318, and being a part of a certain tract partitioned to Fred F. Born by judgment as recorded in Volume N on Page 614 of the District Court Minutes, said 12.354 acre tract being more particularly described by metes and bounds as set forth in the attached Exhibit "A" together with all improvements constructed upon, affixed to or located upon the above described real property, including without limitation any residential dwelling located upon the real property, which dwelling is a 2009 MHDMAN00000283 DBA Clayton Homes Waco Manufactured Home; Model: 31DMK16683AH09; Serial No.: CLW029135TX; Label/Seal No.: HWC0401893 which manufactured home has been placed on the real property.**

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

The address or other common designation of this real property is 1216 CR 106, Carthage, Texas 75633.

The sale will be made to satisfy the debt evidenced by the Promissory Note dated August 4, 2009, in the original principal sum of \$63,721.07, executed by both of you as Makers to Vanderbilt Mortgage and Finance Inc. as payees, and secured by and pursuant to the power of sale conferred in the Deed of Trust dated August 4, 2009. The Deed of Trust was executed by both of you as Grantors to Michael Gary Orlando as Trustee for the benefit of Vanderbilt Mortgage and Finance Inc. and was recorded in the real property records of Panola County, Texas. Vanderbilt Mortgage and Finance, Inc., the current holder of the Note and Deed of Trust has requested me, the Successor Trustee, to enforce this trust by selling the real property because both of 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 Vanderbilt Mortgage and Finance, Inc. as agreed.

Your debt has been accelerated, and the entire unpaid balance of your note is now due and payable. Your payoff good through March 15, 2017 is \$57,904.52. Said balance continues to accrue interest per day. The debt has been accelerated because both of you failed to cure the default as was requested in the Notice of Default and Right to Cure Default previously sent to you.

The original beneficiary of the Deed of Trust appointed and substituted me, the undersigned, as trustee under the Deed of Trust by a substitution dated March 1, 2017. As

successor trustee, I am vested with and succeed to all the powers and duties given to the original trustee.

Questions concerning this matter may be made to the undersigned at 713-521-0800 or by mail at 440 Louisiana, Suite 1110, Houston, Texas 77002.

**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE UNITED 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 OR THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.**

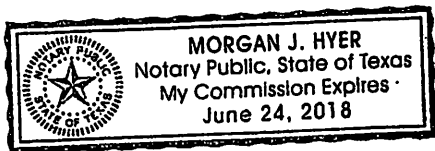
Dated this 7<sup>th</sup> day of March, 2017.

By: [Signature]  
Monica Schulz Orlando, Trustee  
or Michael Gary Orlando, Trustee  
or Rhonda Bennetsen, Trustee

STATE OF TEXAS §

COUNTY OF HARRIS §

SUBSCRIBED AND SWORN TO BEFORE ME on this 7<sup>th</sup> day of March, 2017, by  
Monica Schulz Orlando.



[Signature]  
NOTARY PUBLIC In and For  
The State of Texas  
Printed Name: Macanthy  
My Commission Expires: 6/24/18

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EXHIBIT "A"

All that certain 12,354 acre tract of land situated in Panola County, Texas, being a part of the JOHN HITE SURVEY, Abstract No. 318, and being a part of a certain tract partitioned to Fred F. Bora by judgment as recorded in Volume N on Page 614 of the District Court Minutes, said 12,354 acre tract being more particularly described as follows:

BEGINNING at the Southeast corner of a 14,899 acre tract surveyed this date for Mary Lorraine; said corner being S 9° 09' E 1588.82 feet from the occupied Northeast corner of said HITE SURVEY and being in the center of a public road running along the East boundary of same;

THENCE S 9° 09' E, along and with the center of said road, 692.54 feet to the Southeast corner of tract being partitioned herein at the point of intersection with another public road;

THENCE Westward, along and with the center of said other road running along the South boundary of said tract being partitioned herein, as follows:

S 46° 58' W 292.17 feet and

S 63° 38' W 247.0 feet to the Southeast corner of the church tract;

THENCE N 22° 14' W 286.03 feet to the Northeast corner of said church tract;

THENCE S 65° 25' W 168.27 feet to the Northwest corner of said church tract in the East boundary line of a 9,933 acre tract surveyed this date for Jimmie Faye Bern Fowler;

THENCE N 8° 14' W 607.21 feet to the Northeast corner of said 9,933 acre tract in the South boundary of said 14,899 acre tract;

THENCE N 80° 42' E, along and with the South boundary of said 14,899 acre tract, 739.89 feet to the place of Beginning and containing 12,354 acres of land.

STATE OF TEXAS COUNTY OF PANOLA FILED FOR RECORD  
I hereby certify that this instrument was filed on  
the date and time stamped herein by me and  
was duly recorded in the volume and page of the  
proper records of PANOLA County, Texas as stamped  
hereon by me. OFFICIAL PUBLIC RECORDS CLARA JONES, COUNTY CLERK  
PANOLA COUNTY, TEXAS

SEP 30 2009 12:10P

CLARA JONES, COUNTY CLERK  
PANOLA COUNTY, TEXAS

BY: Cynthia Woodfin, Deputy