

Prepared by:  
 J. Randell Stevens, Attorney at Law  
 Norton & Wood, L.L.P.  
 315 Main Street, Texarkana, Texas 75501

After recording, return to:  
 TEXAR Federal Credit Union  
 2301 Richmond Road, Texarkana, Texas 75503

**NOTICE OF PUBLIC FORECLOSURE SALE  
 AND  
 APPOINTMENT OF SUBSTITUTE TRUSTEE**

Pursuant to Section 51.002 of the Texas Property Code, notice is hereby given of the following non-judicial foreclosure sale (the "Sale"):

I. PROPERTY FOR SALE. The property for sale (the "Property") is commonly known as 375 North Austin, Avery, Texas 75554, and is further described as follows:

**TRACT I:**

All that certain tract or parcel of land situated in the North part of the town of Avery, a part of the Wm. Collum HR Survey, Abstract No. 181, and being a part of that certain one acre tract of land described in Deed from S. A. Baker and wife, Johnie Tisdale Baker, to Elizabeth Baker Holcombe as her separate property dated February 4, 1958, and of record in Volume 210, Page 204 of the Deed Records of Red River County, Texas, and more fully described as follows:

BEGINNING at the northeast corner of said one acre tract, the NW corner of the J. H. Hall tract;  
 THENCE South with the EB line of said one acre tract 210 feet to its SE corner;  
 THENCE West with the SB line of same 88 feet to a stake in said line for corner;  
 THENCE North, parallel with the EII line of said tract a distance of 210 feet to a stake in the NB line of said tract for corner;  
 THENCE East with the NB line a distance of 82 feet to the place of beginning, containing 18,480 square feet of land, more or less.

Tract I being the same land described in Deed from Elizabeth Baker Holcombe joined by husband, J. W. Holcombe, to Walter E. Stinson and wife, Joyce Stinson, dated November 2, 1961, and recorded in Volume 236, Page 302 of the Deed Records of Red River County, Texas.

**TRACT II:**

All that certain tract or parcel of land situated in the North part of the town of Avery, a part of the Wm. Collum HR Survey and better described as follows: A part of Lot No 9 of the Isom & Foot subdivision in said survey which Lot No. 9 was conveyed by Deed from W.B. Yale and wife to W.M. Medford by Deed dated December 15, 1910 and being a part of said land that was deeded to J.A. Medford by M.L. Montgomery under date of November 26, 1925 and described by metes and bounds as follows:

BEGINNING at NW corner of a tract heretofore sold off of the original Lot No. 9 to Charlie Morgan (then owned by J.H. Hall);  
 THENCE South with Hall's WBL 70 yards to stake;  
 THENCE West 70 yards to a stake;  
 THENCE North 70 yards to stake in NBL of original Lot No. 9 herein referred to;  
 THENCE East 70 yards to the place of beginning and containing one (1) acre of land, more or less.

**LESS, SAVE AND EXCEPT** from the above described tract of land the following described tract:

All that certain tract or parcel of land situated in the North part of the town of Avery, a part of the Wm. Collum HR Survey, Abstract No. 181, and being a part of that certain one acre tract of land described in Deed from S. A. Baker and wife, Johnie Tisdale Baker, to Elizabeth Baker Holcombe as her separate property dated February 4, 1958, and of record in Volume 210, Page 204 of the Deed Records of Red River County, Texas, and more fully described as follows:

BEGINNING at the northeast corner of said one acre tract, the NW corner of the J. H. Hall tract;  
 THENCE South with the ER line of said one acre tract 210 feet to its SE corner;  
 THENCE West with the SB line of same 88 feet to a stake in said line for corner;  
 THENCE North, parallel with the EB line of said tract a distance of 210 feet to a stake in the NB line of said tract for corner;  
 THENCE East with the NB line a distance of 88 feet to the place of beginning, containing 18,480 square feet of land, more or less.

Tract II being the same land described in Deed from Frank Peek and wife, Oma F. Peek, to Walter E. Stinson and wife, Joyce L. Stinson, dated December 7, 1981, recorded in Volume 340, Page 313 of the Deed Records of Red River County, Texas.

**TRACT III:**

All that certain tract or parcel of land situated in Red River County, Texas, a part of the William Collum H R Survey, Abstract Nu. 181, and being the north part of that certain tract or parcel of Land described in two tracts in deed from Leon Medford

and wife to B. E. Armstrong and wife, dated August 26, 1944, and shown of record in Volume 163, Pages 84-85 of the Deed Records of Red River County, Texas, and more fully described as follows:

BEGINNING at a stake, the N E corner of said tract of land, same being the WB line of Lake Road running north of U. S. Highway Number 82 to the City Lake;

THENCE West with the NB line of said tract 196 feet, more or less, to the N W corner of said tract, same being the N E corner of the Baker tract on the south side of Public Road;

THENCE South 180 feet with the EB line of the Baker tract and the W. B. line of the tract above mentioned to a stake in fence;

THENCE East with fence 196 feet, more or less, to a stake in the E B line of said tract and the WEL line of said Lake Road;

THENCE North with the E B line of said tract and the W B line of said road 180 feet, more or less, to the place of beginning, containing about 3/4 of an acre, more or less.

Tract III being the same land described in Deed from L. E. Carroll and wife, Opal Carroll, to Erbie Stinson and wife, Joyce Stinson, dated November 1962, and recorded in Volume 236, Page 301 of the Deed Records of Red River County, Texas.

**LESS, SAVE AND EXCEPT** from the above described Tract 111 the following described tract of land:

All that certain tract or parcel of land situated in Red River County, Texas, a part of the William Callum HR Survey, Abstract No. 181,

and being a part of the north part of that certain tract or parcel of land described in two tracts in deed from Leon Medford and wife to B. E. Armstrong and wife, dated August 26, 1944, and shown of record in Volume 163, Pages 84-85 of the Deed Records of Red River County, Texas, and more fully described as follows:

BEGINNING at a stake, the NE corner of said tract of land, same being the WBL of Lake Road, running North of U. S. Highway Number 82 to the City Lake;

THENCE West with the NBL of said tract 65 feet, more or less;

THENCE South 112 feet parallel with the EBL of the Baker tract and the Win. of the tract above mentioned to a stake in fence;

THENCE East with fence 65 feet, more or less, to a stake in the EBL of said tract and the WBL of said Lake Road;

THENCE North with the EBL of said tract and the WBL of said road 112 feet, more or less, to the place of beginning.

Being the same land described in Deed from Erbie Stinson, individually and as sole beneficiary under the Will of Joyce Stinson, deceased, to The City of Avery, dated August 28, 2000, and recorded in Volume 298, Page 632 of the Deed Records of Red River County, Texas.

Tract I, Tract II and Tract III being the same land described in Deed from Walter Stinson, a widower, to Aaron D. Jackson, dated July 25, 2002, and recorded in Volume 523, Page 188 of the Official Public Records of Red River County, Texas.

II. **DATE, TIME, & VENUE OF THE SALE.** The Sale will be held at the Front Entrance of the Red River County Courthouse in Clarksville, Texas, on Tuesday, February 5, 2019. The Sale will begin no earlier than 10:00 a.m., or no later than three (3) hours thereafter, and will be completed no later than 4:00 p.m. *Please be aware that the Commissioners' Court of Red River County, Texas may hereafter designate another location for the Sale, in which case such designation will be recorded in the Real Property Records of Red River County, Texas. The Sale may also be postponed, in which case such postponement will be announced on/at the date and time set forth above.*

III. **AUTHORITY TO CONDUCT THE SALE.** The Sale will be conducted pursuant to the power of sale conferred upon TEXAR Federal Credit Union (the "Mortgagee") by that one certain deed of trust recorded in the Real Property Records of Red River County, Texas, Volume 0624, Page 531, (the "Security Instrument"), wherein Aaron D. Jackson and Christina Jackson (the "Mortgagor") conveyed the Property to Kelly D. Mitchell (the "Trustee") to be held in trust. Insofar as the Mortgagor has failed to timely cure default under the terms of the Security Instrument and the promissory note it secures, the Mortgagee has elected to foreclose upon its lien on the Property in accordance with Texas law. Additionally, authority was granted to TEXAR Federal Credit Union for such sale by Default Order signed on December 13, 2018, and entered of record in the case styled *In Re: Order for Foreclosure Concerning 375 North Austin, Avery, Texas 75554 Under Tex.R.Civ.P. 736* Petitioner: *TEXAR Federal Credit Union and Defendant: Aaron Jackson and Christina Jackson*, in the 102<sup>nd</sup> District Court of Red River County, Texas, Cause No. 04477 on December 13, 2018.

IV. **TERMS OF THE SALE.** The Sale will be conducted according to the terms of the Security Instrument. One or more of the Substitute Trustees named in Paragraph "V" of this Notice will conduct the Sale as a public auction. The Property will be sold in one or more parcels to the highest bidder for cash in any order that the Substitute Trustee(s) determine(s). The purchase price will be due and payable immediately upon acceptance of a bid. The Property will be sold in "as-is" condition, without any express or implied warranties, except for the warranties of title (if any) provided for in the Security Instrument. Prospective bidders are, therefore, advised to conduct an independent investigation of the nature, physical condition, and occupancy of the Property prior to the Sale. If the Sale is set aside for any reason, the purchaser of the Property will be entitled only to a return of the purchase price that he, she, or it paid and will have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's attorneys. *Please be aware that the Substitute Trustee(s) reserve(s) the right to set further reasonable terms of sale.* Any such terms shall be announced before bidding is opened for the first sale of the day conducted by the Substitute Trustee(s) on Tuesday, June 5, 2018.

V. **APPOINTMENT OF SUBSTITUTE TRUSTEE(S).**

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

The Substitute Trustees shall be: J. Randell Stevens, Richard J. Kroll, Fred R. Norton, Jr., Cory J. Floyd, and Marshall C. Wood, or any one of them. All said individuals are attorneys of Norton & Wood, L.L.P., 315 Main Street, Texarkana, Texas 75501.

VI. NOTICE TO THE MORTGAGOR.

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 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.

Date: December 27, 2018

Submitted by:

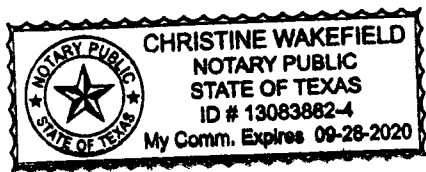
J. Randell Stevens, Attorney for the Mortgagee 19184150

Acknowledgement:

STATE OF TEXAS §  
  §  
COUNTY OF BOWIE §

BEFORE ME, the undersigned Notary Public, on this day came J. Randell Stevens, known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he has the authority to execute this instrument and that he executed this instrument for the purposes and consideration stated herein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 27th day of December, 2018.



*Christine Wakefield*  
NOTARY PUBLIC - STATE OF TEXAS

FILED FOR RECORD  
2:13 o'clock P M. on

DEC 31 2018

*Shawn Weemes*  
SHAWN WEEMES, COUNTY CLERK  
RED RIVER CO., TX