

THE STATE OF TEXAS \*  
\*  
COUNTY OF RED RIVER \*

**NOTICE OF TRUSTEE'S SALE**

1. **Property to be Sold.** The property to be sold is described on Exhibit "A" which is attached hereto and made a part hereof for all purposes.
2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the Construction Deed of Trust dated **JUNE 6, 2016**, executed by **BRANDON SLAY and wife, KARA SLAY**, recorded under **VOL. 0719, P. 034**, under Clerk's File Number **59480** of the Office of the County Clerk of Red River County, Texas, note and lien extended by **Extension of Real Estate Note and Lien** dated **December 12, 2016** and recorded in **Volume 0726, Page 660** of the Official Public Records of the County Clerk of Red River County, Texas.
3. **Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place.  
  
Date: **May 7, 2019**  
  
Time: The sale will begin no earlier than 1:00 P.M. or no later than three hours thereafter. The sale will be completed by no later than 4:00 P.M.  
  
Place: In the hallway inside the east door of the Red River County Courthouse Annex, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court, at the following location: 400 North Walnut Street, Clarksville, Texas 75426.
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 Texas Property Code and the Deed of Trust permitting the Lender 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 cash on the day the property is sold.

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. **Type of Sale.** The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Texas Property Code and Construction Deed of Trust executed by **BRANDON SLAY and wife, KARA SLAY.**

6. **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 **\$264,135.61**, executed by **BRANDON SLAY and wife, KARA SLAY**, and payable to the order of **CYPRESS BANK, S.S.B.**; (b) all renewals and extensions of the note; and (c) any and all present and future

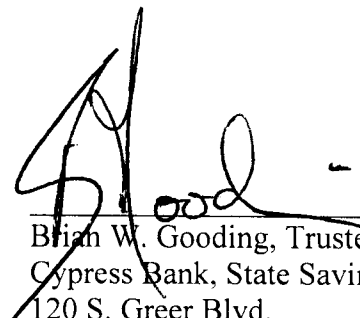
indebtednesses of **BRANDON SLAY and wife, KARA SLAY**, to **CYPRESS BANK, S.S.B.**; is the current owner and holder of the Obligations and is the Lender under the Deed of Trust.

Questions concerning the sale may be directed to the undersigned or to the Lender, **CYPRESS BANK, STATE SAVINGS BANK. at 120 S. Greer Blvd, Pittsburg, Texas, (903) 856-6653.**

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

**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.**

Dated: April 15, 2019

  
\_\_\_\_\_  
Brian W. Gooding, Trustee  
Cypress Bank, State Savings Bank  
120 S. Greer Blvd.  
Pittsburg, TX 75686  
Telephone: (903) 856-6653  
FAX: (903) 856-5822

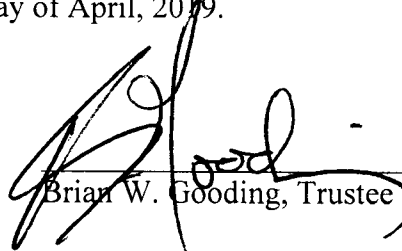
A copy of the foregoing NOTICE OF TRUSTEE'S SALE was executed by the undersigned on the 15th day of April, 2019, by posting such notice at the Courthouse door of Red River County, Texas; by filing a copy of same with the County Clerk of Red River County, Texas; and by mailing a copy of same to:

Brandon Slay  
18563 Texas Hwy 37 S  
Bogata, Texas 75417  
CERTIFIED MAIL #7015 1520 0000 4947 6481  
RETURN RECEIPT REQUESTED

And by separate mail to:

Kara Slay  
18563 Texas Hwy 37 S  
Bogata, Texas 75417  
CERTIFIED MAIL #7015 1520 0000 4947 6498  
RETURN RECEIPT REQUESTED

WITNESS MY HAND on this the 15th day of April, 2019.

  
\_\_\_\_\_  
Brian W. Gooding, Trustee

SUBSCRIBED AND SWORN TO BEFORE ME by the said Brian W. Gooding on this the 15th day of April, 2019, to certify which witness my hand and seal of office.

  
\_\_\_\_\_  
Notary Public, State of TEXAS

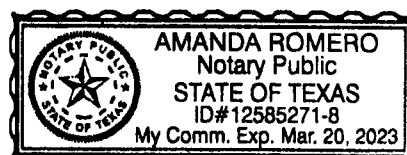


Exhibit "A"

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN RED RIVER COUNTY, TEXAS, ABOUT 18-1/2 MILES S 35° W FROM THE TOWN OF CLARKSVILLE; AND BEING PART OF THE ABEL BLAND SURVEY, ABSTRACT NO. 40; AND BEING PART OF A CALLED 120.000 ACRE TRACT OF LAND DESCRIBED IN DEED FROM BILLIE ANN PIERCE AND HOWARD G. PIERCE, INDIVIDUALLY AND AS CO-TRUSTEES OF THE PIERCE FAMILY TRUST, DATED THE 17TH DAY OF AUGUST, 1996, TO JANETTE BROOKS, DATED OCTOBER 29, 1998, AND RECORDED IN VOLUME 474, PAGE 478-480, OF THE OFFICIAL PUBLIC RECORDS OF RED RIVER COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A ½" DIA. R.S. ROD(S) FOR A CORNER IN THE SOUTH LINE OF SAID 120.000 ACRE TRACT OF LAND, IN COUNTY ROAD NO. 1465, AND IN THE SOUTH LINE OF SAID BLAND SURVEY, AND IN THE NORTH LINE OF THE M.E.P. & P.R.R. SURVEY; SAME BEING EAST, A DISTANCE OF 228.345 FEET FROM A RAILROAD SPIKE (F) AT THE SOUTHWEST CORNER OF SAID 120.000 ACRE TRACT OF LAND, IN THE EAST LINE OF STATE HIGHWAY NO. 37;

THENCE N 0° 00' 00" W, A DISTANCE OF 588.649 FEET TO A ½" DIA. R.S. ROD(S) FOR A CORNER;

THENCE N 90° 00' 00" E, A DISTANCE OF 740.000 FEET TO A ½" DIA. R.S. ROD(S) FOR A CORNER;

THENCE S 0° 00' 00" E, A DISTANCE OF 588.649 FEET TO A ½" DIA. R.S. ROD(S) FOR A CORNER. IN THE CENTER OF SAID COUNTY ROAD, AND IN THE SOUTH LINE OF SAID 120.000 ACRE TRACT OF LAND; SAME BEING IN THE DIVISION LINE OF SAID BLAND AND M.E.P. & P.R.R. SURVEYS;

THENCE S 90° 00' 00" W, ALONG THE CENTER OF SAID ROAD, AND DIVISION LINE OF SAID BLAND AND M.E.P. & P.R.R. SURVEYS, A DISTANCE OF 740.000 FEET TO THE PLACE OF BEGINNING AND CONTAINING 10.000 ACRE OF LAND, MORE OR LESS; OF WHICH 0.39 ACRE LIES WITHIN SAID COUNTY ROAD NO. 1485.

BEING THE SAME LAND DESCRIBED IN DEED FROM JANETTE CODY BROOKS, JOINED BY HUSBAND, JERRY N. BROOKS, TO BRIAN K. RUIZ, DATED AUGUST 10, 2007, AND RECORDED IN VOLUME 602, PAGE 703 OF THE OFFICIAL PUBLIC RECORDS OF RED RIVER COUNTY, TEXAS

FILED FOR RECORD  
2:58 o'clock P.M. on

APR 15 2019

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