

**NOTICE OF FORECLOSURE 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.**

1. *Property to Be Sold.* The property (including any other collateral pledged under the Deed of Trust [defined below]) to be sold is located in Milam County, Texas and is more fully described on Exhibit A attached hereto. The real property and personal property being sold is the same property described in the Deed of Trust.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust and Security Agreement dated August 15, 2017, executed by Phan Thanh Group, LLC, a Texas limited liability company ("Debtor"), to J. Ken Muckelroy, as trustee, for the benefit of First Financial Bank, F.S.B. ("Bank"), recorded on August 16, 2017, in Volume 1315, Page 886 of the Official Public Records of Milam County, Texas (the "Deed of Trust").

3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: October 1, 2019

Time: The sale will begin no earlier than 10:00 A.M. and no later than three hours thereafter.

Place: The sale will occur at that area outside the east door of the Milam County Courthouse, as designated by the Commissioner's Court of Milam County, Texas, for such sales, under Section 51.002 of the Texas Property Code. The Milam County Courthouse is located at 102 S. Fannin Avenue, Cameron, Texas 76520.

In the event Bank decides to postpone, withdraw, or reschedule the sale for another day, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

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 Deed of Trust permitting the Bank thereunder to have the bid credited to the Note (defined below) up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Filed 10 day of Sept  
in 2019, At 10 M.  
JODI MORGAN  
County Clerk, Milam County, Texas  
By [Signature]  
Deputy

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 Deed of Trust.

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 (the "Note"), dated August 15, 2017, having an original principal balance of \$830,000.00, executed by Debtor, and payable to the order of Bank, and (b) penalties and interest. In addition, the Note and the Deed of Trust provide for reimbursement to the holder of the Note of its reasonable attorney's fees and expenses incurred in collecting this debt.

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

**[Signature Page Follows]**

EXECUTED to be effective as of September 10, 2019.



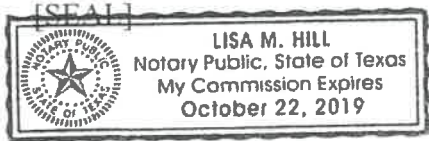
SUBSTITUTE TRUSTEE  
MURPHY SAYRE  
OR DAVID GARVIN  
OR RICHARD H. HESTER  
OR PETE FLOREZ  
OR FLORENCE ROSAS  
OR KELLY GODDARD


c/o Bell Nunnally & Martin LLP  
2323 Ross Avenue, Suite 1900  
Dallas, Texas 75201

ACKNOWLEDGMENT

STATE OF TEXAS           §  
  §  
COUNTY OF DALLAS     §

This instrument was acknowledged before me on the 10th day of September, 2019, by Murphy Sayre.



  
Notary Public in and for the State of Texas

Name Printed: Lisa M. Hill

**AFTER RECORDING, RETURN TO:**

**Murphy Sayre  
Bell Nunnally & Martin LLP  
2323 Ross Avenue, Suite 1900  
Dallas, Texas 75201  
Telephone: (214) 740-1400**

Exhibit A

Legal Description of the Property

In Re: 92.276 Acres  
Juan J. Acosta Survey, A-1  
Milam County, Texas



All that certain tract or parcel of land situated in Milam County, Texas, being part of the Juan J. Acosta Survey, Abstract No. 1 and being all of a "first tract" - 92 acres (92.276 acres as surveyed by me this date) as conveyed from Roy Leggett White, et ux to Nevada Dean Redwell, et ux by Deed dated April 13, 2000 and being recorded in volume 832, Page 946 of the Official Records of said Milam County and being more particularly described by metes and bounds as follows, to wit:

**BEGINNING** at an iron pin found at a fence corner post on the South ROW of F. M. Highway No. 487 for the Northeast corner of a Pate Della Hargrove 56 acre tract (363/128) and for the Northwest corner of this tract;

**THENCE** with the South ROW of said F. M. Highway No. 487 as follows:

870°11'58"E - 1417.11 feet to a concrete ROW marker found for the point of curvature of a curve to the right and for an exterior all corner of this tract;  
with said curve to the right for an arc length of 190.84 feet, said curve having a delta of 61°54'50", a radius of 5689.58 feet and a chord of 803°14'39"E - 190.84 feet to a point for the Northwest corner of a Charlotte H. Laffere 40.543 acre tract (624/887) and for the Northeast corner of this tract; an iron pin found at a fence corner post bears S20°28'23"W - 270 feet;

**THENCE** with an occupied common West line as fenced of said Laffere 60.542 acre tract, a John Hurrell Straley 29.000 acre tract (701/429), a John H. Straley 36.814 acre tract (750/118) and a Edgar E. Hoppa 51.937 acre tract (486/627), respectively, as follows:

S20°28'55"W - 2373.77 feet to an iron pin found at a fence corner post for the Southwest corner of said 60.542 acre tract, same being the Northwest corner of said 29.000 acre tract and for an interior all corner of this tract;

S20°10'21"W - 969.39 feet to an iron pin found at a fence corner post for the Southwest corner of said 29.000 acre tract, same being the Northwest corner of said 36.814 acre tract and for an interior all corner of this tract;

S17°55'03"W - 97.47 feet to an iron pin found at a fence corner post for the most northerly Southwest corner of said 36.814 acre tract, same being the Northwest corner of said 51.937 acre tract and for an exterior all corner of this tract;

EXHIBIT

Page 1 of 2 Pages

**S19°36'25"W - 383.32 feet to an iron pin found at a fence corner post for the most southerly Northeast corner of a S. A. Miller, et ux 49.064 acre tract (839/178) and for the Southeast corner of this tract;**

**FENCE N69°40'05"W - 588.64 feet with an occupied North line as fenced of said Miller 49.064 acre tract to an iron pin found at a fence corner post for an interior all corner of said 49.064 acre tract and for the most southerly Southwest corner of this tract;**

**FENCE with an occupied common East line as fenced of said Miller 49.064 acre tract and a Stanley R. Glaser, et al 51.079 acre tract (686/207), respectively, as follows:**

**N21°08'24"E - 840.95 feet to an iron pin found at a fence corner post for the most northerly Northeast corner of said 49.064 acre tract, same being the Southeast corner of said 51.079 acre tract and for an interior all corner of this tract;**

**N20°50'53"E - 1021.86 feet to an iron pin found at a fence corner post for the Northeast corner of said 51.079 acre tract and for an interior all corner of this tract;**

**FENCE N68°44'35"W - 1034.19 feet with an occupied North line as fenced of said Glaser 51.079 acre tract to an iron pin found at a fence corner post for the Southeast corner of said Hargrove 54 acre tract and for the most northerly Southwest corner of this tract;**

**FENCE N20°00'00"E (Dead Bearing) - 1832.76 feet with an occupied East line as fenced of said Hargrove 54 acre tract to the PLACE OF BEGINNING and containing 92.276 Acres of Land.**



\*VG-685-2019-3362\*

Milam County  
Jodi Morgan  
Milam County Clerk

Instrument Number: 3362

Foreclosure Posting

DEED LIEU FORECLOSUR

Recorded On: September 10, 2019 01:13 PM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$3.00

\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 3362  
Receipt Number: 20190910000012  
Recorded Date/Time: September 10, 2019 01:13 PM  
User: Annisha W  
Station: Clerk Station

**Record and Return To:**

CC



STATE OF TEXAS  
COUNTY OF MILAM

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Milam County, Texas.

Jodi Morgan  
Milam County Clerk  
Milam County, TX