

Notice of Foreclosure Sale

January 12, 2020

Filed 12 day of JAN
in 2020, At 1:18 PM.
JODI MORGAN
County Clerk, Milam County, Texas
By [Signature]
Deputy

Deed of Trust ("Deed of Trust"):

Dated: September 15, 2015

Grantor: MARGIE NEAL-FAYEMIWO and MOSHOOD ADEMOLA FAYEMIWO

Trustee: MICHELLE RAMIREZ

Lender: ROY WHISNANT and LAURIE WHISNANT

Recorded in: Volume 1264, Page 151 of the real property records of Milam County, Texas

Legal Description: Being 2.636 acres, more or less, out of the D. Monroe Survey, A-38, Milam county, Texas, more particularly described by metes and bounds in Exhibit "A" consisting of 2 pages attached herto and made a part hereof for all purposes.

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$238,843.00, executed by MARGIE NEAL-FAYEMIWO and MOSHOOD ADEMOLA FAYEMIWO ("Borrower") and payable to the order of Lender

Substitute Trustee: James O. Cure

Substitute Trustee's Address: 2584 Blue Meadow Dr., Temple, TX, 76502

Foreclosure Sale:

Date: Tuesday, February 2, 2020

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than three hours thereafter.

Place: Milam County Courthouse in Cameron, Texas, at the following location: At the East Steps of the Milam County Courthouse

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that ROY WHISNANT and LAURIE WHISNANT's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, ROY WHISNANT and LAURIE WHISNANT, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of ROY WHISNANT and LAURIE WHISNANT's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with ROY WHISNANT and LAURIE WHISNANT's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If ROY WHISNANT and LAURIE WHISNANT passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by ROY WHISNANT and LAURIE WHISNANT. 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 "AS IS," without any expressed or implied warranties, except as to the warranties (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(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE.



James O. Cure, Substitute Trustee and
Attorney for Mortgagee
2584 Blue Meadow Dr.
Temple, TX 76502
Telephone (254) 778-8934
Telecopier (254) 773-2477



LEGAL DESCRIPTION
Surveyed for: Michael Lee and Claudia Lee

2.636 ACRE TRACT
D. Monroe Survey
A-38
City of Cameron
Milam County, Texas

Being a 2.636 acre tract of land out of the D. Monroe Survey, Abstract No. 38, located in the City of Cameron, Milam County, Texas, and being all those certain tracts of land described to Michael F. Lee and Claudia R. Lee as a 2.15 acre tract of land recorded in Volume 938, Page 448 of the Official Records of Milam County Texas, and a tract of land described as SECOND TRACT recorded in Volume 654, Page 12, of the Official Records of Milam County, Texas, said 2.636 acres being more particularly described by metes and bounds as follows;

BEGINNING at a 1/2 inch iron rod found at the southeast corner of the above mentioned 2.15 acre tract, same being the southwest corner of a tract of land to Frances L. Bynum, (755/769), located on the north right-of-way line of 4th street (highway 36), for the southeast corner of this;

THENCE along the south line of said 2.15 acre tract, and the above mentioned SECOND TRACT, common boundary with said 4th Street, N 72°56'14" W passing a 1/2 inch iron rod at a distance of 193.00 feet and continuing a total distance of 340.10 feet to a 1/2 inch iron rod with pink cap set at the southwest corner of said SECOND TRACT, located at the intersection of the north line of 4th street and the east line of Austin Avenue, for the southwest corner of this;

THENCE along the west line of said SECOND TRACT, common boundary with said Austin Avenue, N 16°21'38" E a distance of 145.06 feet to a 1/2 inch iron rod found at the northwest corner of said SECOND TRACT, same being the southwest corner of a tract of land to Roy E. Martinez, (725/622), for an exterior el corner of this;

THENCE departing said avenue, along the north line of said SECOND TRACT, common boundary with said Martinez tract, S 74°14'23" E a distance of 124.13 feet to a 1/2 inch iron rod found at an exterior el corner of said 2.15 acre tract, same being the southeast corner of said Martinez tract, for an interior el corner of this;

THENCE along the west line of said 2.15 acre tract, common boundary with said Martinez tract, N 16°28'45" E a distance of 127.86 feet to a 1/2 inch iron rod set at an interior el corner of said 2.15 acre tract, same being the northeast corner of said Martinez tract, for an interior corner of this;

THENCE along the westerly line of said 2.15 acre tract, common boundary with said Martinez tract, N 74°13'03" W a distance of 123.52 feet to a 1/2 inch iron rod found at an exterior el corner of said 2.15 acre tract, same being the northwest corner of said Martinez tract, located on the east line of said Austin Avenue, for an exterior el corner of this;

THENCE along the west line of said 2.15 acre tract, common boundary with said Austin Avenue, N 16°01'14" E a distance of 29.96 feet to a chain link fence corner post found at the most westerly northwest corner of said 2.15 acre tract, same being the southwest corner of a tract of land to David Pohl (686/487), for the most westerly northwest corner of this;

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LAND SURVEYING

THENCE along the north line of said 2.15 acre tract, common boundary with said Pohl tract, and along a fence line the following courses and distances:

S 74°00'00" E a distance of 172.70 feet to a 1/2 inch iron rod found at a fence corner at an interior el corner of said 2.15 acre, being the southeast corner of said Pohl tract;

N 16°13'14" E a distance of 58.44 feet to a 1/2 inch iron rod with pink cap set at a fence corner at the most northerly northwest corner of said 2.15 acre tract, for the most northerly northwest corner of this;

THENCE along the north line of said 2.15 acre tract, and generally along a wood privacy fence, S 74°03'18" E a distance of 254.47 feet to a 1/2 inch iron rod found at a fence corner at the northeast corner of said 2.15 acre tract, for the northeast corner of this;

THENCE along the east line of said 2.15 acre tract and along a fence line, S 16°35'41" W a distance of 185.39 feet to a 1/2 inch iron rod found at a fence corner at a southeast corner of said 2.15 acre tract, same being the northeast corner of said Bynum tract, for a southeast corner of this;

THENCE along the east line of said 2.15 acre tract, common boundary with said Bynum tract the following courses and distances,

N 75°14'23" W a distance of 86.91 feet to a 1/2 inch iron rod found for an interior corner of this;

S 15°38'45" W a distance of 54.93 feet to a 5/8 inch iron rod found for an exterior corner of this;

N 72°39'40" W a distance of 5.09 feet to a 5/8 inch iron rod found for an interior corner of this;

S 15°43'15" W a distance of 125.64 feet to the POINT OF BEGINNING, in all containing 2.636 acres of land.

This survey was conducted using Global Positioning System (GPS) data, therefore all bearings are based off of True North.

There are no food maps available for reference for this area of Milam County, Texas

This description to accompany a plat of like data representing an on the ground survey supervised by me Tyler Tumlinson, Registered Professional Land Surveyor.

September 26, 2013



Tyler Tumlinson
RPLS No: 6410

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