

**Notice of Foreclosure Sale**

April 10, 2016

FILED FOR RECORD *and posted*  
April 10 2017  
AT 11:00 O'CLOCK AM  
MARGO NOBLE, COUNTY CLERK  
SAN AUGUSTINE COUNTY  
SAN AUGUSTINE, TEXAS  
BY *C. J. ...*

**Deed of Trust ("Deed of Trust"):**

Dated: November 23, 2010  
Grantor: Odilon Ojeda and wife, Yadira Ojeda  
Trustee: J. Ken Muckelroy  
Lender: Ricky Lout  
Recorded in: Vol. 193, Page 657 of the Real Property Records of San Augustine County, Texas

**Legal Description:** Being a description to a 0.782 acre tract in the Dexter Watson Survey, A-318, San Augustine County, Texas and being the land described in Deed from Louise Eddins, Stephen A. Eddins, Stephanie Eddins, Jean Corbell, Dub Eddins and Jimmy Eddins, to Joyce Hughes, dated June 9, 2009, recorded in Vol. 138, Page 571, Real Property Records, San Augustine County, Texas, and being more fully described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all intents and purposes

**Secures:** Real Estate Lien Note ("Note") in the original principal amount of \$47,000.00, executed by Odilon Ojeda and Yadira Ojeda ("Borrower") and payable to the order of Lender

**Foreclosure Sale:**

**Date:** Tuesday, May 2, 2017  
**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.  
**Place:** At the Stripling Pavilion on the Courthouse lawn of the courthouse of the said county in the city of San Augustine.  
**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 Ricky Lout'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, Ricky Lout, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Ricky Lout's election to proceed against and sell both the real property and any personal property

described in the Deed of Trust in accordance with Ricky Lout'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, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Ricky Lout 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 Ricky Lout. 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, 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 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.**

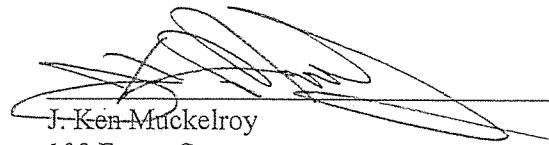
  
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J. Ken Muckelroy  
108 Foster Street  
Center, Texas 75935  
Telephone (936) 589-6110  
Telecopier (936) 598-7070

Exhibit "A"

Being a legal description to a 0.782 acre tract in the Dexter Watson Survey, A-318, San Augustine County, Texas being all of a tract described in a Deed to Joyce Hughes from Louise Eddings, et al, dated May 2009 and is Recorded in Volume 138 Page 571 of the Real Property Records of said County and is further described by metes and bounds as follows to-wit:

*BEGINNING:* At a ½" iron rod found for the Southeast corner of this tract, the Northeast corner of a called 1.00 acre tract Recorded in Volume 171 Page 133 of the Deed Records of said County, and in the West Right-of-Way (ROW) line of State Highway #147; from which a ¾" iron pipe found for the Southeast corner of said 1.00 acre tract and in the West ROW of said Highway bears S 01°32'24" W 97.00';

*THENCE:* S 89°54'55" W 357.40' with the South boundary line of this tract and the North boundary in of said 1.00 acre tract; to a ¾" iron pipe found for the Southwest corner of this tract, the Northwest corner of said 1.00 acre tract, and in the East boundary line of a called 115.00 acre tract Recorded in Volume 127 Page 70 of the Deed Records of said County; from which a ¾" iron pipe found for the Southwest corner of said 1.00 acre tract bears S 03°25'35" E 96.61' and another ¾" iron pipe found for the Northwest corner of said 1.00 acre tract bears S 80°39'34" E 2.20';

*THENCE:* N 03°25'35" W 94.00' with the West boundary line of this tract to a ¾" iron pipe set for the Northwest corner of this tract, in the East boundary line of said 115.00 acre tract, and the Southwest corner of a called 0.90 acre tract Recorded in Volume 286 Page 260 of the Deed Records of said County;

*THENCE:* N 89°47'17" E 365.56' with the North boundary line of this tract and the South boundary line of said 0.90 acre tract to a ¾" iron pipe found for the Northeast corner of this tract, the Southeast corner of said 0.90 acre tract, and in the West ROW line of said Highway; from which a ½" iron pipe found for the Northeast corner of said 0.90 acre tract bears N 01° 36' 19" E 95.32';

*THENCE:* S 01°32'24" W 94.69' to the Place of beginning containing 0.782 acres of land;