

NOTICE OF FORECLOSURE SALE

January 10, 2019

JAN 11 2019
CLERK OF COUNTY CLERK
TYLER COUNTY, TEXAS
BY Janet Brown

DEED OF TRUST ("Deed of Trust"):

Dated: October 11, 2013
 Grantor: Adrian Shuntel Miller and Brittany Marie Asher
 Trustee: Thomas D. Fortenberry
 Original Lender: MT Investments, LLC – Series A
 Current Lender: Citizens State Bank
 Recorded in: Volume 1084, Page 73, et seq., of the real property records of Tyler County, Texas; said lien being transferred by Transfer of Lien dated December 1, 2013 and recorded in Volume 1087, Page 565, et seq., of the real property records of Tyler County, Texas.

Legal Description: Being an 0.307 acre tract situated in the Josiah Wheat Survey, Abstract No. 657, Tyler County, Texas as described in that certain Deed of Trust dated October 11, 2013 and recorded in Volume 1084, Page 73, et seq., of the real property records of Tyler County, Texas; said description being incorporated herein for all purposes as though the same were reproduced herein verbatim.

Secures: Promissory Note dated October 11, 2013 ("Note") in the original principal amount of \$74,000.00, executed by Adrian Shuntel Miller and Brittany Marie Asher ("Borrower") and payable to the order of the Current Lender.

FORECLOSURE SALE:

Date: Tuesday, February 5, 2019
 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: At the area as designated by the County Commissioner's Court, county of Tyler, state of Texas, or at the place this notice is posted if no area has been designated by the Commissioners' Court.
 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 Lender'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, Lender, 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 Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender'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 Lender 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 Lender. 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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