

101 N. Cleveland Ave
Cleveland, TX 77327

Notice of Foreclosure Sale

at 11:19 FILED o'clock A M

November 4, 2019

NOV -4 2019

Deed of Trust ("Deed of Trust"):

LEE H. CHAMBERS
COUNTY CLERK, LIBERTY COUNTY, TEXAS
BY Charlotte Macias DEPUTY

Dated: February 15, 2012

Grantor: Donald Wayne Tullos, II and Kimberly Adkisson Tullos

Trustee: Greg Magee

Lender: Jason Allen Graham, Ryan Allen Graham and Rachel Nicole Graham

Recorded in: Clerk's File Number 2012009264 of the real property records of Liberty County, Texas

Legal Description: The property to be sold is described in the attached Exhibit "A"

Secures: Promissory Note ("Note") in the original principal amount of \$67,500.00, executed by Donald Wayne Tullos, II and Kimberly Adkisson Tullos ("Borrower") and payable to the order of Lender

Modifications and Renewals: Reinstatement, Modification, Renewal and Extension Agreement (as used herein, the terms "Note" and "Deed of Trust" mean the Note and Deed of Trust as so modified, renewed, and/or extended), recorded under Clerk's File Number 2015015662, Liberty County, Texas

Foreclosure Sale:

Date: Tuesday, December 3, 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 11:00 A.M.

Place: THE SOUTH SIDE DOOR OF THE LIBERTY COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS.

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 Jason Allen Graham, Ryan Allen Graham and Rachel Nicole Graham's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the performance of the obligations of the Note and Deed of Trust. Because of that default, Jason Allen Graham, Ryan Allen Graham and Rachel Nicole Graham, 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 Jason Allen Graham, Ryan Allen Graham and Rachel Nicole Graham's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Jason Allen Graham, Ryan Allen Graham and Rachel Nicole Graham'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.

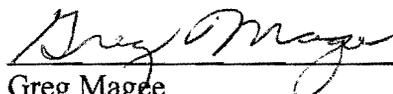
If Jason Allen Graham, Ryan Allen Graham and Rachel Nicole Graham passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 Jason Allen Graham, Ryan Allen Graham and Rachel Nicole Graham. 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.



Greg Magee
P.O. Box 156, 601 State Hwy. 156
Point Blank, Texas 77364
Telephone (936) 377-4787
Telecopier (936) 205-1650

EXHIBIT "A"

TRACT 1:

Being Lots One (1) and Two (2) of W. J. Dunnam First Addition to the Town of Cleveland, Texas, an addition in the Tim Peebles Survey, Liberty County, Texas, according to the map or plat thereof recorded in Volume 112, Page 308 of the Deed Records of Liberty County, Texas; and being the same property conveyed by dated September 16, 2005 from Linda Carol Hampton to Ryan Allen Graham and Jason Allen Graham, duly recorded under Clerk's File Number 2006000797 in the Official Public Records of Liberty County, Texas; and being the same property conveyed by a deed from Allen Eugene Graham, as Independent Executor of the Estate of Levy C. Tanner, Jr to Linda Carol Hampton, duly recorded under File Number 8987, Volume 1790, Page 455 in the Deed Records of Liberty County, Texas

TRACT 2:

Being 0.017 of an acre of land as situated in the City of Cleveland, Texas, in the J. S. Boothe Survey, A-139, Liberty County, Texas, and being a portion of Lot Three (3), Block One (1) of the W. J. Dunnam First Addition, and a portion of Hurst Street (aka Hill Street) as described in deed from the City of Cleveland to Mable B. Johnson and recorded in Volume 474, Page 384 of the Deed Records of Liberty County, Texas; and being the same property conveyed by deed from Edwin L. Johnson, the sole heir of Mable Bamberg Johnson to Linda Carol Hampton, duly recorded under Clerk's File Number 486, Volume 1874, Page 247 of the Deed Records of Liberty County, Texas; and the said property being more particularly described by metes and bounds in a deed from Linda Carol Hampton to Ryan Allen Graham and Jason Allen Graham, duly recorded under Clerk's File Number 2006000798 in the Official Public Records of Liberty County, Texas.