

Notice of Foreclosure Sale

September 12, 2017

"Deed of Trust":

Dated: November 13, 2008
Grantor: JAMES BURT DONALDSON
Trustee: Val Walters
Beneficiary: STANLEY BUDNIK
Recorded in: Volume 764, page 147 of the real property records of Burleson County, Texas
Legal Description: All that certain 5.316 acre tract or parcel of land situated in Burleson County, Texas, being out of the M. P. Kelly Survey, Abstract No. 159, being a part of Tract 7 of the White-Tail Hill Subdivision recorded in Volume 2, Page 29A of the Plat Records of Burleson County, Texas, more particularly described in Exhibit "A" attached hereto and made a part hereof for all purposes pertinent.
Secures: Real Estate Lien Note ("Note") in the original principal amount of \$20,785.56, executed by JAMES BURT DONALDSON ("Maker") and payable to the order of Stanley Budnik
Substitute Trustee: Mark Caperton
Substitute Trustee's Address: 106 S. Echols Street, Caldwell, Texas 77836
Foreclosure Sale:
Date: Tuesday, October 3, 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. and not later than three hours thereafter.**
Place: Burleson County Courthouse, south steps of courthouse, 100 W. Buck Street, Caldwell, Burleson County, Texas
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

Filed for Record in:
Burleson County

On: Sep 12, 2017 at 01:17P

As on Posting Real Estate Notice

Amount 2.00

Receipt Number - 117531

By:
Sharon R Burgess

STATE OF TEXAS COUNTY OF BURLESON
I hereby certify that this instrument
was filed on the date and time
stamped hereon by me and was duly
recorded in the volume and page of
the named records of:
Burleson County
As stamped hereon by me.

Sep 12, 2017

Anna L. Schielack
Burleson County Clerk

Beneficiary'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, Beneficiary, 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 Beneficiary's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Beneficiary'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.

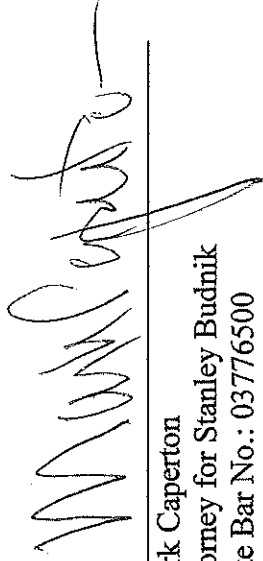
If Beneficiary passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 Beneficiary. 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.



Mark Caperton
Attorney for Stanley Budnik
State Bar No.: 03776500
mark@capertonlawfirm.com
106 S. Echols
Caldwell, Texas 77836
979-567-1710 (office)
979-567-1766 (fax)
512-468-5361 (cell)

EXHIBIT "A"



In Re: 5.316 Acres (Tract B)
Out of Tract 7 (10.632 Acres)
White-Tail Hills Subdivision
M.P. Kelly Survey
Abstract No. 159
Burlison County, Texas

All that certain tract or parcel of land situated in Burlison County, Texas, being out of the M.P. Kelly Survey, Abstract No. 159, being a part of Tract 7 of the White-Tail Hill Subdivision recorded in Volume 2, Page 29A of the Plat Records of Burlison County, Texas and being more particularly described by metes and bounds as follows to wit:

BEGINNING at a found 5/8" iron rod on the west Right-of-Way line of F.M. Highway 908, at the northeast corner of Tract 6 (7.105 Acres) of the said White-Tail Hills Subdivision, for the common southeast corner of the said Tract 7 and of this tract;

THENCE S 56°41'23" W - 824.51 feet along the common line between the said Tracts 6 and 7 to a found 5/8" iron rod on the east line of Tract 9 (13.097 Acres) of the said White-Tail Hills Subdivision, at the northwest corner of the said Tract 6, for the common southwest corner of the said Tract 7 and of this tract;

THENCE N 52°14'22" W - 301.33 feet along the common line between the said Tract 7 and the said Tract 9 and Tract 8 (13.240 Acres) of the said White-Tail Hills Subdivision respectively to a set 5/8" iron rod at the southwest corner of a 5.316 Acre tract (Tract A) surveyed by me this day, for the northwest corner of this tract;

THENCE N 56°41'23" E - 797.12 feet crossing the said Tract 7 for division, along the south line of the said Tract A to a set 5/8" iron rod on the common line between the said Tract 7 and the said F.M. Highway 908, at the southeast corner of the said Tract A, for the northeast corner of this tract;

THENCE along the common line between the said F.M. Highway 908 and the said Tract 7 for the following courses and distances:

- S 55°10'21" E - 59.12 feet to a found concrete Right-of-Way monument for an interior all corner of this tract;
- S 60°52'59" E - 100.50 feet to a found concrete Right-of-Way monument for an exterior all corner of this tract;
- S 55°10'21" E - 152.02 feet to the POINT OF BEGINNING containing within these metes and bounds 5.316 Acres of land.

Bearings are based on the Texas State Plane Coordinate system of 1983, Texas Central Zone.

I, Bradley L. Lipscomb, Registered Professional Land Surveyor No. 5952 in the State of Texas, do hereby certify that this survey was performed on the ground under my supervision and that the field notes hereon are true and correct to the best of my knowledge.

Given under my hand and seal this 26th day of August, 2008.


Bradley L. Lipscomb, RPLS

