

NOTICE OF FORECLOSURE SALE

FILED FOR RECORD

October 14, 2019

2019 OCT 17 AM 8:47

SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX

Deed of Trust:

Dated: December 2, 2015
 Grantor: Christopher R. Fischer, and joined pro forma by Michelle Fischer, a married couple
 Trustee: Justin L. Beckham
 Lender: Bradley S. LaPrade and Kelly J. LaPrade
 Recorded in: Document No. 2015-009980, Real Property Records of Van Zandt County, Texas

BY _____ DEP.

Legal Description:

Being a 180.84 acre tract of land situated in the C. LANE SURVEY, ABSTRACT NO. 994 & J. BURLSON SURVEY, ABSTRACT NO. 992, Van Zandt County, Texas, being part of a called 144.85 acres (First Tract), all of a called 1.5 acres (Second Tract), and part of a called 88.9 acres (Third Tract) to Fay Marie Laprade recorded in Volume 1892, Page 494 of the Real Records of Van Zandt County, Texas. Said 180.84 acre tract of land being more particularly described as follows:

BEGINNING at a railroad rail (found) for the westernmost Northwest corner of these 180.84 acres. Said corner also being the westernmost Northwest corner of the above referenced 144.85 acres (First Tract), being the Northeast corner of a called 86 acres (Fifth Tract), and on the South line of a called 212.5 acres, both to Morton Salt, Inc. recorded in Document No. 2010-008047 of the Real Records of Van Zandt County, Texas;

THENCE North 88 deg. 03 min. 47 sec. East, along the common westernmost North line of the 144.85 acres (First Tract) and the South line of the above referenced 212.5 acres, a distance of 1802.66 feet to a concrete monument (found) for an inside ell corner in the North line of these 180.84 acres. Said corner also being an inside ell corner in the North line of the 144.85 acres (First Tract) and being the Southeast corner of the 212.5 acres;

THENCE North 04 deg. 21 min. 16 sec. East, along the common northernmost West line of the 144.85 acres (First Tract) and the East line of the 212.5 acres, a distance of 503.58 feet to a 3/8 inch iron rod (found) for the easternmost Northwest corner of these 180.84 acres and being the easternmost Northwest corner of the 144.85 acres (First Tract);

THENCE North 86 deg. 39 min. 49 sec. East, along the easternmost North line of the 144.85 acres (First Tract) and along the North line of the above referenced 1.5 acres (Second Tract), passing a 1/2 inch iron rod (set) for reference at a distance of 242.73 feet, crossing over Farm to Market Road No. 857, and continuing in all a total distance of 488.67 feet to a 1/2 inch iron rod (set) for the northernmost Northeast corner of these 180.84 acres. Said corner also being

the Northeast corner of the 1.5 acres (Second Tract), being on the South line of a called 302.512 acres to Ron Meissner, et ux. recorded in Document No. 2012-001094 of the Real Records of Van Zandt County, Texas, and being within the West right of way of Van Zandt County Road No. 1701;

THENCE South 07 deg. 50 min. 11 sec. East, along the East line of the 1.5 acres (Second Tract), a distance of 623.69 feet to a cotton spindle (set) for an angle break in the East line of these 180.84 acres. Said corner also being the South corner of the 1.5 acres (Second Tract), being on the East line of the 144.85 acres (First Tract), and being generally in the center of Farm to Market Road No. 857;

THENCE South 24 deg. 25 min. 38 sec. East, along the East line of the 144.85 acres (First Tract) and generally along the center of Farm to Market Road No. 857, a distance of 433.38 feet to a point for corner for the northernmost Southeast corner of these 180.84 acres;

THENCE South 87 deg. 22 min. 47 sec. West, over and across the 144.85 acres (First Tract) and along the North line of a called 6.00 acres to Alltel Communication recorded in Document No. 2011-008675 of the Real Records of Van Zandt County, Texas, passing a 1/2 inch iron rod (found) for the Northeast corner of the above referenced 6.00 acres at a distance of 54.41 feet, and continuing in all a total distance of 615.26 feet to a 1/2 inch iron rod (found) for an inside ell corner in the East line of these 180.84 acres and being the Northwest corner of the 6.00 acres;

THENCE South 24 deg. 24 min. 34 sec. East, along the West line of the 6.00 acres, a distance of 501.85 feet to a 1/2 inch iron rod (found) for an angle break in the East line of these 180.84 acres. Said angle break also being the Southwest corner of the 6.00 acres and being the Northwest corner of a called 23.13 acres (Second Tract) to Michael C. Barrett recorded in Volume 2195, Page 289 of the Real Records of Van Zandt County, Texas;

THENCE South 02 deg. 13 min. 17 sec. West, along the West line of the above referenced 23.13 acres (Second Tract), a distance of 1159.56 feet to a 1/2 inch iron rod (found) for the middle Southeast corner of these 180.84 acres. Said corner also being the Southwest corner of the 23.13 acres (Second Tract), being on the North line of a called 22.9808 acres to Roger O. Conley, et al recorded in Document No. 2014-009843 of the Real Records of Van Zandt County, Texas, being on the South line of the 144.85 acres (First Tract), and being on the North line of the above referenced 88.9 acres (Third Tract);

THENCE South 88 deg. 07 min. 36 sec. West, along the North line of the above referenced 22.9808 acres, a distance of 45.67 feet to a 1/2 inch iron rod (found) for an inside ell corner in the East line of these 180.84 acres and being the Northwest corner of the 22.9808 acres;

THENCE South 24 deg. 52 min. 15 sec. East, along the northernmost West line of the 22.9808 acres, a distance of 273.34 feet to a cross tie fence corner (found) for an inside ell corner in the East line of these 180.84 acres and being the northernmost Southwest corner of the 22.9808 acres;

THENCE North 74 deg. 54 min. 30 sec. East, along the northernmost South line of the 22.9808 acres, a distance of 274.18 feet to a 3 inch fence corner post (found) for the southernmost Northeast corner of these 180.84 acres and being an inside ell corner in the West line of the 22.9808 acres;

THENCE South 28 deg. 24 min. 48 sec. East, along the southernmost West line of the 22.9808 acres, a distance of 1075.44 feet to a 1/2 inch iron rod (found) for the southernmost Southeast corner of these 180.84 acres. Said corner also being the southernmost Southwest corner of the 22.9808 acres, being on the South line of the 88.9 acres (Third Tract), and being on the North line of a called 57-1/6 acres to Phillip Stephens, et ux. recorded in Volume 699, Page 417 of the Deed Records of Van Zandt County, Texas;

THENCE South 88 deg. 19 min. 19 sec. West, along the common South line of the 88.9 acres (Third Tract) and the North line of the above referenced 57-1/6 acres, a distance of 2881.62 feet to a point for corner for the Southwest corner of these 180.84 acres. Said corner also being the Southwest corner of the 88.9 acres (Third Tract), being the Northwest corner of the 57-1/6 acres, and being on the East line of a called 31.33 acres to Mike L. Jones, et ux. recorded in Volume 2035, Page 121 of the Real Records of Van Zandt County, Texas. From said corner, a cross tie fence corner post (found) for reference bears North 88 deg. 19 min. 19 sec. East, at a distance of 3.10 feet:

THENCE North 02 deg. 01 min. 45 sec. West, along the common West line of the 88.9 acres (Third Tract) and the East line of the above referenced 31.33 acres, a distance of 1138.63 feet to a 1/2 inch iron rod (found) for an angle break in the southernmost West line of these 180.84 acres. Said corner also being the Northeast corner of the 31.33 acres, being the Northwest corner of the 88.9 acres (Third Tract), being the Southwest corner of the 144.85 acres (First Tract), and being the Southeast corner of a called 43 acres to Morton Salt, Inc. recorded in Document No. 2010-006047 of the Real Records of Van Zandt County, Texas;

THENCE North 02 deg. 39 min. 30 sec. West, along the common southernmost West line of the 144.85 acres (First Tract) and the East line of the above referenced 43 acres, a distance of 1015.30 feet to a railroad rail (found) for an angle break in the southernmost West line of these 180.84 acres. Said angle break also being the Northeast corner of the 43 acres and the Southeast corner of the above referenced 86 acres (Fifth Tract);

THENCE North 00 deg. 54 min. 27 sec. West, along the common southernmost West line of the 144.85 acres (First Tract) and the East line of the 86 acres (Fifth Tract), a distance of 1121.16 feet back to the POINT OF BEGINNING and containing a 180.84 acre tract of land.

Being the same land in Deed without Warranty dated.

Secures: First Lien Note ("Note") dated December 2, 2015, in the original principal amount of \$360,000, executed by Christopher R. Fischer ("Borrower") and payable to the order of Lender, and all other indebtedness of Borrower to Lender.

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in Document No. 2015-009980 of the Real Property Records of Van Zandt County, Texas, and all rights and appurtenances thereto

Substitute Trustee: Tammie Harp

Substitute Trustee's Address: 137 W. James Street, Wills Point, Texas, 75169

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 10:00 a.m.

Place: Van Zandt County Courthouse located at 121 E. Dallas Street, Canton, Texas 75103

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 Bradley S. LaPrade and Kelly J. LaPrade'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, Bradley S. LaPrade and Kelly J. LaPrade, the owners and holders of the Note, have requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Bradley S. LaPrade and Kelly J. LaPrade's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Bradley S. LaPrade and Kelly J. LaPrade'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.

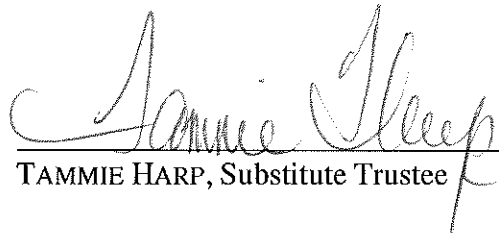
If Bradley S. LaPrade and Kelly J. LaPrade pass the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 Bradley S. LaPrade and Kelly J. LaPrade. 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.


TAMMIE HARP, Substitute Trustee