

16-0032 FC

**Notice of Foreclosure Sale**

October 10, 2016

FILED FOR RECORD  
SHELBY COUNTY, TEXAS

2016 OCT 10 AM 11 04

JENNIFER L. FOUNTAIN  
COUNTY CLERK  
BY *L. Cassel* DEPUTY

Deed of Trust ("Deed of Trust"):

Dated: December 5, 2014

Grantor: Stan Howard Kyle

Trustee: J. Ken Muckelroy

Lender: Bobby M. Leonard and wife, Linda G. Leonard

Recorded in: Clerk File No. 2014004199, Official Public Records of Shelby County, Texas

Legal Description: Being the following tracts of land situated in the E. RITTER SURVEY, A-584, Shelby County, Texas, and being the same land described in deed from Ronnie Glen Golden and wife, Kerri Golden to Bobby M. Leonard and wife, Linda G. Leonard, dated November 5, 2014, and recorded in Clerk File No. 2014004198, Official Public Records, Shelby County, Texas and being more particularly described in Exhibit "A" Attached hereto.

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$14,676.86, executed by Stan Howard Kyle ("Borrower") and payable to the order of Lender

Foreclosure Sale:

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Date: Tuesday, November 1, 2016

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: Upon the steps in front of the Shelby County Courthouse, said steps being located between the main entrance of the Shelby County Courthouse and San Augustine Street.

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 Bobby M. Leonard and Linda G. Leonard'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, Bobby M. Leonard and Linda G. Leonard, 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 Bobby M. Leonard and Linda G. Leonard's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Bobby M. Leonard and Linda G. Leonard'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.

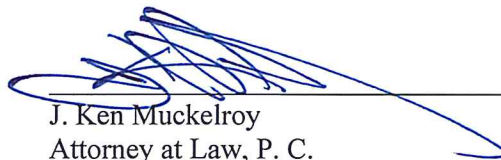
If Bobby M. Leonard and Linda G. Leonard passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 Bobby M. Leonard and Linda G. Leonard. 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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Being the following tracts of land situated in the E. RITTER SURVEY, A-584, Shelby County, Texas, and being the same land described in deed from Ronnie Glen Golden and wife, Kerri Golden to Bobby M. Leonard and wife, Linda G. Leonard, dated November 5, 2014, and recorded in Clerk File No. 2014004198, Official Public Records, Shelby County, Texas and being more particularly described in Exhibit "A" Attached hereto.

FIRST TRACT: All that certain tract of land situated in SHELBY COUNTY, TEXAS, on the E. RITTER SURVEY, A-584, and being the same land described in the deed from R. O. Williams to Gary D. Williams, dated February 9, 1982, recorded in Vol. 611, page 32, Deed Records, Shelby County, Texas, and also being the same land described in the deed from Gary D. Williams to Magnus Ransom, dated February 24, 1984, recorded in Vol. 632, page 173, Deed Records, Shelby County, Texas, and being described by metes and bounds as follows, to-wit:

BEGINNING at a point which is South 0 deg. 59 min. 10 sec. West, 315. ft. from a 1-1/4" iron pipe at the Northwest corner of a 71.9 acre tract described in the deed from Montel G. Duncan, et al. to Vic Cooper et ux., dated June 22, 1976, recorded in Vol. 521, page 367, Deed Records, Shelby County, Texas;  
THENCE South 0 deg. 59 min. 50 sec. East, 74.45 ft. to a corner;  
THENCE North 88 deg. 17 min. 52 sec. East, 24.9 ft. to a corner;  
THENCE in a Northeasterly direction 22.6 ft. to a stake for corner on the West margin of a 30 ft. dirt road;  
THENCE North 6 deg. 31 min. East with the West margin of said dirt road a distance of 43 ft. to a 1/2" iron rod for a corner;  
THENCE North 70 deg. 34 min. 6 sec. West, 47.26 ft. to the Place of Beginning;

SECOND TRACT: All that certain tract of land situated in SHELBY COUNTY, TEXAS, on the E. RITTER SURVEY, A-584, and being a part of the land described in the deed from William B. Clendening to Victor J. Cooper, et ux., dated April 20, 1972, recorded in Vol. 481, page 596, Deed Records, Shelby County, Texas, and also being the same land described in the deed from Victor J. Cooper et al. to Magnus H. Ransom et ux., dated October 28, 1983, recorded in Vol. 628, page 191, Deed Records, Shelby County, Texas, and being a part of LOT NO. 13 of the ROLLING HILLS SUBDIVISION UNIT NO. 1, as shown by the plat prepared by Gordon C. Russell, Registered Public Surveyor of the State of Texas, and said tract being described by metes and bounds as follows:

BEGINNING at a point on the North right-of-way line of Twin Oaks Drive, being South 89 deg. 00 min. 10 sec. West 50 ft. from the Southeast corner of Lot No. 13;  
THENCE North 00 deg. 59 min. 50 sec. West 100 ft. to stake for corner;  
THENCE South 89 deg. 00 min. 10 sec. West 15 ft. to stake for corner;  
THENCE South 00 deg. 59 min. 50 sec. East 100 ft. to stake for corner on the North right-of-way line of Twin Oaks Drive;  
THENCE North 89 deg. 00 min. 10 sec. East 15 ft. to the Place of Beginning;

THIRD TRACT: All that certain tract of land situated in SHELBY COUNTY, TEXAS, on the E. RITTER SURVEY, A-584, and being a part of the C. D. Fitz tract of land, and being the same land described in the deed from James C. Crane et ux. to Magnus Ransom et ux., dated April 3, 1986, recorded in Vol. 664, page 360, Deed Records, Shelby County, Texas, and being described by metes and bounds as follows, to-wit:

BEGINNING at a point on the West line thereof, which point is South 00 deg. 59 min. 50 sec. East 309.48 ft. from a 1-1/4" iron pipe at the Northwest corner of Rolling Hills Subdivision No. 2;  
THENCE North 00 deg. 59 min. 50 sec. West along said West line 74.48 ft. to corner thereon;  
THENCE South 63 deg. 37 min. 03 sec. East 67.38 ft. to an iron stake for corner on the West margin of a 30 ft. dirt street;  
THENCE South 23 deg. 10 min. West 24.02 ft. with the West margin of said dirt street to a corner thereon;  
THENCE South 6 deg. 31 min. West, with the West margin of said dirt street, 44 ft. to an iron pipe for corner at the Northeast corner of a lot conveyed to R. O. Williams, et ux.;  
THENCE North 70 deg. 34 min. 06 sec. West with the North line of said Williams lot, 47.26 ft. to the Place of Beginning;

FOURTH TRACT: All that certain tract of land situated in SHELBY COUNTY, TEXAS, on the EVERITT RITTER SURVEY, A-584, and being the same land described in the Deed from Victor J. Cooper, et ux., to John Charles Sticksel, et ux., dated August 30, 1985, recorded in Vol. 656, page 454, Deed Records, Shelby County, Texas, and being described by metes and bounds as follows, to-wit:

BEGINNING at a point on the West line of the Duncan tract and East line of the Fitz tract that is South 00 deg. 59 min. 10 sec. West, 160 ft. from the Northwest corner of the Duncan tract and the Northeast corner of the Fitz tract, said point being the Southwest corner of the Grover Russell lot;  
THENCE South 00 deg. 59 min. 10 sec. West, with said Duncan and Fitz lines, 75 feet to a stake for a corner thereon;  
THENCE South 63 deg. 33 min. 55 sec. East, 67.33 ft. to a stake on a road designated as Lake View Drive;  
THENCE North 23 deg. 10 min. 00 sec. East, with the West margin of Lake View Drive, 60 ft. to a stake for a corner at the Southeast corner of the Grover Russell lot;  
THENCE North 59 deg. 43 min. 20 sec. West, with the South line of the Grover Russell lot, 98.69 ft. to the Place of Beginning;

EXHIBIT "A"