

Kim Jackson
FILED FOR RECORD

NOTICE OF FORECLOSURE SALE 19 JUN -5 AM 11:09

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.

1. *Property to Be Sold.* The property to be sold is described as follows:

All that lot, tract, or parcel being 0.232 acre of land situated in the A. Urquhart Survey, A-378, Marion County, Texas, and being all of Lot 1 and the east one-half of Lot 2, Block 5, Urquhart Addition, City of Jefferson, as recorded in Vol. 1, Pg. 193, of the Deed Records, Marion County, Texas and being the same tract of land (called 0.2324 acre) described in deed to Randall L. Corley and Pamela Corley, recorded in Vol. 859, Pg. 560, of the Official Public Records, Marion County, Texas (OPRMCT), and being more particularly described as follows:

BEGINNING at 3/8" steel rebar set in the intersection of the south right-of-way (ROW) line of West Austin Street with the west ROW line of North Market Street for the NE Corner of said Block 5, same being the NE Corner of said Lot 1 and the NE Corner of this tract, from which a (found) 1/2" steel rod bears N 40 deg DT 42" W, 3.13 feet;

THENCE: S 40 deg 01' 42" E, with and along the said west ROW line of North Market Street, 135.05 feet, to a 3/8" steel rebar set in its intersection with the north ROW line of West Dallas Street for the SE Corner of said Lot 1 and being the SE Corner of this tract, from which a (found) 1/2" steel rebar bears N 40 deg 56' 27" W, 0.40 feet, and being S 49 deg 12' 50" W, 109.67 feet, from a capped (RPLS 5153) 1/2" steel rebar found for the SE Corner of Lot 6, Block 6, of said Urquhart Addition;

THENCE: S 49 deg 12' 50" W (bearing basis per said Vol. 859, Pg. 560), with and along the said north ROW line of West Dallas Street, 74.66 feet, to a 3/8" steel rebar set for the SW Corner of this tract, same being the SE Corner of the Vernon C. Williams, Jr., et al tract (Deed Reference" Vol. 843, Pg. 85, OPRMCT);

THENCE: N 40 deg 10' 17" W, across said Lot 2, 135.07 feet, to a 3/8" steel rebar set in the said south ROW line of West Austin Street for the NE Corner of the said Williams tract and being the NW Corner of this tract and being N 49 deg 14' 06" E, 245.33 feet, from a capped (RPLS 5154) 1/2" steel rebar found for the NW Corner of said Block 5;

THENCE: N 49 deg 14' 06" E, with and along the said south ROW line of Austin

Street, 75.00 feet, to the POINT OF BEGINNING and containing 0.232 acre of land.

There is also conveyed hereby (but this portion of the conveyance not being with the warranties stated hereinafter or any other expressed or implied warranty thereto) all of the interest, right, or claim belonging to or acquired by Grantor in any strips or gores, if any, between the above-described property and properties of others abutting it and any land lying in or under the bed of any street, alley, road or right of way (opened or proposed) which abuts or is adjacent to the above-described realty.

SUBJECT, HOWEVER, to all prior reservations, restrictions, easements and rights of way of record with the County Clerk of Marion County, Texas.

Personal Property: The property constituting personal property located in or on and used in the enjoyment of the Property, including the items identified on the attached Personal Property Schedule, incorporated in this deed by reference.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded in Volume 955, Page 549 of the Official Public Records of Marion County, Texas.

3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: July 2, 2019

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale will be completed by no later than 2:00 p.m.

Place: Marion County Courthouse in Marshall, Texas, at the following location: Outside the entrance to the Courthouse at the location designated by the Marion County Commissioners' Court for foreclosure sales.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their

bid immediately in cash if their bid is accepted.

The 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 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. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the deed of trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of the TEXAS PROPERTY CODE, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (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 of the TEXAS PROPERTY CODE, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Salvo "Sammy" Testa as Managing member of NST Hospitality, LLC to Superior Investment Holding Company, L.L.C., which was then assigned to Randall L. Corley, II.

The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note executed by Salvo "Sammy" Testa as Managing member of NST Hospitality, LLC, and payable to the order of Superior Investment Holding Company, L.L.C., with assignment to Randall L. Corley, II. Randall L. Corley, II is the current owner and holder of the Obligations and are the beneficiaries under the deed of trust under that one certain Transfer of Note and Lien dated October 9, 2017 and recorded in Volume 955, Page 561 of the Official Public Records of Marion County, Texas.

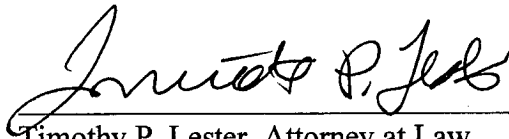
Questions concerning the sale may be directed to the undersigned or to the beneficiary, Randall L. Corley, II at 918 Weisinger Drive, Magnolia, Texas 77354.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that

before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Dated: June 4, 2019.

MOSELEY & LESTER

A handwritten signature in black ink, appearing to read "Timothy P. Lester", written over a horizontal line.

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