

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 Larry Byrd'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 Promissory Note and in the performance of the obligations of the Deed of Trust. Because of that default, Larry Byrd, the owner and holder of the Indebtedness, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Larry Byrd's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Larry Byrd'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 Larry Byrd 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 Contract of Deed 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 Larry Byrd. 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.

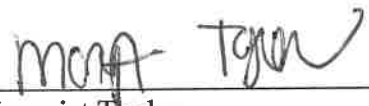
Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a

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.

THIS INSTRUMENT APPOINTS THE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



Larry G. Byrd
Attorney for Mortgagee



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EXHIBIT "A"

BEING all that certain tract or parcel of land lying and situated in Angelina County, Texas, out of the JOSE LaBAUME SURVEY, ABSTRACT NO. 21 and being a part or portion of that certain called 16.101 acre tract conveyed to Larry G. Byrd in the document recorded in Volume 469 on Page 48 of the Deed Records of Angelina County, Texas, to which reference is hereby made for all purposes and being more particularly described by metes and bounds as follows, to-wit:

COMMENCING at a 1" iron pipe found for the Northwest corner of the aforesaid referred to 16.101 acre tract;

THENCE, along the most Northerly West boundary line of the said 16.101 acre tract, S 20° 39' 27" W at 143.06 feet a ½" iron pin found for the POINT OF BEGINNING;

THENCE, across the said 16.101 acre tract, S 77° 56' 41" E at 115.90 feet a ½" iron pin found for corner on the West Right-of-Way line of Boardwalk Avenue (a private 40' wide street);

THENCE, along the said ROW line, S 13° 51' 03" W at 150.00 feet a ½" iron pin found for corner;

THENCE, across the said 16.101 acre tract, N 77° 56' 41" W at 133.88 feet a ½" iron pin found for corner on the said West boundary line;

THENCE, along the said West boundary line, N 20° 39' 27" E at 151.63 feet the POINT AND PLACE OF BEGINNING and containing 0.430 acre of land, more or less.

Road Easement - "Boardwalk"

EXHIBIT "B"

TRACT NO. ONE:

BEING all that certain tract or parcel of land lying and situated in the JOSE LABAUME SURVEY, ABSTRACT NO. 21, Angelina County, Texas, and being a part or portion of that certain 16.103 acre tract of land described in Deed from E. E. Seaman, et al to Larry G. Byrd dated February 18, 1978 and recorded in Volume 469, Page 48, Deed Records of Angelina County, Texas, said part or portion being more fully described by metas and bounds as follows, to-wit:

BEGINNING at the Southwest corner of said 16.103 acre tract of land, a 1" iron pipe found for corner;

THENCE S 77 deg. 58' 07" E 169.79 feet a pipe for corner in the West margin of Broadway and the North margin of Fuller Springs Drive, being the true Point and Place of Beginning;

THENCE N 13 deg. 49' 29" E 825.0 feet a pipe set for reference at 865.00 feet, beginning a curve to the right of a cul-de-sac having a radius of 40.00 feet with its point of center being 50.00 feet S 77 deg. 58' 07" E from the above referenced point 865.0 feet at the beginning of a curve;

THENCE continuing around the said cul-de-sac to a pipe set for reference in the East margin of Broadway at its point of intersection with said cul-de-sac's South line, a pipe set for reference corner;

THENCE S 13 deg. 49' 29" W 825.00 feet to a pipe set for reference in the North margin of Fuller Springs Drive;

THENCE N 77 deg. 58' 07" W 50.00 feet to the point and place of beginning and containing 1.06 acre of land, more or less and known as Broadway Avenue.