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At 2:35 O'Clock P.M.

APR 03 2019

JACKIE ENSEY Co. Clerk
STEPHENS COUNTY, TEXAS

By *[Signature]* Deputy

Notice of Non-Judicial Foreclosure Sale

Residential Property	Zip Code: 76424
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1. *Property to Be Sold.* The property to be sold is described as follows:

Surface and surface estate only of a lot, tract or parcel of land out of the South part of Lot 9 and the southwest part of Lot 8, Block 6, Waldon Estates Subdivision to the City of Breckenridge, Stephens County, Texas as shown on the amended map or plat of said Addition of record in the office of the County Clerk of Stephens County, Texas, said parcel of land begin described as follows, to-wit:

Beginning at a point 146 feet S 38 deg. 53' West of the Northwest corner of said Lot 9; Thence 200 feet S 38 deg. 53' W along the West line of Lot 9 to the Southwest corner of Lot 9 to a point; Thence East 334 feet passing the Southeast corner of Lot 9 at 263 feet and continuing 71 feet past the southwest corner of Lot 8 to a point in the South line of Lot 8; Thence N 06 deg. 21' 18" East 111.7 feet to a point in the East line of Lot 9, being 137.8 feet N 37 deg. 11' 18" East of the Southeast corner of Lot 9; Thence N 79 deg. 13' 54" West 224.7 feet to the place of beginning, known as #8 Chaparral Lane, Breckenridge, Texas 76424

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded in Vol. 2113 Page 438 of the real property records of Stephens County, Texas.

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

Date: May 7, 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 4:00 p.m.

Place: The South Steps of the Stephens County Courthouse in Stephens, Texas, as designated by the Commissioner's Court for such sales, the Courthouse being located at 200 West Walker St., Breckenridge, Texas 76424.

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 refiling 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 or substitute 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 original borrower.

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 in the original principal amount of \$265,000.00 executed by Corey W. Clary and payable to the order of Stan L. Carstens and Shelley J. Carstens, the current owner and holder of the

Obligation and is the beneficiary under the deed of trust.

As of April 1, 2019 the sum of \$260,026.84 was due on said note plus interest accruing at the rate of \$120.44 per day each day thereafter together with the Trustee's expenses and attorney's fees.

Questions concerning the sale may be directed to the undersigned via telephone at 254-559-2535, Mail at 100 N. Baylor Ave. Breckenridge, Texas 76424 or email at johncook@jrlaw.com

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

8. **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.**

Dated: April 3, 2019



John R. Cook, Trustee