

NOTICE OF FORECLOSURE SALE

NOV 06 2020

Notice is hereby given of a public nonjudicial foreclosure sale.

Shelba Ferguson
COUNTY CLERK, CORYELL CO., TEXAS

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

BEING a 3.273 acre tract of land situated in the CHARLES LA JOICE SURVEY, ABSTRACT NO. 635, Coryell County, Texas and being all of that certain called 3.298 acre tract of land described in a Warranty Deed with Vendor's Lien dated April 13, 2007 from Frannes M. Elsey to Tom and Diane Muntean Sutter and being of record in Document No. 206705, Official Public Records of Coryell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found being the southwest corner of the said 3.298 acre tract and being a southeast corner of that certain 20.46 acre tract of land described in a Warranty Deed with Vendor's Lien dated March 2, 2006 from Frances M. Elsey to James R. Elsey and wife, Teri S. Elsey and being of record in Document No. 193592, Official Public Records of Coryell County, Texas and being in the north right-of-way line of State of Texas Highway No. 236 (a publicly maintained roadway) for corner;

THENCE N. 18° 32' 34" E, 313.87 feet departing the said north right-of-way line and with the west boundary line of the said 3.298 acre tract (calls S. 18° 31' 50" W., 316.45) and with an east boundary line of the said 20.46 acre tract (calls S. 18° 30' 43" W., 314.02 feet) to a ½" iron rod found being the northwest corner of the said 3.298 acre tract and being an ell corner of the said 20.46 acre tract for corner;

THENCE S. 75° 14' 54" E., 428.27 feet with the north boundary line of said 3.298 acre tract (calls N. 74° 57' 52" W., 429.4 feet) and with a south boundary line of said 20.46 acre tract (calls N. 75° 08' 57" W., 428.61 feet) to a ½" iron rod found being the northeast corner of the said 3.298 acre tract and being the most easterly southeast corner of the said 20.46 acre tract and being in the west boundary line of that certain 44.21 acre tract of and described in a Warranty Deed with Vendors Lien dated September 12, 2001 from Larry M. Lawrence to Glen M. Schwanke and Mary F. Schwanke and being of record in Document No. 143925, Official Public Records of Coryell County, Texas for corner;

THENCE S. 15° 28' 56" W., 339.35 feet departing the said 20.46 acre tract and with the east boundary line of the said 3.298 acre tract (calls N. 15° 28' 56" E., 339.98 feet) (bearing base) and with the said west boundary line (calls N. 15°

24' 03" E., 450.28 to a fence corner post found being the southeast corner of the said 3.298 acre tract and being in the aforementioned north right-of-way line of State of Texas Highway No. 236 for corner;

THENCE N. 71° 53' 0.7" W., 445.47 feet departing the said 44.21 acre tract and with the south boundary line of the said 3.298 acre tract (calls S. 71° 52' 13" E., 446.69 feet) and with the said north right-of-way line to the Point of BEGINNING and containing 3.273 acres of land.

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

Date: Tuesday, December 1, 2020

Time: The sale shall begin no earlier than 1:00 p.m. or no later than three hours thereafter. The sale shall be completed no later than 4:00 p.m.

Place: The area of the Coryell County Courthouse in Gatesville, Texas, designated by the Commissioner's Court pursuant to Section 51.002 of the Texas Property Code as a place where foreclosure sales are to take place.

The Deed of Trust permit 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. Such reposting or refiling may be after the date originally scheduled for this sale.

3. 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 cash on the date the property is sold.

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 sell all or only part of the property.

Pursuant to the Texas Property Code, the property will be sold in its "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 condition of the property.

Pursuant to the Texas Property Code, the trustee or substitute 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 sale.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. app. Section 501 et seq.) and state law, including section 51.015 Texas Property Code. 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.

4. Type of Sale. The sale is a non-judicial Deed of Trust lien foreclosure sale being conducted pursuant to the power of sale granted by that certain Deed of Trust executed by Pamela Kramer and Samantha M. Dalton dated December 19, 2016, recorded in Instrument Number 294128 of the Deed of Trust Records of Coryell County, Texas.

5. Obligations Secured. The Deed of Trust provide that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligation") in the original principal amounts of \$90,950.00 payable to the order of First National Bank of McGregor. First National Bank of McGregor is the current owner and holder of the Obligation and is the beneficiary under the Deed of Trust.

6. 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 substitute trustee to conduct the sale.

DATED: November 5, 2020.



Blake Rasner
Substitute Trustee
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