

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Posted
FILED FOR RECORD
TIME 8:48 am

JAN 15 2019

Sharon Ferguson, Brown County Clerk

Deputy M. P. [Signature]

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

SEE EXHIBIT "A"

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded in Inst # 4158 of the real property records of Brown County, Texas.

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

Date: February 5, 2019

Time: The sale will begin no earlier than 10:00 A.M. The sale will be completed by no later than 4:00 P.M.

Place: The Courthouse of Brown County, Texas, before the courthouse door, or at the place so designated by the county commissioners in accordance with Texas law for such sales, or if no such area has been so designated, at the place where Substitute Trustee's Foreclosure Sales of real property are customarily and regularly held in Brown County, Texas.

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 cash on the day 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 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 June 16, 2015.

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 (a) the promissory note in the original principal amount of \$26,500.00 executed by Rocky Allen McGee and April Ann McGee and payable to the order of Tierra Group, LLC. Tierra Group, LLC is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, Eric Jancovech, Scott Horton, or J. Brandon Waits 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.

Questions concerning the sale may be directed to the undersigned, or to the beneficiary, Tierra Group, LLC at 4200 South Hulen, Suite 533, Fort Worth, TX 76109, (817) 763-0997.

Dated January 2, 2019


Eric Jancovech, ~~Scott Horton,~~
or ~~J. Brandon Waits~~
Substitute Trustee

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Deputy _____

Re: 1000 W. Hall, Bangs, TX 76823

Exhibit A

All that certain lot, tract or parcel of land lying and being situated in Bangs, Brown County, Texas, and being part of Lot No. Three (3) of Block No. Three (3) of FLORES ADDITION to the Town of Bangs, a subdivision of a part of the Samuel Bangs Survey No. 108, Abstract No. 59, and described by metes and bounds as follows:

BEGINNING at the N.W. corner of said lot and block of said Addition;

THENCE East along the South line of Sun Street, 160 feet;

THENCE South 173 feet to point in the Northeast line of a state highway (formerly known as State Highway No. 7);

THENCE North 62 West with said line of said Highway 182 feet more or less to point where said line of said Highway intersects the West line of said Lot No. 3;

THENCE North with said West line 85 feet to the Place of Beginning, and being the same land described in a deed from Mrs. Minnie DeBord McKnight Greer et vir to John W. Huckaby and wife, Ellen Huckaby, dated April 1, 1960, and recorded in Volume 477, Page 243, of the Deed Records of Brown County, Texas.

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1000 W Hall, Bangs, TX