

## Notice of Foreclosure Sale

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

All that property described in Exhibit "A" attached hereto and incorporated herein for all purposes.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust recorded in Instrument No. 1607564 of the Real Property Records of Brown County, Texas, and Volume 415, Page 338 of the Deed of Trust Records of Comanche County, Texas.

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

Date: April 7, 2020

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.

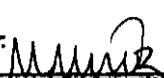
Place: Brown County Courthouse at 200 South Broadway in Brownwood, Texas, at the following location: South Broadway porch.

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

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Sharon Ferguson, Brown County Clerk
Time <u>3:48 p.m.</u>
<b>MAR 17 2020</b>
By Deputy: 

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.

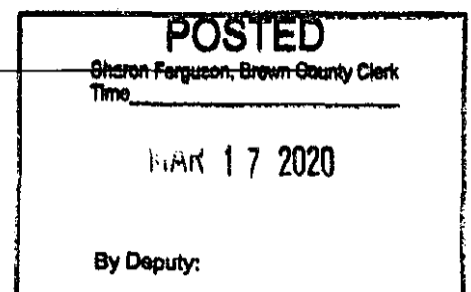
5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by STONEHOUSE DEVELOPMENT HOLDINGS, L. P.

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 \$576,283.51, executed by STONEHOUSE DEVELOPMENT HOLDINGS, L. P., and payable to the order of TEXAS BANK; and (b) all renewals and extensions of the note. TEXAS BANK is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

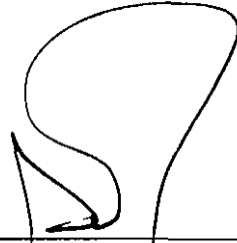
Questions concerning the sale may be directed to the undersigned at 207 N. Fisk, Brownwood Texas 76801 or to the beneficiary, TEXAS BANK at 400 Fisk Avenue, Brownwood Texas 76801.

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.

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 March 17, 2020.



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SCOTT A. MORELOCK  
207 N. Fisk Ave.  
Brownwood, TX 76801  
325-646-9795 - Telephone  
325-646-7855 - Fax

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Time \_\_\_\_\_  
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EXHIBIT "A"

BROWN COUNTY TRACT:

TRACT ONE:

All that certain 0.495 acre lot, or parcel of land being known as Lot No. 11, of the Peninsula and Spillway Park Subdivision, being situated in Brown County, Texas, being 8.2929 miles N 09 deg. 55'32.2"W, of the Court House of Brown County, Texas, and being 32.39975 miles N 26 deg. 11'07.7"E of the Geographical Center of The State of Texas, and being out of the

E.O.H. McGary Survey Abstract No. 1560, said Subdivision being of records in Volume 2, Page 200, of the Plat Records of Brown County, Texas, and is shown in a Assignment and Bill of Sale from Stanley G. Crawford et.ux., to Bart Johnson et.ux., dated April 26, 2006, being of record in Volume 1615, Page 924, of the Real Property Records of Brown County, Texas, and is more fully described as occupied as follows;

BEGINNING at a 3/4" iron rod found in place in the southerly line of the south street of said Subdivision, being the NEC of Lot No. 11, for the North East Corner of this;

THENCE, South 18 degrees 55 minutes 39 seconds West, with the easterly line of said Lot No. 11, 250.00 feet to a 1/2" iron rod set being the SEC of said Lot No. 11, for the South East Corner of this;

THENCE, South 82 degrees 21 minutes 45 seconds West, with the southerly line of said Lot No. 11, 89.44 feet to a 1/2" iron rod set being the SWC of said Lot No. 11, for the South West Corner of this;

THENCE, North 18 degrees 55 minutes 39 seconds East, with westerly line of said Lot No. 11, 290.00 feet to a 1/2" iron rod set in the southerly line of said Street, being the NWC of said Lot No. 11, for the North West Corner of this;

THENCE, south 71 degrees 04 minutes 21 seconds East, 80.00 feet to the place of beginning and calculated to contain 0.495 acre of land in area.

TRACT TWO:

All of that certain 0.090 acre lot, or parcel of land being the extension of Lot No. 11, of the Peninsula and Spillway Park Subdivision, being out of the E.O.H. Mc Gary Survey Abstract No. 1560, said Subdivision being of records in Volume 2, Page 200, of the Plat Records of Brown County, Texas, and lying between the southerly line of Lot No. 11, and the existing 1425 feet elevation of the spillway of Lake Brownwood, said Lot No. 11, is shown in a Assignment and Bill of Sale from Stanley G. Crawford et.ux., to Bart Johnson et.ux., dated April 26, 2006, being of record in Volume 1615, Page 924, of the Real Property Records of Brown County, Texas, and is more fully described as occupied as follows;

BEGINNING at the SEC of said Lot No. 11, for the North East Corner of this;

THENCE South 18 degrees 55 minutes 39 seconds West, with the extension of the Easterly line of said Lot No. 11, 69.40 feet to a 1/2" iron rod set at the spillway of Lake Brownwood, for the South East Corner of this;

THENCE with the meanders of the spillway elevation of said Lake Brownwood, North 50 degrees 37 minutes 52 seconds West, 7.36 feet, North 39 degrees 40 minutes 09 seconds West, 8.98 feet, South 80 degrees 54 minutes 30 seconds West, 5.58 feet, North 73 degrees 12 minutes 34 seconds West, 24.48 feet, South 75 degrees 17 minutes 46 seconds West, 22.77 feet, North 57 degrees 50 minutes 06 seconds West, 17.55 feet to a 1/2" iron rod set in the projection of the Westerly line of said Lot No. 11, for the South West Corner of this;

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THENCE North 18 degrees 55 minutes 39 seconds East, with the projection of the Westerly line of said Lot No. 11, 34.28 feet to a 1/2" iron rod set, being the SWC of said Lot No. 11, for the North West Corner of this;

THENCE North 82 degrees 21 minutes 45 seconds East, with the southerly line of said Lot No. 11, 89.44 feet to the place of beginning and calculated to contain 0.090 acre of land in area.

COMANCHE COUNTY TRACT:

All that certain 154.8 acres of land, more or less, situated in Comanche County, Texas, described in two tracts as follows, to-wit:

FIRST TRACT: Being 87 acres of land, more or less, situated in Comanche County, Texas, and being a part of the Comanche County School Land Survey No. 42, Abstract No. 143, and portions of Block No. 5 and 11, shown on the plat of Subdivision in Commissioners Court Book 3, at Page 157, and described by metes and bounds as follows, to-wit:

BEGINNING at the NE corner of Block No. 5 for the NE corner of this tract a stone mound;

THENCE South with the East boundary line of Block No. 5, 356 varas to a stone mound set for the SE corner of this tract;

THENCE West 1379.5 varas to an iron pin and cedar post set for the SW corner of this tract;

THENCE North 356 varas to a large post at the intersection of the North line of Block No. 11 and the SE ROW line of Highway No. 10-67 for the NW corner of this tract;

THENCE East with the North boundary line of Blocks No. 11 and 5, 1379.5 varas to the place of beginning.

SECOND TRACT: Being 67.8 acres of land, more or less, situated in Comanche County, Texas, out of Block 5 and 11 in Comanche County School Land Survey No. 42, Abstract No. 134, and described by metes and bounds as follows:

BEGINNING at an iron pin on the East line of Block 5, 989' South for the NE corner of Block 5, 989' South of the NE corner of Block 5 for the extreme NE corner of this tract;

THENCE South along the East line of Block 5 a distance of 495' to an iron pin for the SE corner of this tract;

THENCE West along the South boundary line of Block 5 and Block 11 a distance of 5245' to an iron pin for the SW corner of this tract;

THENCE North 44 degrees 44' E a distance of 2089' to an iron pin for the NW corner of this tract;

THENCE South 989' to an iron pin for the SE inside corner;

THENCE due East a distance of 3775' to the place of beginning.

And being the same property as described in Warranty Deed from Bessie Mae Tate to Maxine Day, dated March 5, 1971, and recorded in Volume 366, Page 330, Deed Records of Comanche County, Texas.

<b>POSTED</b>
Sharon Ferguson, Brown County Clerk Time _____
MAY 17 2020
By Deputy: _____