

1903 AVENUE E
BROWNWOOD, TX 76801

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NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

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.

1. **Date, Time, and Place of Sale.**

Date: October 05, 2021

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: THE SOUTH BROADWAY PORCH OF THE BROWN COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

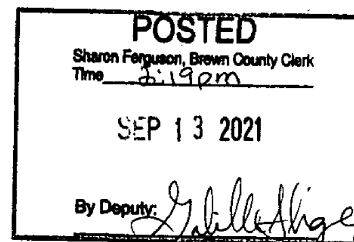
3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated January 18, 2019 and recorded in Document CLERK'S FILE NO. 1900416 real property records of BROWN County, Texas, with DAVID WAYNE LIVINGSTON AND KATHLEEN DURAN, grantor(s) and TEXAS BANK, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by DAVID WAYNE LIVINGSTON AND KATHLEEN DURAN, securing the payment of the indebtednesses in the original principal amount of \$104,856.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. TEXAS BANK is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. TEXAS BANK, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o TEXAS BANK
400 FISK AVE
BROWNWOOD, TX 76804

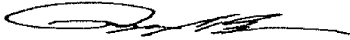


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THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE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

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead LINDA J. REPPERT OR HOWARD WHITNEY whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.

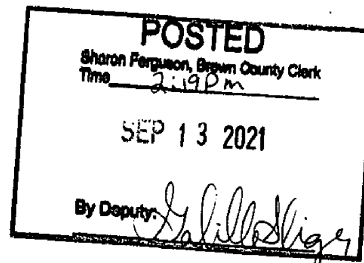


Ryan Bourgeois

Certificate of Posting

My name is Linda J. Reppert, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on September 13, 2021 I filed at the office of the BROWN County Clerk and caused to be posted at the BROWN County courthouse this notice of sale.

Linda J. Reppert
Declarants Name: LINDA J. REPERT
Date: September 13, 2021



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EXHIBIT "A"

A 0.40 ACRE TRACT OF LAND OUT OF AND A PART OF LOT 12 OF BLOCK 4, SWEET'S ADDITION TO THE CITY OF BROWNWOOD, BROWN COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOLUME 1, PAGE 66, PLAT RECORDS, BROWN COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND DESCRIBED IN A DEED TO RONNIE L. EVANS RECORDED BY INSTRUMENT NUMBER 1707459, OFFICIAL PUBLIC RECORDS, BROWN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 3/8" REBAR ROD FOUND WITH A SURVEY CAP STAMPED POLASKI 2276 (CONTROL MONUMENT) IN THE COMMON LINE BETWEEN SAID LOT 12 AND AVENUE "E", SAME BEING A COMMON CORNER BETWEEN SAID EVANS TRACT AND A TRACT OF LAND DESCRIBED IN A DEED TO CECILIO CHAVARRIA ET. AL. RECORDED IN VOLUME 1622, PAGE 595, REAL PROPERTY RECORDS, BROWN COUNTY, TEXAS, FOR THE EAST CORNER OF THIS DESCRIBED TRACT;

THENCE S 43 DEGREES 35' 45" W, 116.07 FEET ALONG THE COMMON LINE BETWEEN SAID LOT 12 AND SAID AVENUE E, SAME BEING THE SOUTHEAST LINE OF SAID EVANS TRACT, TO A 1" IRON PIPE (CONTROL MONUMENT) FOUND FOR A COMMON CORNER BETWEEN SAID LOT 12 AND LOT 11 OF SAID BLOCK 4, SAME BEING COMMON CORNER BETWEEN SAID EVANS TRACT AND A TRACT OF LAND DESCRIBED IN A DEED TO JUAN GARZA ET. UX. RECORDED IN VOLUME 3, PAGE 191, OFFICIAL PUBLIC RECORDS, BROWN COUNTY, TEXAS, FOR THE SOUTH CORNER OF THIS DESCRIBED TRACT; FROM WHICH A 1" IRON PIPE (CONTROL MONUMENT) FOUND FOR THE SOUTH CORNER OF SAID GARZA TRACT BEARS S 43 DEGREES 35' 45" W, 66.63 FEET;

THENCE N 47 DEGREES 08' 25" W, 149.92 FEET ALONG THE COMMON LINE BETWEEN SAID LOT 12 AND LOT 11, SAME BEING THE COMMON LINE BETWEEN SAID EVANS TRACT AND SAID GARZA TRACT, TO A 1/2" REBAR ROD SET WITH A SURVEY CAP STAMPED RPLS 6224 FOR A COMMON CORNER BETWEEN SAID LOT 12 AND SAID LOT 11, SAME BEING A COMMON CORNER BETWEEN SAID EVANS TRACT AND SAID GARZA TRACT, ALSO BEING LOCATED IN THE SOUTHEAST LINE OF A DEDICATED ALLEY, FOR THE WEST CORNER OF THIS DESCRIBED TRACT;

THENCE N 43 DEGREES 35' 45" E, 116.07 FEET ALONG THE COMMON LINE BETWEEN SAID LOT 12 AND SAID DEDICATED ALLEY, SAME BEING THE NORTHWEST LINE OF SAID EVANS TRACT, TO A 3/8" REBAR ROD FOUND WITH A SURVEY CAP STAMPED POLASKI 2276 (CONTROL MONUMENT) FOR A COMMON CORNER BETWEEN SAID EVANS TRACT AND PREVIOUSLY MENTIONED CHAVARRIA TRACT, FOR THE NORTH CORNER OF THIS DESCRIBED TRACT;

THENCE S 47 DEGREES 08' 25" E, 149.92 FEET OVER AND ACROSS SAID LOT 12 ALONG THE COMMON LINE BETWEEN SAID EVANS TRACT AND SAID CHAVARRIA TRACT, TO THE PLACE OF BEGINNING AND CONTAINING 0.40 ACRES OF LAND.

