# NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

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

## 207 E. 17th Street, Cisco, TX 76437-4340

The real property more particularly described on Exhibit "A" attached hereto and made a part hereof, together with the rights, appurtenances and improvements thereto and certain other personal property as more particularly described in the Deed of Trust referenced herein.

- Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust (herein so called) executed by Dustin T. Smith ("Borrower") to Julie Pettit. Trustee for the benefit of READY MORTGAGE CORP., covering the property described above. The Deed of Trust is dated 2/14/2013, and is recorded under Instrument #2013-000937 of the Real Property Records of EASTLAND County,
- Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: 8/4/2015 (the first Tuesday of said Month)

Time: The sale shall begin no earlier than 10:00 A.M. or no

later than three hours thereafter.

Place: The sale will take place at the EASTLAND County Courthouse at the place designated by the EASTLAND County Commissioner's Court (if no such place is so designated, the sale will take place in the area where this Notice is posted)

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. Such reposting or refiling may be after the date originally scheduled for this sale.

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 CATHY JENTHO, COUNTY CLERK y in one or more parcels and/or to sell all or only part of the appearance. property in one or more parcels and/or to sell all or only part of the property.

JUL 1 3 2015

EASTLAND COUNTY, TEXAS

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. <u>Type of Sale</u>. The sale is a nonjudicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust.
- 6. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to (a) the unpaid principal and interest owing on that certain note (the "Note") dated 2/14/2013, in the original principal amount of \$52,960.70, executed by Borrower, and payable to the order of READY MORTGAGE CORP.; (b) and all renewals, modifications and extensions of the note. : and (c) any and all present and future indebtedness of Borrower to READY MORTGAGE CORP. READY MORTGAGE CORP. is the current owner and holder of the Note and the Obligations and is the beneficiary under the Deed of Trust. READY MORTGAGE CORP, is also the current Lender (Mortgagee) Servicer of the Note.

Questions concerning the sale may be directed to the undersigned or to the beneficiary:

READY MORTGAGE CORP. Attention: Shanna Kolp

401 W. President George Bush Hwy, Ste. 109

Richardson, Texas 75080 Telephone: (972) 336-3339

7. <u>Default and Request To Act.</u> 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 as substitute trustee to conduct the sale.

DATED: 7/13/2015

Dwight Dabbs, Substitute Truste

1101 W. Main Eastland, TX 76448 Phone: (254) 631-1207

Assert and protect your rights as a member of the armed forces of the United States. If you or your spouse are 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.

THE STATE OF TEXAS \$
COUNTY OF EASTLAND \$

# AFFIDAVIT OF POSTING

	Definitions
Affiant:	wight Dabbs
Posting Date:	7/13/2015
Notice:	Notice of Foreclosure Sale, a true and correct copy of which is attached hereto and incorporated herein by reference.
Property:	207 E. 17th Street, Cisco, TX 76437-4340
Property County:	EASTLAND
Authorized Trustee or Substitute:	TRUSTEE or Dwight Dabbs
	ORE ME, the undersigned authority, on the date set forth below, personally appeared theing duly sworn by me according to law, upon oath deposed and said:
Affide correct Truste	"My name is that of Affiant. I am duly authorized and etent to make this Affidavit. The facts and matters set forth in this avit are within my personal knowledge, and they are all true and et."  "On or before the Posting Date, at the request of Authorized ee, I posted a copy of the Notice at the officially designated place of troperty County where notices of Trustee Sales are customarily
posted	d and I filed a duplicate of the Notice with the county clerk office of roperty County on that same day."
	Affiant:
	Quight Daliler
STATE OF TEXAS COUNTY OF	Hand \$
on the basis of satisfac	sonally appeared
WITNESS my hand ar	Signature: Sandy Cagle  Sandy Cagle  Name (typed or printed)
Reserved ANDTICIAL NOTARY PU STATE OF TI My Comm. Expires	BLIC My Commission expires:

#### EXHIBIT "A"

## 207 E. 17th Street, Cisco, TX 76437-4340

## Property Legal Description

Being a 125 feet x 156 feet tract of land out of Subdivision 2, Block 115, City of Cisco, Eastland County, Texas as per the Official Plat of said subdivision filed of record in Slide 71 of the Plat Cabinet Records of Eastland County, Texas, and described in a Deed for Clara Mae Hull et al to George Harvey Hull recorded in Volume 569, Page 337 of the Deed Records of Eastland County, Texas, said land being more particularly described as follows:

BEGINNING at a 1/2" rebar with survey cap set in the North line of 17th Street, a platted by nondedicated street at its intersection with the East line of Subdivision 2 and the West line of Avenue C, for the Southeast corner of this described tract, said point being 30.00 feet North 29 deg. 30 min. West of the Southeast corner of Subdivision 2, Block 115;

THENCE South 60 deg. 30 min. 00 sec. West, 125.00 feet along the South line of described tract and the North line of 17th Street, to a 1/2" rebar cap set for the Southwest corner of this described tract;

THENCE North 29 deg. 29 min. 60 sec. West, 156.00 feet along the West line of described tract to a 5/8" rebar with survey cap set in the South line of a 145' X 156' tract conveyed to George O. Pierce by deed recorded in Volume 779, Page 346 of the Deed Records of Eastland County, Texas, for the Northwest corner of this described tract;

THENCE North 60 deg. 30 min. 00 sec. East, 125.00 feet along the North line of described tract and the South line of Pierce 145' x 156' tract, to a 5/8" rebar with survey cap set in the West line of Subdivision 2 same being the East line of Avenue C, for the Northeast corner of this described tract;

THENCE South 29 deg. 29 min. 60 sec. East, 156.00 feet along the East line of described tract and Subdivision 2, same being the West line of Avenue C, to the PLACE OF BEGINNING.