NOTICE OF FORECLOSURE SALE

SEP 12 2025

Notice is hereby given of a public nonjudicial foreclosure sale.

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

See Exhibit A attached hereto and made a part hereof as if copied herein

verbatim.

2. <u>Date, Time, and Place of Sale</u>. The sale is scheduled to be held at the following date,

time, and place:

Date: Tuesday, October 7, 2025

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 Brown County Courthouse in Brownwood, 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 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.

3. <u>Terms of Sale</u>. 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 "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 applications of the

Sharon Ferguson, Brown County Clark

SEP 1 2 2025

By Doputy: Hube

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 nonjudicial Deed of Trust lien foreclosure sale being conducted pursuant to the power of sale granted by that one certain Deed of Trust executed by Marlin R. Scott and Alissa J. Scott, dated September 2, 2010 and recorded in Document Number 20105146 Volume 1749 Page 616 of the Official Public Records of Brown County, Texas.
- 5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described in the original principal amount of \$125,000.00 executed by Marlin R. Scott and Alissa J. Scott payable to the order of Western Bank (collectively the "Obligation"). Western Bank 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:

September 7, 2025.

Sharon Ferguson, Brewn County Clark

SEP 12 2025

By Daputy: Hulo

Blake Rasner

Substitute Trustee

Haley & Olson, P.C.

100 N. Ritchie Road, Suite 200

Waco, Texas 76712

Telephone:

(254) 776-3336

Facsimile:

(254) 776-6823

Email: brasner@halevolson.com

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DEPONN CO. MARTIN FLOOD SURVEY NO. 38, ABSTRACT NO. 335. APRIL 27, 2009

LAKE BROWNHOOD, BROWN COUNTY, TEXAS.

PART OF DEED RECORDED AT VOLUME 1717 PAGE 654

DEED RECORDS OF BROWN COUNTY, TEXAS.

FIELD NOTE DESCRIPTION OF A 2.029 ACRE TRACT OF LAND BRING DUT

OF BAID & PART OF THE MARTIN FLOOD SURVEY NO. 38, ABSTRACT NO. 335

FIELD NOTE DESCRIPTION OF A 2.029 ACRE TRACT OF LAND BEING DUT.

OF AND A PART OF THE MARTIN FLOOD SURVEY NO. 38, ABSTRACT NO. 335

SITUATED IN BROWN COUNTY, TEXAS AND BEING A PART OF THAT TRACT

CONVEYED FROM DAVID R. CARROLL TO LIMBA S. SCOTT AND HATT SCOTT BY

DEED RECORDED AT VOLUME 1717 PAGE 654 OF THE BROWN COUNTY DEED

RECORDES, SAID 2.029 ACRES BEING MORE PARTICULARLY DESCRIBED BY MITTES

AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found in the West line of the Martin Flood Survey
No. 38, Abstract No. 335 and the East line of the Mart Finch Survey No. 8,
Abstract No. 337 which bears 500 43'15 E, 1692.3 feat from the calculated
Nextheast corner of suid Finch Survey and point the Southwest corner of Cak Ridge
Estates, Fhase III, the plat of which is recorded at Volume 5 Page 35 of the
Brown County Flat records and the Northwest corner of that tract conveyed from
David R. Carroll to Linds B. Scott and Hatt Scott by Deed recorded at Volume 1717
Page 654 of the Brown County Deed Records for the Northwest corner of the herein

THENCE, along the common line between said Oak Ridge Estates and said Carroll Tract, R89 59'19'8, 384 35 feet to an iron rod set in the South Line of Lot 8 of said Oak Ridge Estates on the Bortheast corner hereof;

THEREE, 500 43 19 2, 290,00 foot to an iron rod sot for the Southeast corner hereof;

THENCE, slong a line 230.00 feet South of and parallol with the North line horoin, 389 59 19 W., 384.35 feet to an iron rod set in the West line of said 10.02 more tract for the Southwest corner hereof;

THENCE, along said West line NOO 43 15 W, 230.00 feet to the POINT OF HERMAN along pare was the contain 2.029 acres therein.

SUBJECT TO: This Tract is subject to a 10-feet Water Line Easement along 4.505 the Mast and Morth sides of this tract.

PEARING BASIS: Benrings for this survey are based on GPS observations; USA
/ NADES / Young Control 2000 / NADB3 / Yoxas Central tono.

ACCESS: Access to this tract is via Access Basements recorded at Volume 697 Dago 784 and Volume 1661 Page 804 of the Brown County Dood Remords.

I, the undersigned do hereby certify that the foregoing field Notes and accompanying Survey Plat were propered from an actual survey made on the ground, the Records of Brown County, Toxes and surveys of area properties; that the common and boundaries with marks natural and artificial are as found on the ground, that discrepancies; conflicts, protrusions or intrisions, overlapping of improvements, observe, visible of apparent to a produce the desired and desired and control and the said property has account to the first and control and forest and control and control. no are shown or described hereon and that said property has access to and from a dedicated

G. Hada, R.P.L.S. State of Texas No. 2153

POSTED Sharon Ferguson, Brown County Clark SEP 12 2025

By Deputy: Illibon