

**NOTICE OF FORECLOSURE SALE**

167 Carnes Lane, Bangs, Texas

**Deed of Trust ("Deed of Trust"):**

Dated: May 12, 2015

Grantor: Dawn J. Bennett and Jason A. Bennett

Trustee: John P. Guest

Lender: Citizens National Bank at Brownwood

Recorded in: Volume 162, Page 554 of the Official Public Records of Brown County, Texas

Legal Description: See Attached Exhibit "A".

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$201,083.00, executed by Dawn J. Bennett and Jason A. Bennett ("Borrowers") and payable to the order of Lender

Property: The real property and improvements described in and mortgaged in the Deed of Trust, including the real property described herein and all rights and appurtenances thereto.

Substitute Trustees: Michael L. Smith or Stephen E. Haynes

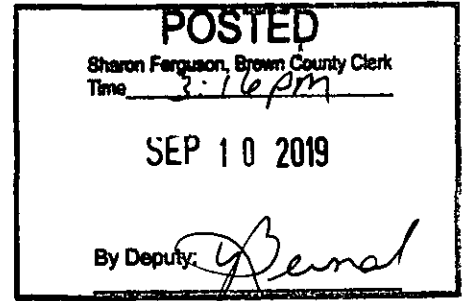
**Foreclosure Sale:**

Date: Tuesday, October 1, 2019

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 and not later than three hours thereafter.

Place: Front steps of the Brown County Courthouse located at 200 South Broadway, Brownwood, Brown County, Texas.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Citizens National Bank at Brownwood bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.



Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Citizens National Bank at Brownwood, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Citizens National Bank at Brownwood's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Citizens National Bank at Brownwood's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Citizens National Bank at Brownwood passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Citizens National Bank at Brownwood. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

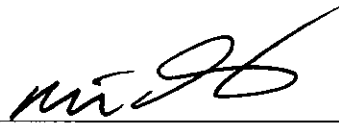
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

**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.**

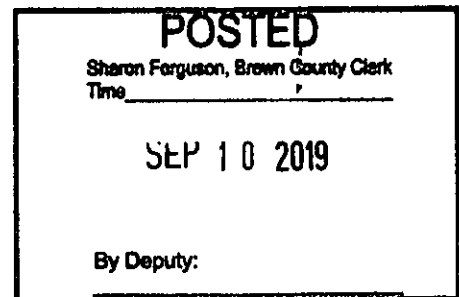
**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

**POSTED**  
Sharon Ferguson, Brown County Clerk  
Time \_\_\_\_\_  
SEP 10 2019  
By Deputy:



---

Michael L. Smith  
Attorney for Citizens National Bank at Brownwood  
Haynes Law Firm, P.C.  
309 N. Fisk  
Brownwood, Texas 76801  
Telephone (325) 646-2821  
Facsimile: (325) 643-3105  
Email: msmith@haynesfirm.com



10.667 acres tract of land in Brown County, Texas, said tract being out of the H.T. & B. R.R. Co. Survey No. 28 in the name of A. McIntosh, Abstract No. 1351, said tract being the same tract described in a deed from Bill Covington, et ux, to Ben Carnes, et ux, as recorded in Volume 657, Page 391, Real Property Records of Brown County, Texas, said tract being sometimes known as 167 Carnes Lane and being more fully described as follows:

BEGINNING at a 2 7/8" iron pipe fence corner found in the ground, said fence corner marking the occupied Northwest corner of said Carnes tract and the Northwest corner of this tract;

THENCE N 85 deg. 36' 54"E 129.01' along a fence line in the occupied North line of said Carnes tract to a 3/8" iron stake found in the ground at a fence corner, said stake marking an angle corner of said Carnes tract and this tract;

THENCE N 88 deg. 59'23"E 100.15' along said fence line and said occupied North line to a 2 7/8" iron pipe fence corner found in the ground, said fence corner marking the Northeast corner of this tract and the Northwest corner of a road easement to be described below;

THENCE S 00 deg. 20'44"E 29.72' along the West line of said Road Easement to a 3/8" iron stake found in the ground, said stake marking the Southwest corner of said road easement and an angle corner of this tract;

THENCE S 00 deg. 46'44"E 100.30' to a 3/8" iron stake found in the ground, said stake marking the southeast corner of this tract;

THENCE S 89 deg. 42'38"W 231.35' to a 3/8" iron stake found in the ground in a fence line in the west line of said Carnes tract, said stake marking the Southwest corner of this tract;

THENCE N 00 deg. 29'45"E 119.55' along said fence line to the place of Beginning.

Together with a road easement being more fully described as follows:

Beginning at a 2 7/8" iron pipe fence corner found in the ground in a fence line in the North line of said Carnes tract, said fence corner marking the Northeast corner of the above described tract and the Northwest corner of this tract;

THENCE N 89 deg. 51'00"E 29.24' along said fence Land and said North line to a 2 7/8" iron pipe fence corner found in the ground in the west line of Carnes Lane (County Road 157), said fence corner marking the Northeast corner of this tract;

THENCE S 01 deg. 11'20"E 29.86' along a fence line in said West line to a 3/8" iron stake found in the ground, said stake marking the Southeast corner of this tract;

~~THENCE S 89 deg. 52'38"W 291.68' to a 3/8" iron stake found in the ground, said stake marking the Southwest corner of this tract;~~

THENCE N 00 deg. 46'44"W 100.30' to the place of Beginning.

EXHIBIT "A"

