

67

FILED
NICOLE TANNER, COUNTY CLERK
HILL COUNTY, TEXAS

2023 NOV 13 AM 9: 23

**NOTICE OF TRUSTEE'S SALE BY
SUBSTITUTE TRUSTEE**

Notice is hereby given of a public non-judicial foreclosure sale.

- 1. Property to Be Sold. The property to be sold is described in Exhibit "A" attached hereto.
- 2. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: **December 5, 2023**

Time: The sale shall begin no earlier than 10:30 A.M. or no later than three hours thereafter.

Place: Hill County Courthouse in Hillsboro, Texas, at the east door of the courthouse.

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 refileing may be after the date originally scheduled for this sale.

- 3. 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

- 4. Type of Sale. The sale is a non-judicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Deeds of Trust executed by property owners listed in Exhibit "A". The Deeds of Trust are recorded in the plat records in the office of the County Clerk of Hill County, Texas, under the volumes and page numbers listed in Exhibit "A."

- 5. Obligations Secured. The Deeds of Trust provide that they secure the payment of the

indebtedness and obligations therein described (collectively the "Obligations") including but not limited to (1) the promissory note in the original principal amount payable to the order of Double Diamond, Inc.; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of the property owners to Double Diamond, Inc. Double Diamond, Inc. is the current owner and holder of the Obligations 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 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.

WITNESS MY HAND this ____ day of November, 2023.

PHILLIP ELLIS
7725 FM 1434
CLEBURNE, TX 76033

JENNIFER KELLEY
7725 FM 1434
CLEBURNE, TX 76033

EXHIBIT "A"

WB - White Bluff Subdivision, as described in the corrected plat thereof, recorded in Slide A-130 of the Plat Records of Hill County, Texas.

WB Two - White Bluff Two Subdivision, as described in the plat thereof, recorded in Slide AB130 of the Plat Records of Hill County, Texas.

WB Three - White Bluff Three Subdivision, as described in the plat, recorded in Slide 131A of the Plat Records of Hill County, Texas.

WB Four - White Bluff Four Subdivision, as described in the plat thereof, recorded in Slide 131AB and 132 A of the Plat Records of Hill County, Texas.

WB Five - White Bluff Five, as described in the plat thereof, recorded in Slide 132AB of the Plat Records of Hill County, Texas.

WB Six - White Bluff Six Subdivision, as described in the plat thereof, recorded in Slide 133A of the Plat Records of Hill County, Texas.

WB Seven - White Bluff Seven Subdivision, as described in the plat thereof, recorded in Slide 133AB of the Plat Records of Hill County, Texas.

WB Eight - White Bluff Eight Subdivision, as described in the plat recorded in Slide 135A of the Plat Records of Hill County, Texas.

WB Nine - White Bluff Nine Subdivision, as described in the plat recorded in Slide 135AB of the Plat Records of Hill County, Texas.

WB Ten - White Bluff Ten Subdivision, as described in the plat recorded in Slide 136A of the Plat Records of Hill County, Texas.

WB Eleven - White Bluff Eleven Subdivision, as described in the plat recorded in Slide 136AB of the Plat Records of Hill County, Texas.

WB Twelve - White Bluff Twelve Subdivision, as described in the corrected plat recorded in Slide 137AB of the Plat Records of Hill County, Texas.

WB Thirteen - White Bluff Thirteen Subdivision, as described in the plat recorded in Slide 138A of the Plat Records of Hill County, Texas.

WB Fourteen - White Bluff Fourteen Subdivision, as described in the plat recorded in Slide 138AB of the Plat Records of Hill County, Texas.

WB Fifteen - White Bluff Fifteen Subdivision, as described in the plat recorded in Slide 139AB of the Plat Records of Hill County, Texas.

WB Sixteen - White Bluff Sixteen Subdivision, as described in the plat recorded in Slide 140A of the Plat Records of Hill County, Texas.

WB Seventeen - White Bluff Seventeen Subdivision, as described in the plat recorded in Slide 140AB of the Plat Records of Hill County, Texas.

WB Eighteen - White Bluff Eighteen Subdivision, as described in the plat recorded in Slide 141A of the Plat Records of Hill County, Texas.

WB Nineteen - White Bluff Nineteen Subdivision, as described in the plat recorded in Slide 141AB of the Plat Records of Hill County, Texas.

WB Twenty - White Bluff Twenty Subdivision, as described in the plat recorded in Slide A-142 of the Plat Records of Hill County, Texas.

WB Twenty-One - White Bluff Twenty-One Subdivision, as described in the plat recorded in Slide AB-142 of the Plat Records of Hill County, Texas.

WB Twenty-Two - White Bluff Twenty-Two Subdivision, as described in the plat recorded in Slide 143AB of the Plat Records of Hill County, Texas.

WB Twenty-Three - White Bluff Twenty-Three Subdivision, as described in the plat recorded in Slide 144AB of the Plat Records of Hill County, Texas.

WB Twenty-Four - White Bluff Twenty-Four Subdivision, as described in the plat recorded in Slide 145AB of the Plat Records of Hill County, Texas.

WB Twenty-Five - White Bluff Twenty-Five Subdivision, as described in the plat recorded in Slide 146A of the Plat Records of Hill County, Texas.

WB Twenty-Six - White Bluff Twenty-Six Subdivision, as described in the plat recorded in Slide 146AB of the Plat Records of Hill County, Texas.

WB Twenty-Seven - White Bluff Twenty-Seven Subdivision, as described in the plat recorded in Slide AB148 of the Plat Records of Hill County, Texas.

WB Twenty-Eight - White Bluff Twenty-Eight Subdivision, as described in the plat recorded in Slide A149 of the Plat Records of Hill County, Texas.

WB Twenty-Nine - White Bluff Twenty-Nine Subdivision, as described in the plat recorded in Slide AB150 of the Plat Records of Hill County, Texas.

WB Thirty - White Bluff Thirty Subdivision, as described in the plat recorded in Slide A-151 of the Plat Records of Hill County, Texas.

WB Thirty-One - White Bluff Thirty-One Subdivision, as described in the plat recorded in Slide AB-151 of the Plat Records of Hill County, Texas.

WB Thirty-Two - White Bluff Thirty-Two Subdivision, as described in the plat recorded in Slide A-152 of the Plat Records of Hill County, Texas.

WB Thirty-Three - White Bluff Thirty-Three Subdivision, as described in the plat recorded in Slide A-154 of the Plat Records of Hill County, Texas.
WB Thirty-Four - White Bluff Thirty-Four Subdivision, as described in the plat recorded in Slide AB-154 of the Plat Records of Hill County, Texas.
WB Thirty-Five - White Bluff Thirty-Five Subdivision, as described in the plat recorded in Slide AB-156 of the Plat Records of Hill County, Texas.
WB Thirty-Six - White Bluff Thirty-Six Subdivision, as described in the plat recorded in Slide A-157 of the Plat Records of Hill County, Texas.
WB Thirty-Seven - White Bluff Thirty-Seven Subdivision, as described in the plat recorded in Slide AB-157 of the Plat Records of Hill County, Texas.
WB Thirty-Eight - White Bluff Thirty-Eight Subdivision, as described in the plat recorded in Slide A-158 of the Plat Records of Hill County, Texas.
WB Thirty-Nine - White Bluff Thirty-Nine Subdivision, as described in the plat recorded in Slide 161AB of the Plat Records of Hill County, Texas.
WB Forty - White Bluff Forty Subdivision, as described in the plat recorded in Slide 162A of the Plat Records of Hill County, Texas.
WB Forty-One - White Bluff Forty-One Subdivision, as described in the plat recorded in Slide AB163 of the Plat Records of Hill County, Texas.
WB Forty-Two - White Bluff Forty-Two Subdivision, as described in the plat recorded in Slide A163 of the Plat Records of Hill County, Texas.
WB Forty-Two-A - White Bluff Forty-Two-A Subdivision, as described in the plat recorded in Slide A195 of the Plat Records of Hill County, Texas.
WB Forty-Three - White Bluff Forty-Three Subdivision, as described in the plat recorded in Slide AB164 of the Plat Records of Hill County, Texas.
WB Forty-Four - White Bluff Forty-Four Subdivision, as described in the plat recorded in Slide 168A of the Plat Records of Hill County, Texas.
WB Forty-Five - White Bluff Forty-Five Subdivision, as described in the plat recorded in Slide 168AB of the Plat Records of Hill County, Texas.
WB Forty-Six - White Bluff Forty-Six Subdivision, as described in the plat recorded in Slide 175A of the Plat Records of Hill County, Texas.
WB Heartwood - Heartwood Timeshare Regime more fully described in the Declaration establishing the Heartwood Timeshare Regime recorded in Volume 984, Page 560 of the Deed of Records of Hill County, Texas.
WB The Range - The Range Timeshare Regime more fully described in the Declaration establishing The Range Timeshare Regime recorded in Volume 821, Page 524 of the Deed Records of Hill County, Texas as amended (the "Declaration").

<u>MORTGAGOR</u>	<u>LOT</u>	<u>SUBDIVISION</u>	<u>DEED OF TRUST</u>	
			<u>VOL</u>	<u>PAGE</u>
ERIC K. MUTAI & LUCY W. MUTAI	171 & 1/150 INTEREST IN UNITS 1-3	THIRTY-NINE & THE RANGE	1829	286