

## 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.

DATE:

May 9, 2025

Date:

SECURITY

Texas Home Equity Line of Credit Security Instrument (Securing Future Advances) (First Lien)

INSTRUMENT:

September 8, 2023 Grantor:

Rebecca B. Whitehead a/k/a Rebecca Bias Whitehead, a single woman

Beneficiary:

Amarillo National Bank

Trustee:

W. Wade Porter Substitute Trustee: David Kent Waggoner

Recorded:

Clerk's File No. 00150911, Vol. 2280, Pg 778 in the Official Public Records of Hill

County, Texas

COURT ORDER:

Rule 736 Default Order under Cause No. CV058-25DC in the 66th Judicial District Court of Hill

County, Texas

PROPERTY:

All that certain Lot, Tract or Parcel of land located in Hill County, Texas, and being Lot(s) 377 & 378, Live Oak Resort Subdivision on Lake Whitney, Hill County, Texas, according to the plat recorded in Volume 444, Page 95, Plat Records, Hill County, Texas, which has the address of 140

9th Street, Whitney, TX 76692.

SUBJECT TO all valid existing building and use restrictions, easements and rights-of-way of record, visible or apparent, if any, and valid reservations of oil, gas and other mineral interests, if any, and 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 Security Instrument.

DATE OF SALE:

July 1, 2025

EARLIEST TIME

SALE WILL BEGIN:

10:00 a.m. or within three hours after that time.

PLACE OF SALE:

The Hill County Courthouse, located at 1 North Waco Street, Hillsboro, TX 76645 (East door of the Courthouse), the place specified for foreclosure sales by the Commissioner's Court of Hill County, Texas, by Resolution recorded as Document Number 2939102, Official Records, Hill

County, Texas.

Because of default in performance of the obligations of the Security Instrument and as provided for in the Court Order, Substitute Trustee will sell the property described in the Security Instrument by public auction to the highest bidder for cash at the place and date specified to satisfy the debt secured by the Security Instrument.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the Grantor, the Beneficiary, the Substitute Trustee, or the Beneficiary's attorney.

DAVID KENT WAGGONER, Substitute

C/O SELL GRIFFIN McLAIN PC

4801 Lexington Square Amarillo, TX 79119-6572

(806) 374-3765

2025 HA 3:51 HITT COUNTY TEXNS HITT COUNTY TEXNS WICOLE TANNER, LEG

## Cause No. CV058-25DC

In Re: Order for Foreclosure Concerning	<i>ଭକାବାବାବା</i>	In the District Court of
140 9th Street	9	
Whitney, TX 76692	Š	
("Property Mailing Address")	Š	Hill County, Texas
under Tex.R.Civ.P.736	Š	•
	<i>9</i> 9	
Amarillo National Bank	§	
("Petitioner")	§	
,, ,	Š	
Rebecca B. Whitehead a/k/a	§	
Rebecca Bias Whitehead	§	
("Respondent")	Š	66th Judicial District Court

## **DEFAULT ORDER**

- 1. On this day, the Court considered Petitioner's motion for a default order granting its Rule 736 Application for an expedited foreclosure order. Petitioner's Rule 736 Application complies with the requirements of Texas Rule of Civil Procedure 736.1.
- 2. The names and last known address of the Respondent subject to this order is Rebecca B. Whitehead a/k/a Rebecca Bias Whitehead and 140 9th Street, Whitney, TX 76692. The Respondent was properly served with citation. Respondent signed the Return of Service acknowledging her receipt of the citation and Rule 736 Application and returned it to the Hill County District Clerk. However, Respondent did not file an answer to the Rule 736 Application within the time required by law. The return of services for Respondent has been on file with the Court for at least ten days.
- 3. The property that is the subject of this foreclosure proceeding is commonly known as 140 9th Street, Whitney, TX 76692 with the following legal description:

All that certain Lot, Tract or Parcel of land located in Hill County, Texas, and being Lot(s) 377 & 378, Live Oak Resort Subdivision on Lake Whitney, Hill County, Texas, according to the plat recorded in Volume 444, Page 95. Plat Records, Hill County, Texas.

- 4. The lien sought to be foreclosed is recorded in the Official Public Records of Hill County, Texas under Clerk's File No. 00150911, in Volume 2280, Page 778.
- 5. The material facts establishing Respondent's default are alleged in Petitioner's Rule 736 Application and supporting affidavit. Those facts are adopted by the Court and incorporated by reference in this order.
- 6. Based on the affidavit of Petitioner's authorized representative, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. App. § 501 ef seq.

- 7. Therefore, the Court grants Petitioner's motion for a default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the lien sought to be foreclosed.
- 8. This order is not subject to a motion for rehearing, new trial, bill of review, or appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

IT IS SO ORDERED.

SIGNED this 7 day of 1114

, 2025.

JUDGE PRESIDING