

Notice of Foreclosure Sale

April 30, 2019

**FILED**  
12:10 PM  
MAY 03 2019  
*Brenda Fietsam*  
BRENDA FIETSAM  
CO. CLERK, FAYETTE CO., TEXAS

Deed of Trust ("Deed of Trust"):

Dated: November 10, 2012

Grantor: JOSEPH WAYNE HOWARD and TRACY HOWARD

Trustee: Patricia Gillespie

Lender: JOHN R. WILLIAMS and LAURA WILLIAMS

Recorded in: Volume 1626, Page 272 of the real property records of County Clerk's Office of Fayette County, Texas

Legal Description: Lot 11-16, Block 29, according to the map of said Town of Ellinger, Fayette County, Texas, and being the same land described in the Partition Deed from Elizabeth Meyer et al to Elizabeth Meyer dated February 1, 1958 and recorded in Volume 304, Page 115 of the Deed Records of Fayette County, Texas and referred to herein for all purposes.

Secures: Promissory Note ("Note") in the original principal amount of \$63,000.00, executed by JOSEPH WAYNE HOWARD and TRACY HOWARD ("Borrower") and payable to the order of Lender

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Foreclosure Sale:

Date: Tuesday, June 4, 2019

Time: The sale will begin at 10:00 a.m. or not later than three hours after that time.

Place: Location Designated by the Commissioners Court dated 09/16/87, Volume 755, Page 402, or as designated by the County Commissioners or as designated by the County Commissioners.

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 JOHN R. WILLIAMS and LAURA WILLIAMS's 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, JOHN R. WILLIAMS and LAURA WILLIAMS, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of JOHN R. WILLIAMS and LAURA WILLIAMS's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with JOHN R. WILLIAMS and LAURA WILLIAMS'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, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

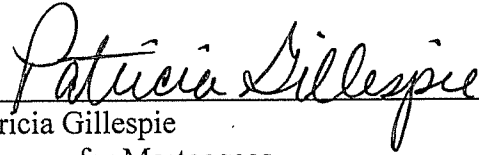
If JOHN R. WILLIAMS and LAURA WILLIAMS passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 JOHN R. WILLIAMS and LAURA WILLIAMS. 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, 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 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.**



---

Patricia Gillespie  
Attorney for Mortgagees  
415 Spring Street, P.O. Box 458  
Columbus, TX 78934  
Telephone (979) 732-2301  
Telecopier (979) 732-2303