



Freestone
County
Linda Jarvis
Freestone County
Clerk

Instrument Number: 2002796

Foreclosure Posting

NOTICE OF FORECLOSURE

Recorded On: September 03, 2020 01:38 PM

Number of Pages: 4

" Examined and Charged as Follows: "

Total Recording: \$8.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2002796
Receipt Number: 20200903000016
Recorded Date/Time: September 03, 2020 01:38 PM
User: Amanda G
Station: Clerk Station

Record and Return To:

WALT FAIR, PLLC
1508 NORTH VALLEY MILLS DRIVE
WACO TX 76710



STATE OF TEXAS
COUNTY OF FREESTONE

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Freestone County, Texas.

Linda Jarvis
Freestone County Clerk
Freestone County, TX

Notice of Foreclosure 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.

1. *Property to Be Sold.* The property to be sold is described as follows: BEING Lot Number Seven (7) and the North One-half (1/2) of Lot Number Eight (8), Block Number Thirty-two (32) in the City of Teague, Freestone County, Texas according to the map or plat recorded in Cabinet A, Envelope 7A and 7B, Plat Records of Freestone County, Texas and being more particularly described as follows:

All that certain lot, tract or parcel of land. part of the Greenberry Brewer Survey, Abstract No. 5, City of Teague, Freestone County, Texas and being all of that certain called Lot 7 and the North ½ of Lot 8, Block 32 of the City of Teague as described in a deed to Joseph C. Clark and wife, Michelle D. Clark from Jo Nita Cannon and husband Morris Leon Cannon on November 3, 1998 and recorded in Volume 1063, Page 376 of the Official Records of Freestone County, Texas, same being all of Lot 7 and the North ½ of Lot 8, Block 32 of the City of Teague recorded in Cabinet A, Envelope 7-A and 7-B of the Plat Records of Freestone County, Texas and being more completely described as follows, to-wit:

BEGINNING at a ½" iron rod (set) for the above mentioned Northeast corner of the Clark tract, the Northeast corner of the above mentioned Lot 7, Block 32 and being at the intersection of the South line of Poplar Street and the West line of South 9th Avenue;

THENCE South 05 deg. 30 min. 00 sec. West with the East line of Lot 7 and 8 and the West line of South 9th Avenue, a distance of 75.00 ft. to a ½" iron rod (set) for the Southeast corner of the Clark tract and being the Northeast corner of a called Lot 9 and ½ of Lot 8 conveyed to Charles Ray Jones and wife, Shirley Jones in Volume 1039, Page 393;

THENCE North 84 deg. 30 min. 00 sec. West across Lot 8, with the South line of the Clark tract and the North line of the Jones tract, a distance of 150.00 ft. to a ½" iron rod (set) in the West line of Lot 8, the Northwest corner of the Jones tract, the Southwest corner of the Clark tract and being in the East line of a 20 ft. alleyway;

THENCE North 05 deg. 30 min. 00 sec. East with the West line of Lot 8 and Lot 7, the West line of the Clark tract and the East line of the 20 ft. alleyway, a distance of 75.00 ft. to a ½" iron rod (set) for the Northwest corner of Lot 7, the Northwest corner of the Clark tract and being in the South line of said Poplar Street;

THENCE South 84 deg. 30 min. 00 sec. East with the North line of Lot 7, the North line of the Clark tract and the South line of Poplar Street, a distance of 150.00 ft. to the place of beginning and containing 0.26 acre of land.

The bearings recited herein are based on the East line of Block 32 of the City of Teague as protracted from the recorded plat in Cabinet A, Envelope 7-A and 7-B of the Plat Records of Freestone County, Texas.

2. *Instrument to Be Foreclosed.* The instrument to be foreclosed is the *Deed of Trust* recorded under Clerk's File Number 1804251, Official Public Records of Freestone County, Texas.

3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: October 6, 2020

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 a.m. and not later than three hours thereafter.

Place: Freestone County Courthouse in Fairfield, Texas, at the following location: At the front steps at the south entrance of the Freestone County Courthouse in Fairfield, Texas.

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*. The reposting or refiled may be after the date originally scheduled for this sale.

4. *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 their bid immediately in cash if their bid is accepted.

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 to sell the property in one or more parcels and/or to sell all or only part of the property.

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*, the trustee or any 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 first sale of the day held by the trustee or any substitute trustee. This sale will be conducted subject to the right of rescission contained in section 51.016 of the *Texas Property Code*.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Nieka R. Evans and husband, Michael D. Dean. The real property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note in the original principal amount of \$85,000.00, executed by Nieka R. Evans and husband, Michael D. Dean, and payable to the order of RTHB Capital Group, LLC, a Texas series limited liability company - Series 400 South 9th Avenue, Teague, Texas 75860, which is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, RTHB Capital Group, LLC, a Texas series limited liability company - Series 400 South 9th Avenue, Teague, Texas 75860.

7. *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 2, 2020.



WALT FAIR, Trustee
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series limited liability company - Series 400 South 9th
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