

FILED FOR RECORD

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SUSAN STRICKLAND
CLERK OF COURTS
VAN ZANDT 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:

See - Exhibit "A"

2. *Instrument to Be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded under Clerk's File No. 2015-007729 in the Official Public Records of VAN ZANDT County, Texas.

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

Date: JUNE 1ST, 2021

Time: The sale will begin no earlier than 1:00 P.M. or no later than three hours thereafter. The sale will be completed by no later than 4:00 P.M.

Place: In the area of such Courthouse designated by the VAN ZANDT County Commissioners' Court as the area where foreclosure sales shall take place, or, if no such area has been designated, then within 25 feet at or near and including the outside steps and the main hall of the West entrance of the VAN ZANDT County Courthouse, in Tyler, 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 in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (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 of the Texas Property Code, the 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.

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 SALLIE LIMERICK & JORGE PEREZ.

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 (a) the promissory note in the original principal amount of \$20,200.00, executed by SALLIE LIMERICK & JORGE PEREZ, and payable to the order of JAMES J. CLARK 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 at 904 Trenton Tyler, Texas 75703 - ph no. 903-530-0333.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as [trustee/substitute 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 5/6/21.

Tyler Clark

TYLER CLARK
903 Trenton
Tyler, Texas 75703
903-530-0333

EXHIBIT "A"

All that certain tract or parcel of land being a 4.102 acre tract and being all that certain lot, tract or parcel of land situated in the JOHN PILES SURVEY, Abstract No. 668, Van Zandt, Texas, and being part of a called 25 acre tract described in a deed from Jo Ann Stevens dba Piney Woods Timber Company, Inc., as recorded in Volume 1765, Page 74, Van Zandt County Real Records, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod set for a corner in the Northwest line of said 25 acre tract and in the Westerly most Southeast line of a called 14.369 acre tract described as Tract One in a deed to Caskey recorded in Volume 1361, Page 665, Van Zandt County Real Records, said point being North 29 deg 38 min. 08 sec. East a distance of 127.57 feet from a 5/8" iron rod found at the West corner of said 25 acre tract, for a reference;

THENCE North 29 deg. 38 min. 08 sec. East along the Northwest line of said 25 acre tract and the Westerly most Southeast line of said 14.369 acre tract passing a 1/2" iron rod found for a reference at the Northeast Corner of said 14.369 acre tract and the Southeast corner of a called 25 acre tract described in a deed to Shaver as recorded in Volume 1282, Page 48, Van Zandt County Real Records, at a distance of 61.78 feet and containing along the Southeast line of said Shaver 25 acre tract and the Northwest line of said Miller 25 acre tract a total distance of 147.12 feet to a 1/2" iron rod set, for a corner;

THENCE South 76 deg. 39 min. 08 sec. East across said 25 acre tract a distance of 811.08 feet to a 60d nail set in the centerline of County Road No. 4915, for a corner;

THENCE South 17 deg. 34 min. 13 sec. West across said 25 acre tract and along the centerline of said County Road a distance of 289.17 feet to a 60d nail set, for a corner;

THENCE North 66 deg. 36 min. 34 sec. West across said 25 acre tract a distance of 843.98 feet to the point of beginning and containing 4.102 acres of land, more or less.