

JUL 11 2024

SUSAN STRICKLAND  
COUNTY CLERK, VAN ZANDT CO., TX  
BY \_\_\_\_\_ DEP**Notice of Foreclosure Sale**

July 11, 2024

## Deed of Trust ("Deed of Trust"):

Dated: September 16, 2020

Grantor: Mihcael Remick

Trustee: George Ivan Alexander

Substitute Trustee: John F. Berry

Lender: 2CD, Inc.

Recorded in: Document Number 2020-008862 of the real property records of Van Zandt County, Texas

Legal Description: All that certain lot, tract or parcel of land situated in the City of Wills Point, Van Zandt County, Texas, part of the J. Murray Survey, A-605; more particularly described as being the Southwest part of Lot (2), Block "A" of the Hughes Addition to said city and more particularly described on the Exhibit A attached hereto and incorporated herein by reference.

Secures: Promissory Note ("Note") in the original principal amount of \$77,600.00, executed by Michael Remick ("Borrower") and payable to the order of Lender

## Foreclosure Sale:

Date: Tuesday, August 6, 2024

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: Van Zandt County Courthouse in Canton, Texas, at the following location: On the steps to the north entrance of the Van Zandt County Courthouse or at the area most recently designated by the County Commissioner's Court

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 2CD, Inc.'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, 2CD, Inc., the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of 2CD, Inc.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with 2CD, Inc.'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, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If 2CD, Inc. 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 2CD, Inc. 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, Substitute 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 Substitute Trustee.

**Assert and protect your rights as a member of the armed forces of the United States. If you 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.**

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**



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Exhibit A

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND situated in the City of Wills Point, Van Zandt County, Texas, part of the J. Murray Survey, A-605; more particularly described as being the Southwest part of Lot (2), Block "A" of the HUGHES ADDITION to said city as recorded in Vol. 106, Pg. 256, plat records of said county and being the same lot/tract now owned by Hattie L. Breckenridge, surviving widow of B.L. Breckenridge, deceased, as recorded in VOLUME 898, PAGE 104, deed records of VAN ZANDT COUNTY, TEXAS:

BEGINNING at a 1/2" st. rod set for the recognized and occupied East cor. of said Lot (2), Block "A" of the said Hughes Addition, located in the Southwest line of Highland Ave. and being the recognized North cor. of Lot (1) in the name of R.P. Vrzak as recorded March 27, 1997;

THENCE S - 43 deg. 40 min. - W along the Southeast line of Lot (2) and Northwest line of Lot (1) a total distance of 196.0 ft. to a 3/8" st. rod set for the South cor. of this lot, and recognized South cor. of said Lot (2);

THENCE N - 46 deg. 18 min. - W with line along an old fence line a total distance of 61.0 ft. to a 1/2" st. rod found set marking the West cor. of this lot and the South cor. of the R. Porter lot (Vol. 1443, Pg. 636);

THENCE N - 43 deg. 40 min. - E with line between the two said lots a total distance of 196.5 ft. to a 1/2" st. rod found set for the North cor. in the Southwest line of said Highland Ave.;

THENCE S - 45 deg. 50 min. - E 61.0 ft. to the place of beginning and containing (0.27) OF AN ACRE OF LAND.

Being the same land in General Warranty Deed dated July 31, 2011 from COOPER ENTERPRISES, INC. to 2CD INC., recorded in Document No. 2011-006148, Official Public Records of Van Zandt County, Texas.