

NOTICE OF FORECLOSURE SALE

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Property: 506 Church Street, Valley View, Texas 76272.

October 3, 2024

Deed of Trust: Deed of Trust (The term "Deed of Trust" herein shall mean the Deed of Trust as so modified, renewed, and/or extended.)

Dated: October 17, 2019

Trustee:

Larry Sullivant

Address:

209 S Dixon Street
Gainesville, TX, 76240

Substitute Trustee:

James L. Moss

Address:

104 West Main Street
Gainesville, TX, 76240

Grantors: Josh Brinkley and Shawna Brinkley

Mortgagee: Tim Terry (hereafter "Lender")

Recording Information: Volume 2487 Page 523 of the real property records of Cooke County, Texas, being a renewal and extension of the 2548 recorded in 225 of the real property records of Cooke County, Texas.

FILED FOR RECORD
24 OCT '19 PM 4:40
PAM HARRISON
COUNTY CLERK, COOKE CO. TX
BY BC DEPUTY

Property Address: 506 Church Street, Valley View, Texas 76272.

Legal Description: Attached as Exhibit A

Note Secured by Deed of Trust: Promissory Note (The term "Note" herein shall mean the Note as so modified, renewed, and/or extended.)

Date: October 17, 2019

Original Principal Amount: \$206,806.21

Makers: Josh Brinkley and Shawna Brinkley

Lender: Tim Terry

Modifications and Renewals: Extended Promissory Note (hereafter "Note") dated November 14, 2022, with an original principal amount of \$216,620.71,

Property: All real property and improvements as described in and mortgaged in the Deed of Trust, including all rights and appurtenances thereto, with the exception of any Released Property.

Sale Location: 101 S. Dixon Street, Gainesville, TX 76240.

Sale Date: November 5, 2024

Sale Time: The public auction of the Foreclosure Sale will take place between the hours of 10:00 AM and 4:00 PM local time. The earliest time the sale will begin is 10:00 AM, or within three hours from that time.

Terms of the Sale: This public Foreclosure Sale will sell all property "AS IS" at a public auction to the highest cash bidder, with the exception of the Lender, who will be allowed to bid credit against the amount owed under the obligation secured by the lien in the Deed of Trust.

Due to the default in payment of the Note and in performance of the obligations under the terms of the Deed of Trust, the Lender directed the Substitute Trustee to administer the trust provisions.

The above-described Deed of Trust encumbers real property. This document constitutes formal notice by the Lender to foreclose and sell the property, as described in Lender's right and remedies under the Deed of Trust and in accordance

with the terms of Section 9.604(a) of the Texas Business and Commerce Code and the Deed of Trust.

Notice is hereby given that the Foreclosure Sale will commence at the Sale Location, Sale Date, and Sale Time indicated above. At that time, the Substitute Trustee will direct the sale of the property described in the Deed of Trust in the manner allowed by the Deed of Trust and applicable Texas law.

If there is any postponement or rescheduling of the Foreclosure Sale, additional notice will be reposted and refiled in accordance with the terms of the Deed of Trust and applicable Texas law.

Potential purchasers are reminded that this sale of property is made subject to the exceptions to conveyance and warranties of the Deed of Trust, all prior liens and defects to title, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust, and any rights of recession as set forth in the Texas Property Code. Potential purchasers should examine the property records describing the property within the Deed of Trust for further assurances.

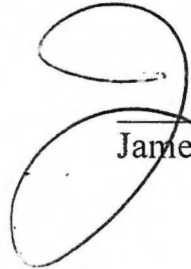
Pursuant to Section 51.009 of the Texas Property Code, this property will be sold "AS IS" to the highest cash bidder. Please be aware that the sale of this property will not include any possession warranties, title warranties, warranties of quiet enjoyment or other warranties, except as expressly provided by the Deed of Trust. All potential purchasers should conduct examinations of the property records for further assurances.

Pursuant to Section 51.0075(a) of the Texas Property Code, the Substitute Trustee will establish conditions for the Foreclosure Sale as are deemed reasonable and in accordance with the Texas Property Code. Any conditions beyond what are listed in this document will be disclosed prior to the opening of bidding on the day of the 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.

THIS DOCUMENT ASSIGNS JAMES L. MOSS AS THE SUBSTITUTE TRUSTEE IDENTIFIED TO CARRY OUT THE SALE OF PROPERTY

**IDENTIFIED IN THE SECURITY INSTRUMENT AS SET FORTH IN THIS
NOTICE OF FORECLOSURE SALE. THE SIGNER OF THIS DOCUMENT
IS THE DULY AUTHORIZED AGENT OF THE MORTGAGEE OR
MORTGAGE SERVICER.**



James L. Moss, Substitute Trustee

EXHIBIT A

ALL THAT CERTAIN TRACT OF LAND SITUATED IN THE JOHN GREGG SURVEY, ABSTRACT NUMBER 397 IN THE TOWN OF VALLEY VIEW, COOKE COUNTY, TEXAS AND BEING ALL OF THE CALLED 0.22 ACRE TRACT DESCRIBED IN THE DEED FROM STEVE AND BEYERLY STEVENS TO LARRY L. LENAMON ET. AL. RECORDED IN VOLUME 946 PAGE 709 OF THE DEED RECORDS OF COOKE COUNTY, TEXAS AS RECOGNIZED AND OCCUPIED ON THE GROUND; THE SUBJECT TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING FOR THE SOUTHWEST CORNER OF THE TRACT BEING HEREIN DESCRIBED AT A 1/211 IRON ROD FOUND FOR SOUTHWEST CORNER OF SAID LENAMON TRACT ON THE MONUMENTED EAST SIDE OF CHURCH STREET, AT THE NORTHWEST CORNER OF THE 0.176 ACRE TRACT DESCRIBED IN THE DEED TO TINA O'HARA PETTY RECORDED IN VOLUME 1344 PAGE 270 SAID DEED RECORDS;

THENCE NORTH 00 DEGREES 05 MINUTES 04 SECONDS WEST WITH THE WEST LINE OF SAID LENAMON TRACT ALONG SAID STREET A DISTANCE OF 112.20 FEET TO A CAPPED IRON ROD SET FOR THE NORTHWEST CORNER OF SAID TRACT AT THE SOUTHWEST CORNER OF THAT CERTAIN TRACT DESCRIBED IN THE DEED TO BILLY DON AND ZADA SISSY OFFORD RECORDED IN VOLUME 1399 PAGE 157 SAID DEED RECORDS;

THENCE NORTH 88 DEGREES 57 MINUTES 48 SECONDS EAST WITH THE SOUTH LINE THEREOF AND NORTH LINE OF SAID LENAMON TRACT ALONG AND NEAR A FENCE PART OF THE WAY A DISTANCE OF 88.36 FEET TO A CAPPED IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID LENAMON TRACT;

THENCE SOUTH 00 DEGREES 20 MINUTES 35 SECONDS EAST WITH THE EAST LINE THEREOF NEAR A FENCE A DISTANCE OF 113.88 FEET TO A CAPPED IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID LENAMON TRACT IN THE NORTH LINE OF SAID PETTY TRACT;

THENCE NORTH 89 DEGREES 56 MINUTES 51 SECONDS WEST WITH THE NORTH LINE THEREOF AND THE SOUTH LINE OF SAID LENAMON TRACT ALONG AND NEAR A FENCE PART OF THE WAY A

DISTANCE OF 88.86 FEET TO THE PLACE OF BEGINNING AND
ENCLOSING 0.230 OF AN ACRE OF LAND MORE OR LESS.