

NOTICE OF FORECLOSURE

1. *Property to Be Sold.* The property to be sold is described in Exhibit A, attached and incorporated herein for all intents and purposes.

2. *Instruments to be Foreclosed*

Deed of Trust:

Date: July 10, 2017

Grantor: William Joseph Haverkamp, joined pro forma by his wife, D'Ann Haverkamp; and Floyd Arnold Haverkamp, joined pro forma by his wife, Letha Haverkamp

Trustee: Chuck Bartush Jr.

Original beneficiary: Sally Ann Hacker and Jessica Lynn Fisher

Recording information: Recorded in the Deed Records of Cooke County, Texas

Property: the Real Property described by Exhibit A and incorporated herein for all intents and purposes.

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

Date: March 5, 2024

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale will be completed by no later than 4:00 p.m.

Place: Cooke County Courthouse in 101 S. Dixon St., Gainesville, Texas 76240, at the following location:

the area immediately outside and within fifty (50) feet of the first floor east entrance to the courthouse as the primary sales area and the area immediately outside and within thirty (30) feet of the first floor west entrance to the courthouse as the secondary sales area, as required by the Cooke County Commissioners Court, pursuant to Texas Property Code 51.002.

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 refiling 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 William Joseph Haverkamp, his wife, D'Ann Haverkamp, Floyd Arnold Haverkamp, and his wife, Letha Haverkamp.

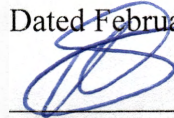
The real property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

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 amounts of \$129,500.00 executed by William Joseph Haverkamp, his wife, D'Ann Haverkamp, Floyd Arnold Haverkamp, and his wife, Letha Haverkamp and payable to the order of Sally Ann Hacker and Jessica Lynn Fisher and (b) all renewals and extensions of the note. Sally Ann Hacker and Jessica Lynn Fisher are the

current owners and holders of the Obligations and are the beneficiaries under the deed of trust. As of September 26, 2023, there was owed \$127,650.00 plus interest on the note.

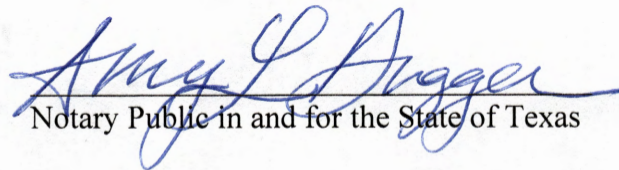
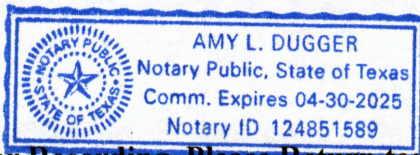
7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Dated February 6, 2024.



William V. Scazzero, Substitute Trustee
Hayes, Berry, White & Vanzant, LLP
512 W. Hickory, Suite 100
Denton, Texas 76201

This instrument was acknowledged before me on February 6, 2024 by WILLIAM SCAZZERO.



Amy L. Dugger
Notary Public in and for the State of Texas

After Recording, Please Return to:
William V. Scazzero, Substitute Trustee
Hayes, Berry, White & Vanzant, LLP
512 W. Hickory, Suite 100
Denton, Texas 76201

EXHIBIT A

LEGAL DESCRIPTION

FIELD NOTES TO 37.00 ACRES IN THE J. C. MORGAN SURVEY ABSTRACT 751,
COOKE COUNTY, TEXAS

All that certain tract or parcel of land situated in the J. C. Morgan Survey Abstract 751, Cooke County, Texas, being a part of a called 151 1/2 acre tract described in a Partition Deed from Daniel Haverkamp, et al to Daniel Haverkamp, et al recorded in Volume 650, page 265 of the Cooke County Deed Records, and being more particularly described as follows:

BEGINNING at a found steel pin on the Easterly line of said 151 1/2 acre tract, common to the Westerly line of a tract described in a deed to Krueger 2015 Family Trust recorded in Volume 2061, page 476 of the Cooke County Official Public Records, at the Northeast corner of a tract described in a deed to MGW Capital LTD recorded in Volume 2075, page 219 of said Public Records;

THENCE North 57 degrees 32 minutes 53 seconds West, with a North line of said MGW Capital tract, a distance of 824.00 feet to a set steel pin in a road;

THENCE Northeasterly, in said road, the following courses and distances:

North 51 degrees 06 minutes 51 seconds East, a distance of 99.54 feet to a corner;

North 65 degrees 59 minutes 56 seconds East, a distance of 83.54 feet to a corner;

North 84 degrees 11 minutes 10 seconds East, a distance of 100.58 feet to a corner;

North 75 degrees 31 minutes 01 second East, a distance of 84.92 feet to a corner;

North 38 degrees 28 minutes 03 seconds East, a distance of 171.81 feet to a corner;

North 28 degrees 59 minutes 49 seconds East, crossing a creek and continuing in said road, a distance of 170.24 feet to a set steel pin;

North 27 degrees 18 minutes 42 seconds East, a distance of 158.89 feet to a set steel pin;

THENCE North 17 degrees 45 minutes 48 seconds East, crossing the Northeast side of said road, and continuing a total distance of 1290.20 feet to a set steel pin in a fence;

THENCE South 85 degrees 56 minutes 08 seconds East, along a fence,
a distance of 265.50 feet to a fence corner;

THENCE South 41 degrees 57 minutes 35 seconds East, a distance of
833.26 feet to a set steel pin on said Easterly line of said 151
1/2 acre tract, common to said Westerly line of said Krueger 2015
Family Trust tract;

THENCE South 35 degrees 12 minutes 54 seconds West, with said
common line, a distance of 1939.92 feet to the point of beginning
containing 37.00 acres of land.

FILED FOR RECORD

24 FEB -6 PM 4: 53

PAM HARRISON
COUNTY CLERK, COOKE CO. TX

BY Be DEPUTY