

NO. \_\_\_\_\_ TIME 10:50AM

## Notice of Foreclosure Sale

JUN 03 2022

1. *Property to Be Sold.* The property to be sold is described as follows:

DONECE GREGORY, COUNTY CLERK  
TYLER COUNTY, TEXAS

By

**All that certain 11.228 acre tract of land situated in the Arthur Hutchins Survey, A-846, Tyler County, Texas, and being more particularly described by metes and bounds on Exhibit "A" attached hereto and incorporated herein by reference for all purposes.**

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded under Volume 1236, Page 512 and corrected in Volume 1291, Page 839, Official Records of Tyler County, Texas.
3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: July 5, 2022

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: Under the stairs of the North entrance of the Tyler County Courthouse, 100 West Bluff, Woodville, Tyler County, Texas.

The deed of trust permits the beneficiary to abandon the 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 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 Matthew Carlock and Lisa Carlock, husband and wife.

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.

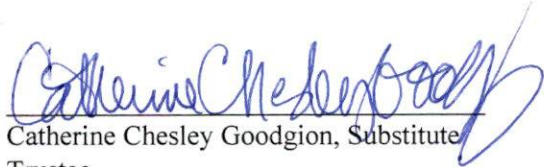
6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note dated March 27, 2020 in the original principal amount of \$370,000.00, executed by Matthew Carlock and Lisa Carlock, husband and wife and payable to the order of Goldwater Bank, N.A.; and (b) all renewals and extensions of the note; and (c) any and all present and future indebtedness of Matthew Carlock and Lisa Carlock, husband and wife, to Goldwater Bank, N.A. Goldwater Bank, N.A. 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, Goldwater Bank, N.A., P. O. Box 2525 E. Camelback Rd., Suite 1100, Phoenix, AZ 85016.

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.

**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.**

Date: 6-2, 2022.



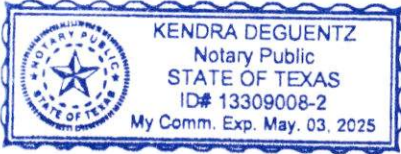
Catherine Chesley Goodgion, Substitute

Trustee  
1021 ESE Loop 323, Ste. 200  
Tyler, Texas 75701  
P: (903) 534-8063

STATE OF TEXAS §

COUNTY OF SMITH §

This instrument was acknowledged before me on June 2, 2022 by CATHERINE CHESLEY GOODGION, Substitute Trustee, in the capacity therein stated.



Kendra DeGuentz  
NOTARY PUBLIC, STATE OF TEXAS

My commission expires: May 03, 2025

AFTER RECORDING, RETURN TO:

ATTENTION: CATHERINE CHESLEY GOODGION  
Flowers Davis PLLC  
1021 ESE Loop 323, Suite 200  
Tyler, TX 75701

EXHIBIT "A"

AREA SURVEYING & MAPPING  
418 N. VINE  
WOODVILLE, TEXAS 75779  
(409) 283-8197  
FIRM LICENSE No. 101129-00

FIELDNOTE DESCRIPTION

FIELDNOTES TO A 11.228 ACRE TRACT OF LAND AS SITUATED IN THE ARTHUR HITCHCOCK SURVEY, A-846, TYLER COUNTY, TEXAS AND BEING OUT OF AND PART OF THAT SAME CALLED 23.01 ACRE TRACT AS CONVEYED TO CRAIG TURNER AND DONNA TURNER BY DEED RECORDED IN VOLUME 1082, PAGE 356 OF THE OFFICIAL PUBLIC RECORDS OF TYLER COUNTY, SAID 11.228 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY MEASUREMENTS AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET ON THE EDGE OF COUNTY ROAD 4530 FOR THE SOUTHEAST CORNER CORNER OF THE ROAD DEVELOPMENT 47,484 ACRE TRACT AND THE SOUTHEAST CORNER OF THE DANIEL PHILLIPS SURVEY, A-825, AND AN INTERIOR ANGLE CORNER OF THE ARTHUR HITCHCOCK SURVEY, A-846, SAME BEING THE NORTHEAST CORNER OF THE JOSEPH LEITCHER 8.16 ACRE TRACT RECORDED IN VOLUME 495, PAGE 71 OF THE OFFICIAL PUBLIC RECORDS AND SAME BEING THE SOUTHWEST CORNER OF THE CRAIG TURNER 23.01 ACRE TRACT AND OF THE HEREIN DESCRIBED TRACT;

THENCE N 01°51'15" E 1222.02 FT., WITH THE EAST LINE OF THE PHILLIPS SURVEY AND THE WEST LINE OF THE HITCHCOCK SURVEY AND THE WEST LINE OF THE TURNER 23.01 ACRE TRACT, TO A 1/2" IRON ROD SET FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE S 72°48'10" E 600.80 FT. TO A 1/2" IRON ROD SET FOR THE NORTHEAST CORNER OF THIS TRACT LOCATED ON THE UPPER EAST BOUNDARY LINE OF THE TURNER 23.01 ACRES AND IN THE CENTER OF COUNTY ROAD 4515, FROM WHICH A 1/2" IRON ROD SET FOR REFERENCE CORNER BEARS N 72°48'10" W 18.00 FT.;

THENCE S 09°35'11" W 359.44 FT., WITH THE CENTER OF COUNTY ROAD 4515, TO A 1/2" IRON ROD SET FOR AN ANGLE CORNER ON THE EAST BOUNDARY OF THE TURNER 23.01 ACRES AND OF THIS TRACT;

THENCE S 13°01'15" W 300.00 FT., CONTINUING WITH THE CENTER OF SAID COUNTY ROAD, TO A 1/2" IRON ROD SET FOR THE SOUTHWEST CORNER OF THE TURNER 23.01 ACRES AND OF THIS TRACT LOCATED AT THE INTERSECTION OF THE CENTER OF COUNTY ROAD 4515 WITH THE CENTER OF COUNTY ROAD 4520;

THENCE S 50°45'15" W 527.50 FT., WITH THE SOUTH BOUNDARY LINE OF THE TURNER 23.01 ACRE TRACT, TO THE PLACE OF BEGINNING AND CONTAINING WITHIN THESE BOUNDS 11.228 ACRES OF LAND.

THE BEARINGS NOTED HEREIN ARE BASED ON AND/OR ROTATED TO THE NORTH LINE OF THE CRAIG TURNER 23.01 ACRE TRACT. (N 71°11'00"E)

SURVEYED DECEMBER 4, 2010

I, LYLE RAINY, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4800, DO HEREBY CERTIFY THAT THE FIELDNOTE DESCRIPTION OF THE ABOVE DESCRIBED TRACT WAS PREPARED FROM AN ACTUAL AND ACCURATE ON THE GROUND SURVEY AND THAT SAME IS TRUE AND CORRECT.

  
LYLE RAINY  
REGISTERED PROFESSIONAL  
LAND SURVEYOR NO. 4800

