

NOTICE OF FORECLOSURE SALE

Date: February 9, 2023

Deed of Trust ("Deed of Trust"):

Dated: March 1, 2019

Grantor: James Wade Garner and Michelle R. Garner

Trustee: Taylor J. Shelton

Lender: Debra L. Finsterwald

Recorded in: Vol. 744, Page 490, Official Public Records of Wheeler County, Texas

Legal Description: All of Lots 13-16, Block 29, Original Town of Wheeler, Wheeler County, Texas, save and except the East 14.0 feet of the North 22.4 feet of Lots 13, Block 29, Original Town of Wheeler, Wheeler County, Texas.

Secures: Promissory Note ("Note") in the original principal amount of \$155,000, executed by James Wade Garner and Michelle R. Garner ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, March 7, 2023, being the first Tuesday of the month

Time: The sale of the Property will be held at 10:00 a.m., or within three hours thereafter

Place: At the intersection of where the North-South and East-West Halls intersect on the First Floor of the County Courthouse, 401 Main Street, Wheeler, Texas 79096, as designated by the Wheeler 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 Debra Finsterwald'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, Debra Finsterwald, the owner and holder of the Note, has requested Trustee to sell the Property.

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

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 Debra Finsterwald. 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.

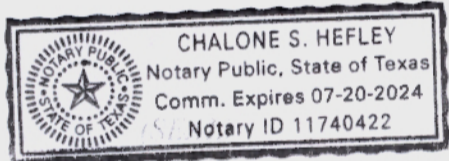
Pursuant to section 51.0075(a) of the Texas Property Code, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Trustee.

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.

Taylor J. Shelton
Taylor J. Shelton, Trustee

STATE OF TEXAS §
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COUNTY OF WHEELER §

9th This instrument was acknowledged before me, the undersigned authority, on this the _____ day of February, 2023, by Taylor J. Shelton, Trustee.



Chalone S. Hefley
Notary Public, State of Texas

FILED FOR RECORD
2023 FEB -9 AM 11:46
Margaret Dorman
MARGARET DORMAN
COUNTY CLERK
WHEELER COUNTY, TEXAS
BY _____