

**Notice of Foreclosure Sale**

February 12, 2020

Deed of Trust ("Deed of Trust"):

Dated: April 17, 2018

Grantor: John Lee McCloud and wife, Laura McCloud

Trustee: L. Scott Horne

Lender: Stuart B. Weitz and wife, Carol A. Weitz

Recorded in: Instrument No. 152651-2018, Lamar County Official Public Records;

Legal Description: See Exhibit "A" attached hereto and made a part hereof.

Secures: Deed of Trust ("Note") in the original principal amount of \$30,000.00, executed by John Lee McCloud and wife, Laura McCloud ("Borrower") and payable to the order of Lender

Substitute Trustee: Chris W. Fitzgerald

Substitute Trustee's Address: P.O. Box 651, Paris, Texas, 75461 (Mail Only); 32 W Plaza Street, Paris, Texas 75460

Foreclosure Sale:

Date: Tuesday, March 3, 2020

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.

Place: The East foyer, First Floor of the Lamar County Courthouse, 119 N. Main Street, Paris, Lamar County, Texas 75460

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 Stuart B. Weitz and wife, Carol A. Weitz 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

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obligations of the Deed of Trust. Because of that default, Stuart B. Weitz and wife, Carol A. Weitz, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

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.

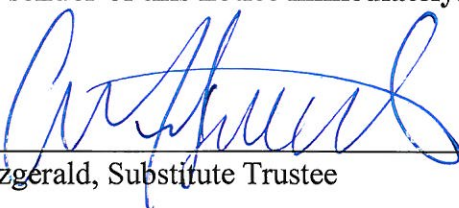
If Stuart B. Weitz and wife, Carol A. Weitz passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 Stuart B. Weitz and wife, Carol A. Weitz. 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 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.**

  
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Chris W. Fitzgerald, Substitute Trustee

**EXHIBIT "A"**

All that certain tract or parcel of land situated within the corporate limits of the City of Paris, Lamar County, Texas, a part of the Larkin Rattan Survey and a part of a tract of land conveyed Bonnie B. Swaim by deed of record in Book 344, Page 321, Lamar County Deed Records, and all of a tract conveyed to Bonnie B. Swaim by deed of record in Book 335, Page 609, Lamar County Deed Records, described by metes and bounds as follows;

**BEGINNING** at a stake in the South Boundary Line of West Sherman Street at a point 354.6 feet West from the West Boundary Line of 4<sup>th</sup> Street Southwest;

**THENCE SOUTH** 175 feet, a stake;

**THENCE WEST** 51.3 feet, a stake at the Southwest corner of the Swaim tract of land described in deed of record in Book 335, Page 609, Lamar County Deed Records;

**THENCE NORTH** 175 feet, a stake at its Northwest corner;

**THENCE EAST** with the South Boundary Line of West Sherman Street 51.3 feet to the place of beginning, and being the same property described in deed from Burriss H. Penny and wife, Mary A. Penny, to Carl David Brown, a single man, dated April 28, 1981, of record in Book 634, Page 765, Lamar County Deed Records.

Also known as: 505 W. Sherman Street Paris, Texas 75046