

Notice of Foreclosure Sale

July 6, 2020

Deed of Trust ("Deed of Trust"):

Dated: January 31, 2018

Grantor: Brian Shanahan and Ruby Maxine Holly Beery

Trustee: Jeff Actkinson

Lender: Rogelio Moreno and Patricia Moreno

Recorded in: Deed Records of the real property records of Bailey County, Texas, recorded in Vol. 322 Page 168 of the real property records of Bailey County, Texas

Legal Description: A tract of land in the Northwest Quarter of Section 14, League No. 142, Hansford County School Lands, Bailey County, Texas, tract of land being described as follows:

BEGINNING at a nail in a bottle cap found in the Center line of Farm to Market Road No. 596, for the Northwest corner of Section No. 14, League No. 142, Hansford County School Lands, in Bailey County, Texas;

THENCE South along the West line of Section No. 14, a distance of 2111.3 feet;

THENCE East and parallel with the North line of Section 14, a distance of 140 feet to a point, the Northwest corner and **BEGINNING POINT** of the tract being conveyed herein;

THENCE East and parallel with the North line of Section No. 14, a distance of 68.7 feet;

THENCE South and parallel with the West line of Section No. 14, aforesaid; 280 feet to a point for corner;

THENCE West and parallel with the North line of Section No. 14, a distance of 168.7 feet to the East Right of Way line of Farmer to Market Road No. 596;

THENCE North and parallel with the West line of Section No. 14, a distance of 230 feet to a point;

THENCE East parallel with the North line of Section No. 14, aforesaid, a distance of 100 feet to a point;

THENCE North parallel with the West line of Section No. 14, aforesaid; 50 feet to the place of beginning. Said tract contains 0.970 Acres of Land.

Secures: Promissory ("Note") in the original principal amount of \$52,000.00, executed by Brian Shanahan and Ruby Maxine Holly Beery ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Foreclosure Sale:

Date: Tuesday, August 4, 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 am and not later than three hours thereafter.

Place: Bailey County Courthouse

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 Rogelio Moreno and Patricia Moreno'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, Rogelio Moreno and Patricia Moreno, 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 Rogelio Moreno and Patricia Moreno's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Rogelio Moreno and Patricia Moreno'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.

If Rogelio Moreno and Patricia Moreno 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.

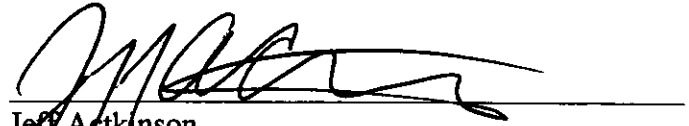
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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 Rogelio Moreno and Patricia Moreno. 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.



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