

Notice of Foreclosure Sale

1. **Property to be Sold.** The Property to be sold is described as follows: (including buildings, fences, windmills and tanks, pumps, motors, watering and irrigation equipment and apparatus and any other improvements and fixtures now or later affixed to or used on the described land):

All that certain lot, tract or parcel of land situated in the City of De Leon, Comanche County, Texas, being Lot 7, Block 2, Arrowhead Hills Addition to the City of De Leon, as shown by the plat of said addition recorded in Volume 4, Page 34, Deed Records of Comanche County, Texas.

2. **Instrument to be Foreclosed.** The instrument to be foreclosed is the deed of trust recorded on December 30, 2022, in Volume 488, Page 223 of the Deed of Trust Records of Comanche County, Texas.

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

Date: June 6, 2023

Time: 10:00 am – 1:00 pm

Place: Comanche Courthouse Steps

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 records 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 Grantor therein. The real property and personal 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 indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of \$56,554.86, executed by Orville Houghton and Debbie Houghton, and payable to the order of Charles Mazurek; (b) all renewals and extensions of the note; and (c) any and all present and future indebtedness of Grantor to Beneficiary. Charles Mazurek 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 at 214 N. Austin Street, Comanche, Texas 76442; (325) 356-1086.

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

Dated: May 16, 2023.



THOMAS C. MAZUREK IV
Mazurek, Belden & Burke, PC
214 N. Austin Street
Comanche, Texas 76442
(325) 356-1086

FILED
AT 9:15 O'CLOCK A M

MAY 16 2023


Clerk, County Court Comanche Co., Texas