

Notice of Foreclosure Sale

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

All that property described in Exhibit "A" attached hereto and incorporated herein for all purposes.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded in Instrument No. 2301844 of the Real Property Records of Brown 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 2, 2024
- 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: Brown County Courthouse in Brownwood, Texas, at the following location: the South Broadway porch of the Brown County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioners Court, pursuant to section 51.002 of the Texas Property Code.

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 refileing 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 cash on the day the property is sold.

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 GWENDOLYN JOYCE ALLEN and LARRY DOBY WILSON.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of \$165,000.00, executed by GWENDOLYN JOYCE ALLEN and LARRY DOBY WILSON, and payable to the order of TEXASBANK; and (b) all renewals and extensions of the note. TEXASBANK 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 207 N. Fisk, Brownwood Texas 76801 or to the beneficiary, TEXAS BANK at 400 Fisk Avenue, Brownwood Texas 76801.

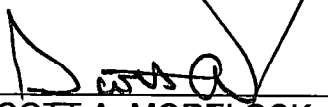
7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

8. **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**

POSTED Sharon Ferguson, Brown County Clerk Time 10:45 AM
JUN 11 2024
By Deputy: <i>HCU</i>

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.

Dated June 11, 2024.



SCOTT A. MORELOCK
207 N. Fisk Ave.
Brownwood, TX 76801
325-646-9795 - Telephone
325-646-7855 - Fax

POSTED
Sharon Ferguson, Brown County Clerk
Time 10:15 AM

JUN 11 2024

By Deputy: *ffw*

Exhibit "A"
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TRACT ONE:

Being all of Lot 1, Southview Subdivision Block K to the City of Brownwood, Brown County, Texas as shown by the plat of record in Volume 5, Page 8, Plat Records, Brown County, Texas.

TRACT TWO:

0.0098 ACRES of land in the City of Brownwood, Brown County, Texas, being out of the D. J. Jones Survey 50, Abstract 549, said 0.0098 acres being a part of that tract of land described in the deed from Tressa Finnigan and husband, Joe Dan Finnigan, to Kyle Kirkland dated January 26, 2006, and recorded in Volume 1626, Page 372, Brown County Real Property Records.

BEGINNING at the easternmost north corner of Lot 1 and the northernmost west corner of Lot 2 of Block K of the Southview Subdivision (Plat Cabinet 5, Slide 8), said corner being marked with a found 1/2" iron stake, said beginning point also being located in the southeast line of said Kirkland tract, 26.07' N42°38'57"E of the south corner of said Kirkland tract.

THENCE S42°38'57"W 26.07' with the southeast line of said Kirkland tract and a northwest line of said Lot 1 to said south corner of said Kirkland tract, said corner being marked with a 1/2" iron stake found at an interior corner of said Lot 1.

THENCE N33°06'03"W 18.36' with the southwest line of said Kirkland tract and a northeast line of said Lot 1 to the westernmost north corner of said Lot 1, said corner being marked with a found 1/2" iron stake.

THENCE N43°14'57"E 22.44' along an extension of the longest northwest line of said Lot 1 to the intersection of this line with an extension of the longest northeast line of said Lot 1, said intersection point being marked with a 1/2" iron stake set for the north corner of this tract.

THENCE 544°28'03"E 17.58' along said extension of the longest northeast line of said Lot 1 to the place of beginning, this tract containing 0.0098 acres, more or less, as shown hereon. Bearings given herein are relative to the State Plane Coordinate System, Texas Central, NAD 83(1986). Distances and areas given herein reflect horizontal surface measurements. Set 1/2" iron stakes are 2 foot long 1/2" iron rebar stakes painted red and capped with a red plastic identifier cap having the text NEEDHAM SURVEYORS 1-877-625-2357 SURVEYING SINCE 1945.

