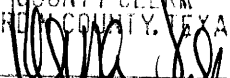


2019 SEP -3 AM 10:56

Notice of Foreclosure Sale

THE FORECLOSURE IS SCHEDULED TO OCCUR ON OCTOBER 1, 2019

GLENDA ALSTON
 COUNTY CLERK
 HARDIN COUNTY, TEXAS
 BY 

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.

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

 LOTS 4-6 BLK 1 KIRBY 2 AB 29 E HUNTER P# S34-1-2 I# 959/213 ACRES .620; also described as Lots Four (4), Five (5), and Six (6), of Block One (1), KIRBY ADDITION, SECTION 2, to the Town of Silsbee, Hardin County, Texas, and according to the map or plat of said Addition recorded in Volume 2, Page 54, Plat Records, Hardin County, Texas; more commonly known as 1116 N. 5th Street, Silsbee, Hardin County, Texas, 77656.
2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust recorded as Document/Instrument No. Document No. 2015-52993 of the real property records of Hardin County, Texas.
3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

 Date: October 1, 2019

 Time: The sale will begin no earlier than 1:00 p.m. or no later than three hours thereafter. The sale will be completed by no later than 4:00 p.m.

 Place: Commissioner's Courtroom, first floor of courthouse or as otherwise designated by county commissioner's court.
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 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 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

1 | Gene F. Colvin & Gay C. Colvin

| Acct. No. 150003HM2

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 or any Substitute 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 an expedited foreclosure sale of a Transferred Tax Lien created pursuant to Sections 32.06 and 32.065, Texas Tax Code, Section 51.002, Texas Property Code and the power of sale granted by the Deed of Trust executed by Gene F. Colvin and Gay C. Colvin.

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 Note in the original principal amount of \$14,634.46, executed by Gene F. Colvin and Gay C. Colvin, and payable to the order of Mack Brooks, LLC; (b) all renewals and extensions of the Note; and (c) any and all present and future indebtedness of Gene F. Colvin and Gay C. Colvin to Mack Brooks, LLC. Mack Brooks, LLC 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 Dylan Schultz, Nikolaos P. Stavros, J. Lindsey Rusler, Brian Bellamy or Wendy Storey at 7200 North MoPac Expy., Suite 270, Austin, Texas 78731.

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.

Dated: 3 day of September, 2019


Marie Brooks, Nikolaos P. Stavros,
J. Lindsey Rusler, Dylan Schultz, Wendy Storey,
Brian S. Bellamy or Clinton Holden
7200 North MoPac Expy., Suite 270
Austin, TX 78731
Telephone: (512) 346-6011
Fax: (512) 346-6005

AFTER POSTING RETURN TO:
Stavros & Kelly, PLLC
7200 North MoPac Expy., Suite 270
Austin, TX 78731
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Fax: (512) 346-6005