

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

FILED FOR RECORD
2019 AUG 30 11:14
GLENDAL ALSTON
COUNTY CLERK
HARDIN COUNTY, TEXAS
BY: *Angie Dunham*

NOTICE OF FORECLOSURE SALE

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

BEING Lot Number One (1) and Two (2), Block Two (2), in the South Silsbee Townsite Co. Addition to the Town of Silsbee, Hardin County, Texas, according to the original map or plat thereof on record in the Office of the County Clerk of Hardin County, Texas in Volume 2, Page 3, of the Plat Records.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded as Instrument Number 2013-35488 of the Official Public 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: TUESDAY, SEPTEMBER 3, 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: Hardin County Courthouse, Courthouse door, or any other place deemed by the Commissioner's Court.

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 re-filed in accordance with the posting and filing requirements of the Texas Property Code. The reposting or re-filing 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 foreclosure sale being conducted pursuant to the authority conferred upon me by that certain appointment of substitute trustee executed by Val D. Hickman, and the power of sale granted by the deed of trust and warranty deed with vendor's lien by Grantors, HOLLIS TICE and wife, JAMIE TICE, to Grantee, VAL D. HICKMAN, dated February 26, 2013, and each recorded respectively, as Instrument Numbers 2013-35488 and 2013-35487 of the Official Public Records of Hardin County, Texas.

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 indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to (a) the promissory note in the original principal amount of \$38,900.00, executed by HOLLIS TICE and wife, JAMIE TICE, and payable to the order of VAL D. HICKMAN, in 90 monthly installments with 9.0 percent simple interest; (b) all renewals and extensions of the note; and (c) any and all present and future indebtednesses of HOLLIS TICE and wife, JAMIE TICE, to VAL D. HICKMAN, who is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

As of August 8, 2019, there was owed \$16,486.55 on the note, being principal, interest and penalties. Interest is accumulating at the rate of \$11.67 per day.

Questions concerning the sale may be directed to the undersigned.

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.

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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

Dated: August 8, 2019.

By: 

Jennifer Jackson Morones, Substitute Trustee,
attorney and/or authorized agent for Mortgagee
of Mortgagee Servicer

P.O. Box 2383
222 N. 5th Street
Silsbee, Texas 77656
Telephone: (409) 385-9800
Facsimile: (409) 385-9801

2019-97231
GLENDA ALSTON
COUNTY CLERK
2019 Aug 08 at 04:50 PM
HARDIN COUNTY, TEXAS
By: AD, DEPUTY