

**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.**

## Notice of Foreclosure Sale

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

### Tract One:

Being all that certain lot, tract or parcel of land situated in Hunt County, Texas, being part of the J.H. Arnold Survey, Abstract No. 23, being part of the J.W. Harrison Survey, Abstract No. 494, being part of the 151.293 acres tract described in the Deed from Claude M. Brewer to Jim Hooks and Michele Hooks recorded in the Official Public Records of Hunt County in Volume 1391, Page 465 and being more particularly described as follows:

BEGINNING at a ½ inch iron rod set in the West line of County Road No. 1098 in the middlemost interior corner of said 151.293 acres tract;

THENCE S. 00 deg. 41' 56" E. along said west line of Road, 20.62 feet to a ½ inch iron rod set, for a corner;

THENCE N. 41 deg. 19' 24" W. 89.87 feet to a ½ inch iron rod set, for a corner;

THENCE N. 01 deg. 07' 48" E. 8.91 feet to a ½ inch iron rod set, for a corner;

THENCE N. 90 deg. 00' 00" W. 1164.34 feet to a ½ inch iron rod set in the northernmost west line of said 151.293 acres tract, for a corner;

THENCE N. 00 deg. 00' 00" W. with the northernmost west line of said 151.293 acres tract, 723.14 feet to a ½ inch iron rod set at a fence corner for a corner said point being S. 01 deg. 57' 18" E. 775.97 feet from the northernmost northwest corner of said tract;

THENCE S. 90 deg. 00' 00" E. 1208.61 feet to a ½ inch iron rod set, for a corner;

THENCE S. 01 deg. 07' 48" W. 721.12 feet to a ½ inch iron rod set, for a corner;

THENCE S. 41 deg. 19' 24" E. 76.97 feet to a ½ inch iron rod set in the northernmost south line of said 151.293 acres tract, for a corner, said point being in the north line of said road;

THENCE S. 89 deg. 40' 22" W. with the northernmost south line of said 151.293 acres tract, 21.96 feet to return to the Place of Beginning and containing 20.000 acres of land.

### Tract Two:

Being a tract or parcel of land situated in Hunt County, Texas, being part of the J.H. Arnold Survey, Abstract No. 23 and part of the J.W. Harrison Survey, Abstract No. 494, being part of the 151.293 acres tract described in the Deed from Claude M. Brewer to Jim Hooks and Michele Hooks recorded in the Official Public Records of Hunt County in Volume 1391, Page 465 and being more particularly described as follows:

BEGINNING at a ½ inch iron rod found for a corner in the west line of Hunt County Road No. 1098, said Point of Beginning being S. 00 deg. 41' 56" E. a distance of 20.62 feet from the middlemost interior corner of said 151.293 acre tract;

THENCE S. 00 deg. 41' 56" E. along the west line of Hunt County Road No. 1098, a distance of 281.33 feet to a ½ inch iron rod set for a corner;

FILE FOR RECORD  
JANUARY 11 2011 11:59 AM  
COUNTY CLERK  
HUNT COUNTY TEXAS  
21 JAN -7 PM 2:59

THENCE S. 90 deg. 00' 00" W. a distance of 1226.93 feet to a ½ inch iron rod set for a corner;  
THENCE N. 00 deg. 00' 00" E. a distance of 357.70 feet to a ½ inch iron rod found for a corner;  
THENCE N. 90 deg. 00' 00" E. a distance of 1164.34 feet to a ½ inch iron rod found for a corner;  
THENCE S. 01 deg. 07' 48" W. a distance of 8.91 feet to a ½ inch iron rod found for a corner;  
THENCE S. 41 deg. 19' 24" E. a distance of 89.87 feet returning to the Point of Beginning and containing 10.000 acres of land.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust executed by Arrian Zane and wife, Diney Zane, dated September 15, 2009, recorded under Document No. 2009-12147, Official Public Records of Hunt County, Texas.

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

Date: February 2, 2021

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 1:00 p.m.

Place: THE NORTH STEPS OF THE COURTHOUSE INCLUDING THE HALLWAY AREA 20 FEET INSIDE ON THE 2<sup>ND</sup> FLOOR OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS.

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 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 and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by Arrian Zane and wife, Diney Zane.

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) Note in the original principal amount of \$133,000.00, executed by Arrian Zane and wife, Diney Zane, and payable to the order of Jim D. Hooks and wife, Michele C. Hooks, and (b) all renewals and extensions of the note; and (c) any and all present and future indebtednesses of Arrian Zane and wife, Diney Zane to Jim D. Hooks and wife, Michele C. Hooks. Jim D. Hooks and wife, Michele C. Hooks are the current holders of the Obligations and are the Beneficiaries under the Deed of Trust.

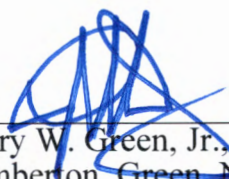
As of January 7, 2021, there was owed \$114,432.81 plus interest which has accrued under the terms of the Note and reasonable attorney fees reimbursable to the current holders under the Note and/or Deed of Trust.

Questions concerning the sale may be directed to the undersigned or to the Beneficiaries, Jim D. Hooks and wife, Michele C. Hooks, 11978 Hooks Lane, Princeton, Texas 75407.

If you are a debtor in a bankruptcy proceeding subject to the provisions of the United States Bankruptcy Code (Title 11 of the United States Code) you should promptly notify the Trustee and the Beneficiary at the addresses set forth in this Notice. If you provide the Trustee with the Bankruptcy Case Number, no further action will be taken to enforce the lien described in this Notice. In addition, all of Beneficiary's claims, demands, and accruals regarding the Obligations as defined in this Notice, whenever made, and whether for principal, interest, or otherwise, are intended to comply in all respects, both independently and collectively, with all applicable usury laws, and are accordingly limited so that all applicable usury laws are not violated.

7. *Default and Request to Act.* Default has occurred under the Deed of Trust, and the Beneficiary has requested me, as 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: January 7, 2021.



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Larry W. Green, Jr., Trustee  
Pemberton, Green, Newcomb & Weis  
2507 Washington Street  
Greenville, Texas 75401  
(903) 455-1876  
(903) 455-1710 (facsimile)