

FILE FOR RECORD
JENNIFER LINDENZWEIG
COUNTY CLERK HUNT COUNTY

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

21 MAR 16 AM 9:00

BY: 

STATE OF TEXAS §
 §
COUNTY OF HUNT §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated March 31, 2016, recorded in the Official Public Records of Hunt County, Texas under Instrument Number 2016-4194 (the "Deed of Trust"), William Webb (the "Borrower") conveyed to Princess D. Brown as Trustee (the "Trustee"), the property situated in Hunt County, Texas, together with all buildings, fixtures and improvements, more particularly described as follows, to wit:

All those certain tracts or parcels of land situated in the County of Hunt, State of Texas, being a part of the MARTIN MOORE SURVEY, ABSTRACT NO. 756, and being more fully described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

WHEREAS, the Property secures that one certain Real Estate Lien Note therein described in the original principal amount of \$85,000.00 (the "Indebtedness"), executed by William Webb and made payable to McDonald & Simmons 401(K) Plan (the "Lender"); and

WHEREAS, William Webb died on March 11, 2018 and a probate matter was opened "*In the Estate of William Leon Webb*," No. 18524 in County Court at Law No. 1, Hunt County, Texas. Letters of Administration were issued on May 9, 2019 to Steve Shipp, Dependent Administrator. An Authenticated Secured Claim was filed on September 4, 2019 on the Indebtedness and an Agreed Order Establishing Secured Claims of McDonald & Simmons 401(K) Plan was signed by the Court on December 3, 2020. On January 7, 2021, Lender filed an Application for Foreclosure on Claim and an Agreed Order Authorizing Foreclosure on Claim was signed by the Court on January 19, 2021.

WHEREAS, the undersigned has been appointed as Substitute Trustee in the place and instead of Princess D. Brown, Trustee in the Deed of Trust, said appointment being in the manner authorized by the Deed of Trust; and

WHEREAS, default has occurred under the terms of the Indebtedness secured by the Deed of Trust, the Indebtedness is now wholly due, and the owner and holder of the Indebtedness has requested the undersigned to sell the Property to satisfy same.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, April 6, 2021 (that being the first Tuesday of said month), at 10:00 a.m., (or not later than three (3) hours thereafter), I will sell the Property at public auction to the highest bidder, or bidders, at the common area at the base of the Central stairway on the 2nd floor inside the Hunt County Courthouse, located at 2507 Lee Street, Greenville, Texas 75401, or the base of the North steps outside of the Courthouse in the event the Courthouse is closed on the first Tuesday of the month, said location having been designated by the County Commissioners (the "Commissioners") of Hunt County, Texas (or such other location as may be designated by the Commissioners after the sending of this Notice and before the time of the sale). I will make due conveyance of the Property to the purchaser or purchasers by general warranty deed binding mortgagor, its successors and assigns. The Lender may cause the sale to be canceled or adjourned from time to time without further notice.

The Property will be sold to the highest bidder, subject to the reservations hereinafter stated. Unless the Lender is the highest bidder and thus the purchaser at the sale, the purchase price must be paid in cash or other immediately available funds satisfactory to the undersigned at the conclusion of the sale. The undersigned will not be liable for any finder's fees or commissions in connection with the sale.

The Lender shall have the right to bid for and purchase the Property at the sale. If the Lender is the highest bidder and thus the purchaser of the Property, it will credit the net proceeds of the sale (after deduction of all sale expenses and other sums properly charged against the sale proceeds) against the unpaid balance of the Indebtedness.

The Property shall be sold for cash, except that Lender's bid may be by credit against the Indebtedness.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. EXCEPT AS EXPRESSLY PROVIDED HEREIN, NEITHER THE LENDER NOR THE SUBSTITUTE TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

ACTIVE MILITARY SERVICE NOTICE

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.

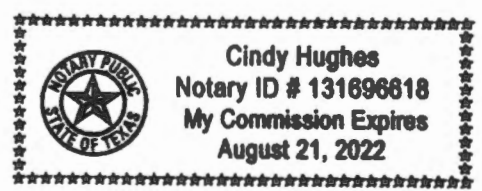
EXECUTED on the 12th day of March, 2021.

Christina A. Tillett

**CHRISTINA A. TILLETT
WILLIAM B. MUNSON
GARLAND D. CARDWELL
PRINCESS D. BROWN**
Substitute Trustees under the Deed of Trust
123 South Travis Street
Sherman, Texas 75090
Tel. (903) 893-8161

**STATE OF TEXAS §
 §
COUNTY OF GRAYSON §**

This instrument was acknowledged before me this the 12th day of March, 2021, by Christina A. Tillett, as Substitute Trustee under the Deed of Trust.



Cindy Hughes
Notary Public, State of Texas

EXHIBIT "A"
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TRACT 1

BEING a tract or parcel of land situated in Hunt County, Texas, being a part of the Martin Moore Survey, Abstract No. 756, also being part of a 179.08 acre tract of land as described in a Warranty Deed with Vendor's Lien from Dr. Bruce R. Beard and wife, Barbara Beard to Jeffrey Lewis Nixon and wife, Cathryn Jones Nixon as recorded in Volume 212 at Page 382 of the Real Property Records of Hunt County, Texas and being further described as follows:

BEGINNING at a 1/2 inch iron rod found for a corner in the center of Hunt County Road No. 1145, said Point of Beginning being at the existing northwest corner of an 11.145 acre tract as conveyed to John Weaver as recorded in/under Document No. 2015-2237 of Hunt County, Texas, said Point of Beginning also being further marked by a fence post on the east side of Hunt County Road No. 1145 bearing N 86°33'46" E at a distance of 31.89 feet;
THENCE N 03°31'42" E along the west line of said 179.08 acre tract and the center of Hunt County Road No. 1145, a distance of 145.15 feet to a 1/2 inch iron rod found for a corner;
THENCE N 86°33'46" E a distance of 302.23 feet to a 1/2 inch iron rod found for a corner;
THENCE S 03°31'42" W a distance of 145.15 feet to a 1/2 inch iron rod found for a corner;
THENCE S 86°33'46" W along and leaving a fence and along the north line of said 11.145 acre tract, a distance of 302.23 feet returning to the Point of Beginning and containing 1.000 acre of land.

TRACT 2

BEING a tract or parcel of land situated in Hunt County, Texas, being a part of the Martin Moore Survey, Abstract No. 756, also being part of a 179.08 acre tract of land as described in a Warranty Deed with Vendor's Lien from Dr. Bruce R. Beard and wife, Barbara Beard to Jeffrey Lewis Nixon and wife, Cathryn Jones Nixon as recorded in Volume 212 at Page 382 of the Real Property Records of Hunt County, Texas and being further described as follows:

BEGINNING at a 1/2 inch iron rod found for a corner, said Point of Beginning being at the existing southwest corner of a 20.19 acre tract as conveyed to Southwest Farmland, Inc. as recorded in Volume 867 at Page 587 of the Official Public Records of Hunt County, Texas;
THENCE N 87°40'22" W along a fence, a distance of 355.16 feet to a fence post for a corner, said corner being at the existing northeast corner of an 11.145 acre tract as conveyed to John Weaver as recorded in/under Document No. 2015-2237 of Hunt County, Texas;
THENCE N 87°26'03" W along a fence and the north line of said 11.145 acre tract, a distance of 476.23 feet to a fence post for a corner;
THENCE S 88°54'41" W along a fence and the north line of said 11.145 acre tract, a distance of 373.36 feet to a fence post for a corner;
THENCE S 86°33'46" W along a fence and the north line of said 11.145 acre tract, a distance of 13.91 feet to a 1/2 inch iron rod found for a corner;
THENCE N 03°31'42" E a distance of 145.15 feet to a 1/2 inch iron rod found for a corner;
THENCE S 86°33'46" W a distance of 302.23 feet to a 1/2 inch iron rod found for a corner in the center of Hunt County Road No. 1145;

EXHIBIT "A"
PAGE 2 OF 2

THENCE N 03°31'42" E along the west line of said 179.08 acre tract and the center of Hunt County Road No. 1145, a distance of 481.63 feet to a 1/2 inch iron rod found for a corner, said corner being at the existing southwest corner of a 2.064 acre tract as conveyed to Hickory Creek Special Utility District as recorded in Volume 1215 at Page 578 of the Official Public Records of Hunt County, Texas;

THENCE S 87°41'13" E along the south line of said 2.064 acre tract, a distance of 300.00 feet to a 1/2 inch iron rod found for a corner at the southeast corner of said 2.064 acre tract;

THENCE N 03°31'42" E along the east line of said 2.064 acre tract, a distance of 230.42 feet to a 1/2 inch iron rod found for a corner;

THENCE S 86°28'18" E a distance of 1207.42 feet to a 1/2 inch iron rod found for a corner;

THENCE S 02°48'18" W along a fence and the west line of said 20.19 acre tract, a distance of 779.78 feet returning to the Point of Beginning and containing 25.343 acres of land.