

NOTICE OF FORECLOSURE SALE

October 1, 2019

FILED
2019-09-30 11:03 AM
CLERK OF DISTRICT COURT
Hale County, Texas
Aspman

Deed of Trust ("Deed of Trust"):
Dated: June 21, 2018
Grantor: Christopher Cervantes
Trustee: Meredith J. Hatch
Lender: Roy Tullis
Recorded in: Instrument No. 2018-001858 of the real property records of Hale County, Texas
Legal Description: Lot 8, Block 16, College Hill Addition to the Town of Plainview, Hale County, Texas
Secures: Promissory Note ("Note") in the original principal amount of \$40,000.00, executed by Christopher Cervantes ("Borrower") and payable to the order of Lender
Foreclosure Sale:
Date: Tuesday, 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: Place designated by the Hale County Commissioners Court at the Hale County Courthouse, 500 Broadway, Plainview, Texas, being generally described as the area of the bulletin board at the west entrance.
Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Richard Tullis's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Richard Tullis, as Independent Executor of the Estate of Roy Tullis, the current owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Richard Tullis's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Richard Tullis's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Richard Tullis passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Roy Tullis. 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 "AS IS," without any expressed or implied warranties, except as to the warranties (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(a) of the Texas Property Code, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Trustee.

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.


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