

#450

Notice of Foreclosure Sale

Deed of Trust ("Deed of Trust"):

Dated: September 6, 2017

Grantor: Terry Fowler

Trustee: Jimmy C. Fowler

Lender: First Bank and Trust of Memphis

Recorded in: Volume 386, Page 193 of the Official Public Records of Hall County, Texas

Legal Description: An undivided one-half (1/2) interest in and to 265.90 acres of land, more or less, and being a part of Section 12 and Section 13, Block R, T.A. Thompson Survey, Hall County, Texas, as more fully described on Exhibit "A" attached hereto and made a part hereof for all purposes.

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$25,000, executed by Terry Fowler ("Borrower") and payable to the order of Lender

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Foreclosure Sale:

Date: Tuesday, October 6, 2020

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three hours thereafter.

Place: Hall County Courthouse at the location designated by the Hall County Commissioners Court

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 First Bank and Trust of Memphis'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, First Bank and Trust of Memphis, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of First Bank and Trust of Memphis's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with First Bank and Trust of Memphis'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, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If First Bank and Trust of Memphis 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 First Bank and Trust of Memphis. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

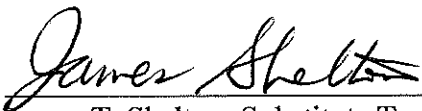
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute 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 Substitute 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.

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.


James T. Shelton, Substitute Trustee

PO Box 1370
CLARENDON, TX 79226
Telephone (806) 874-3591
Telecopier (806) 874-3298

EXHIBIT "A"

Farm described as 265.90 acres, more or less, situated six and one-half miles South of Memphis, in Hall County, Texas, known as the "Friendship Place", and described as follows:

(a) A 64 acre tract of land, a prt of Section 12, Block R, T.A. Thompson Survey in Hall County, Texas, BEGINNING at a point located 907.2 varas North 89 deg. 49' East and 566.3 varas South 0 deg. 11' East of a 2" ironpipe set for the common South corner of Sections 12 and 14, Block 1B, H. & G.N. Ry. Co. Curvey; THENCE South 0 deg. 11' East 383.7 varas to a point in the South boundary line of said Section 12, Block R; THENCE North 89 deg. 48' East with the South boundary line of said Section 12, Block R, 997 varas; THENCE North 0 deg. 11' West 383.7 varas; THENCE South 89 deg. 49' West 997 varas to the Place of BEGINNING, and

(b) An 86.9 acre tract of land out of Section No. 13, Block R, T. A. Thompson Survey in Hall County, Texas, bounded as follows: BEGINNING at a point 89 deg. 40' East 141 varas and North 651.17 varas from the Northeast corner of the S. B. Foxhall 70.7 acre survey; THENCE North 89 deg. 49' East 997 varas; THENCE North 490.6 varas; THENCE South 89 deg. 49' West along the North boundary line of said Section 13, Block R, 997 varas; THENCE South 498.6 varas to the Place of Beginning, and

(c) A part of Section 13, Block R, T. A. Thompson Survey in Hall County, Texas and bounded as follows: BEGINNING at a point located in the North boundary line of Section 47, Block 1, S.P. Ry. Co. Survey in Hall County, Texas, and South 89 deg. 40' East 141 varas from the Northeast corner of the said S. B. Foxhall 70.7 acre survey; THENCE south 89 deg. 41' East 809 varas to the Northeast corner of said Section 46, Block 1, S.P. Ry. Co. Survey; THENCE North 34 varas to the Northwest corner of Section 46, Block 1, S.P. Ry. Co. Survey; THENCE South 89 deg. 40' East 188 varas to the Southeast corner of this tract; THENCE north 617.17 varas; THENCE West 997 varas; THENCE South 651.17 varas to the Place of BEGINNING, containing 115 acres, and being that same land described and conveyed in deed dated April 24, 1989 from Lorain Sanders, et al to H. D. Fowler and Myldia B. Fowler of record in Vol. 206, Page 298, Deed Records of Hall County, Texas.

Being the same land described as Second Tract in a Special Warranty Deed dated February 5, 2000 and recorded in Vol. 301, page 347, Official Public Records of Hall County, Texas.

HALL COUNTY CLERK
DUSTI CARP
2020 SEP 10 PM 2:50
Dustin Carpentier