

AT 1:15 FILED O'CLOCK PM

'AUG 11 2020

Christina Johnson
COUNTY CLERK, CORYELL CO., TEXAS

**APPOINTMENT OF SUBSTITUTE TRUSTEE &
NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

Date: August 11, 2020

Deed of Trust:

Dated: July 31, 2017
Grantor: Alice J Stack Mullahy and husband, William J Mullahy
Trustee: Mary Jane Zeigler
Lender: Robert Shaffer (the "Mortgagee")
Recorded in: Clerk's File No. 299804, Public Records of Coryell County, Texas
Secures: Real Estate Note ("Note") in the original principal amount of \$63,250 00, executed by Alice J. Stack Mullahy and husband, William J. Mullahy ("Borrower") and payable to the order of Lender

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

Appointment of Substitute Trustee: In my capacity as the attorney for the Mortgagee and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Charis B. Clawson as Substitute Trustee to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

Substitute Trustee's Address: 620 E Leon St., Gatesville, TX 76528

Foreclosure Sale:

Date: September 1, 2020

Time of Sale: 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 (3) hours thereafter.

Place of Sale: North steps of the Coryell County Courthouse, Gatesville, Texas, in the area designated for foreclosure sales by the Commissioners' Court of Coryell County, Texas.

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 Lender'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, Lender, 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 Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender'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

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 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 Lender. 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 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 ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE AS THE ATTORNEY OF THE MORTGAGEE.



Charis B. Clawson
Attorney for Mortgagee
State Bar # 24107583
620 E. Leon Street
Gatesville, Texas 76528

EXHIBIT A

FIELD NOTES for a tract of land in Coryell County, Texas, out of and a part of the James George Survey Abstract 389, and the land herein described being out of and a part of Lot # 15, to the City of Cooperas Cove, Coryell County, Texas.

BEGINNING at an iron rod found in the west margin of Georgetown Road that bears N., $17^{\circ} 46' 00''$ E., 134.0 feet, from the east margin of Rose Ave for the southeast corner of this.

THENCE N., $71^{\circ} 00' 30''$ W., 148.40 feet, to an iron rod found in the east margin of a 15.0 foot alley for the southwest corner of this.

THENCE N., $18^{\circ} 09' 00''$ E., 60.0 feet with the east margin of said alley to an iron rod for the northwest corner of this.

THENCE S., $70^{\circ} 59' 50''$ E., 148.00 feet, to an iron pipe found in the west margin of Georgetown Road for the northeast corner of this.

THENCE S., $17^{\circ} 46' 00''$ W., 60.0 feet, to the point of beginning containing 0.204 acre of land.