FILE FOR RECORD

JEHNIFFR LINDENZWEIG

NOTICE OF FORECLOSURE SALE

19 JAN 14 PH 12: 43

Notice is hereby given of a public non-judicial foreclosure sale.

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

All property (real, personal or otherwise) described in the deed of trust (as hereinafter defined as the "Deed of Trust"), together with the rights, appurtenances and improvements thereto, including, but not limited to, the real property described on **Exhibit A** attached hereto and made a part hereof. In the event any property encumbered by the Deed of Trust has been released by Lender (or its predecessor in interest, as applicable), then said released property shall be excluded from the property sold at foreclosure.

2. <u>Date, Time, and Place of Sale.</u> The sale is scheduled to be held at the following date, time, and place:

Date: Tuesday, February 5, 2019.

Time: The sale shall begin no earlier than 1:00 p.m. or no later than three hours thereafter. The sale shall be completed by no later than 4:00 p.m.

Place: The sale will take place at the Hunt County Courthouse at the place designated by the Hunt County Commissioner's Court.

The Deed of Trust permits the Lender (as hereinafter defined) 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 and/or Texas Business and Commerce Code. Such reposting or refiling may be after the date originally scheduled for this sale.

3. 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 Lender to have the bid credited 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 cash on the day the property is sold.

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

- 4. <u>Type of Sale</u>. The sale is a non-judicial foreclosure sale being conducted pursuant to the power of sale granted by that certain Deed of Trust (the "<u>Deed of Trust</u>") recorded under Instrument No. 2012-7139 in the Real Property Records of Hunt County, Texas, and executed by Alissa Ann Hardemon and Clinton A. Hardemon (whether one or more, the "<u>Grantor</u>"), for the benefit of 21st Mortgage Corporation ("<u>Lender</u>"), covering the property described above.
- 5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Indebtedness") including but not limited to the unpaid principal and interest owing on: that certain Consumer Loan Note, Security Agreement and Disclosure Statement (the "Note") dated on or about June 15, 2012, executed by the Grantor and payable to the order of Lender, and all renewals, modifications and extensions of the Note. Lender is the current owner and/or holder of the Note and the Indebtedness and is the beneficiary under the Deed of Trust.

Questions concerning the sale may be directed to the undersigned or to the Lender:

21st Mortgage Corporation 620 Market Street One Center Square Knoxville, TN 37902

Phone: 800-955-0021 Fax: 866-231-4851

- 6. <u>Default and Request To Act.</u> Default has occurred under the Deed of Trust, and Lender has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale Lender may appoint another person as substitute trustee to conduct the sale.
- 7. Armed Forces 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.

DATED: January 11th, 2019.

Richard A. McKinney, Substitute Trustee

Higier Allen & Lautin, P.C.

The Tower at Cityplace

2711 N. Haskell Ave., Suite 2400

Dallas, Texas 75204

Telephone: (972) 716-1888

Fax: (972) 716-1899

PLEASE FAX ALL COMMUNICATIONS REGARDING THIS MATTER TO THE SUBSTITUTE TRUSTEE AT 972-716-1899 (FAX), NOTE THE SUBSTITUTE TRUSTEE'S NAME ON YOUR COVER SHEET AND CONTACT THE SUBSTITUTE TRUSTEE AT 972-716-1888 (PHONE) TO CONFIRM RECEIPT. PLEASE ASSUME YOUR FAX HAS NOT BEEN RECEIVED UNTIL YOU VERBALLY CONFIRM RECEIPT THEREOF WITH OUR OFFICE. THANKS IN ADVANCE FOR YOUR COOPERATION.

EXHIBIT A

PROPERTY DESCRIPTION

[FOLLOWS THIS COVER PAGE]

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Exhibit "A" - Property/Legal Description

STATE OF TEXAS: COUNTY OF HUNT:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE GEORGE W. DAVIS SURVEY, ABSTRACT NO. 229, HUNT COUNTY, TEXAS, AND BEING PART OF TRACT TWO AS CONVEYED TO SIMON AND CARLA SANCHEZ, RECORDED IN VOLUME 1823, PAGE 496, OFFICIAL PUBLIC RECORDS, HUNT COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED B G & A RPLS 5569 FOR CORNER, IN THE EAST LINE OF F.M. HIGHWAY 1565, SAID POINT BEING THE NORTHWEST CORNER OF SAID SANCHEZ TRACT TWO AND THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO BOB AND CAROLYN LLOYD, RECORDED IN VOLUME 897, PAGE 127, DEED RECORDS, HUNT COUNTY, TEXAS;

THENCE SOUTH 89 DEGREES 40 MINUTES 24 SECONDS EAST ALONG THE SOUTH LINE OF SAID LLOYD TRACT A DISTANCE OF 508.19 FEET TO A 3/8 INCH IRON ROD FOUND FOR CORNER, THE NORTHEAST CORNER OF HEREIN DESCRIBED TRACT AND THE SOUTHEAST CORNER OF SAID LLOYD TRACT, SAID POINT BEING IN THE WEST LINE OF A TRACT OF LAND CONVEYED TO DAVID AND SHEILA W. HOLCOMB RECORDED IN VOLUME 420, PAGE 533, DEED RECORDS, HUNT COUNTY, TEXAS;

THENCE SOUTH 00 DEGREES 01 MINUTES 36 SECONDS WEST ALONG THE WEST LINE OF SAID HOLCOMB TRACT AND THE WEST LINE OF A TRACT OF LAND CONVEYED TO JAMES AND JOYCE MILLER RECORDED IN VOLUME 291, PAGE 838, DEED RECORDS, HUNT COUNTY, TEXAS, A DISTANCE OF 257.18 FEET TO A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED B G & A RPLS 5569 FOR CORNER, THE SOUTHEAST CORNER OF HEREIN DESCRIBED TRACT, FROM WHICH A 1/2 INCH IRON ROD FOUND FOR WITNESS BEARS SOUTH 00 DEGREES 01 MINUTES 36 SECONDS WEST – 550.47 FEET;

THENCE NORTH 89 DEGREES 40 MINUTES 24 SECONDS WEST A DISTANCE OF 508.07 FEET TO A 1/2 INCH IRON ROD SET WITH YELLOW CAP STAMPED B G & A RPLS 5569 FOR CORNER, THE SOUTHWEST CORNER OF HEREIN DESCRIBED TRACT, SAID POINT BEING IN THE EAST LINE OF SAID F.M. HIGHWAY 1565, FROM WHICH A 1/2 INCH IRON ROD FOR WITNESS BEARS SOUTH – 46.93 FEET;

THENCE NORTH ALONG THE EAST LINE OF SAID F.M. HIGHWAY 1565 A DISTANCE OF 257.18 FEET TO THE PLACE OF BEGINNING AND CONTAINING 130,680.00 SQUARE FEET OR 3.00 ACRES OF LAND.