

**NOTICE OF SUBSTITUTE TRUSTEE SALE**

**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.**

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

ALL THOSE CERTAIN LOTS, TRACTS OR PARCELS OF LAND SITUATED IN THE COUNTY OF HUNT, STATE OF TEXAS, BEING PART OF THE JAMES LEVINS SURVEY, AND BEING LOTS 32, 33 AND 34, BLOCK 8, UNIT TWO OF PANORAMA ESTATES, A SUBDIVISION ON THE SHORES OF LAKE TAWAKONI, HUNT COUNTY, TEXAS, ACCORDING TO THE RECORDED PLAT THEREOF RECORDED IN VOLUME 400, PAGE 280, DEED RECORDS OF HUNT COUNTY, TEXAS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Homestead Lien Contract and Deed of Trust recorded July 5, 2005, as Document Number 10781; and, Modification of Deed of Trust recorded July 6, 2009, as Document Number 2009-8076, in the Official Public Records of Hunt County, Texas.

3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: May 7, 2019

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale will be completed by no later than 4:00 p.m.

Place: Hunt County Courthouse in Greenville, Texas, at the following location:

2507 Lee Street, Greenville, Hunt County, Texas.

The deed of trust permits the beneficiary 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. The reposting or refiled may be after the date originally scheduled for this sale.

4. *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 beneficiary thereunder to have the bid credited first to all expenses of the sale, including, but not limited to, reasonable Trustee's and attorneys' fees, then to all sums secured by the security instrument, then to any person or persons legally entitled to any excess.

2019-05107  
FILED FOR RECORD  
at 4:05 o'clock P M  
APR 16 2019  
JENNIFER LINDENZWEIG  
County Clerk, Hunt County, Tex.  
By \_\_\_\_\_

BY: \_\_\_\_\_  
19 APR 16 PM 4:07  
FILE FOR RECORD  
JENNIFER LINDENZWEIG  
COUNTY CLERK HUNT CO. TX

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

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. The sale shall not cover any part of the property that has been released of public record from the lien of 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.

Pursuant to the deed of trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (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 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

5. *Type of Sale.* The sale is a deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Hoyt Cates and further orders of the court in Cause No. 18495, Estate of Hoyt L. Cates, County Court at Law No. 2, Hunt County, Texas.

The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to the adjustable note in the original principal amount of \$10,000.00, plus the amount of \$5,500.00 in the Modification of Deed of Trust, executed by Hoyt Cates and payable to State Farm Bank, F.S.B. State Farm Bank, F.S.B., individually, is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

Dated: April 16, 2019.

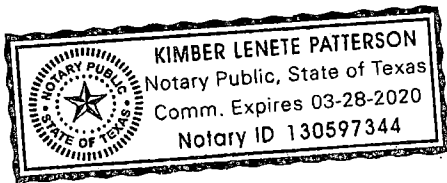
*Katrina Pemberton*

Katrina M. Pemberton, Substitute Trustee  
2608 Stonewall Street  
P.O. Box 1353  
Greenville, Texas 75403  
Telephone (903) 454-0044  
Facsimile (903) 454-1514

STATE OF TEXAS §

COUNTY OF HUNT §

Before me, the undersigned notary public, on this day personally appeared Katrina M. Pemberton, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.



*Kimber Patterson*

Notary Public, State of Texas