

FILE FOR RECORD
 JENNIFER LINDENZWEIG
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 BY:
 DEPUTY

NOTICE OF NON-JUDICIAL FORECLOSURE SALE

WHEREAS, on August 22, 2008, Patrick S. Gibson and spouse Leigh A. Gibson, executed a Deed of Trust to secure in the payment of that certain Promissory Note of even date therewith in the principal sum of **\$35,950 (Thirty Five Thousand, Nine Hundred, Fifty and 00/100 Dollars)**, said Deed of Trust being filed for record on September 19, 2008 as document Number 14142 in Volume 1795, pages 493 through 496, of the Hunt County Clerks Records. Subsequently per instrument recorded on February 14, 2011 as Document Number 2011-1546 of the Hunt County Clerk's Records, an Assignment of Notes and Liens dated February 8, 2011 in favor of Homestead Opportunity Fund, LP, a Texas limited partnership, to which and the record thereof reference is made for all purposes.

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of the said original Trustee, upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, default, as same is defined in the Promissory Note and/or the Deed of Trust, has occurred and the outstanding indebtedness on same is now wholly due; and

WHEREAS, Homestead Opportunity Fund, LP, the Owner and Holder of the Promissory Note has requested the undersigned to sell the real property described in the Deed of Trust to satisfy said indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, January 7, 2020 beginning at 1:00 o'clock pm, or not later than 4:00 o'clock pm, the Substitute Trustee, will sell the following described real property, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness affecting the property which is superior to the Deed of Trust, if any, at the Courthouse of Hunt County, Texas, in the area designated by the Commissioners Court of such County, or if no such area has been so designated, then at the place where non-judicial foreclosure sales of real property are customarily and regularly held in Hunt County, Texas, which real property is described as follows:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF COMMERCE, HUNT COUNTY, STATE OF TEXAS, A PART OF JAMES A. BURNETT SURVEY AND DESCRIBED AS FOLLOWS, TO-WIT:

- BEGINNING** AT THE NORTHEAST CORNER OF LOT DEEDED BY NETTIE SPEARMAN, ET VIR, J.W. SPEARMAN TO MENZO SALMON DEED DATED FEBRUARY 21, 1941, RECORDED IN VOLUME 409, PAGE 338, DEED RECORDS OF HUNT COUNTY, TEXAS;
- THENCE** EAST 60 FEET;
- THENCE** SOUTH 115 FEET;
- THENCE** WEST 60 FEET;
- THENCE** NORTH 115 FEET TO THE PLACE OF BEGINNING. BEING A PART OF LOT DEEDED TO NETTIE SPEARMAN BY LURA TANNER, ET AL AS APPEARS OF RECORD IN VOLUME 264, PAGE 393, DEED RECORDS OF HUNT COUNTY, TEXAS

Together with all improvements on the property; all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water rights, and water stock; all fixtures attached to the property; and all personal property, if any described in and secured by the Deed of Trust.

The property to be sold is the same property described in said Deed of Trust, except as same may have been modified of record.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE(S), EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER THE OWNER OF THE PROMISSORY NOTE NOR THE SUBSTITUTE TRUSTEE(S) MAKES ANY REPRESENTATIONS OR WARRANTIES WITH THE RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATIONS WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

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.

IN WITNESS HEREOF, this instrument has been executed to be effective November 30, 2019

Property Address: 1611 Caddo, Commerce, Hunt County, Texas 75428

Substitute Trustee, *Linda Booker*
Linda Booker, P.O. Box 301193, Austin, TX 78703-0020