

5-1-23

**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.**

## Notice of Foreclosure Sale

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

All those certain lots, tracts or parcels of land in the E-Z Living West Subdivision, located and being situated in Hunt County, Texas and being fully described in the Exhibit "A" attached hereto and made a part hereof as though fully copied herein being known as 10040 Private Road 3814, Quinlan, Texas.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust executed by William Jesse Thompson, dated February 21, 2022, recorded under Document No. 2022-04184, 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 2, 2023

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 1:00 p.m.

Place: North steps of courthouse, including hallway area 20 feet inside north door on second floor, located at 2507 Lee Street, Greenville, Texas or as designated by the County Commissioners.

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 to the note 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 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 nonjudicial deed-of-trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust executed by William Jesse Thompson.

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 indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to (a) Note in the original principal amount of \$58,500.00, executed by William Jesse Thompson, and payable to the order of Brenda Davidson, and (b) all renewals and extensions of the note. Brenda Davidson is the current holder of the Obligations and is the Beneficiary under the Deed of Trust.

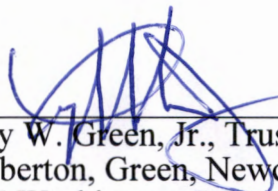
As of April 10, 2023, there was owed \$50,000.00 plus interest which has accrued under the terms of the Note, late fees and reasonable attorney fees reimbursable to the current holder under the Note and/or Deed of Trust and the ad valorem real property taxes for the year 2022.

Questions concerning the sale may be directed to the undersigned or to Beneficiary at 1955 FM 1569, Greenville, Texas 75401.

If you are a debtor in a bankruptcy proceeding subject to the provisions of the United States Bankruptcy Code (Title 11 of the United States Code) you should promptly notify the Trustee and the Beneficiary at the address set forth in this Notice. If you provide the Trustee with the Bankruptcy Case Number, no further action will be taken to enforce the lien described in this Notice. In addition, all of Beneficiary's claims, demands, and accruals regarding the Obligations as defined in this Notice, whenever made, and whether for principal, interest, or otherwise, are intended to comply in all respects, both independently and collectively, with all applicable usury laws, and are accordingly limited so that all applicable usury laws are not violated.

7. *Default and Request to Act.* Default has occurred under the Deed of Trust, and the Beneficiary has requested me, as 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 10, 2023



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Larry W. Green, Jr., Trustee  
Pemberton, Green, Newcomb & Weis  
2507 Washington Street  
Greenville, Texas 75401  
(903) 455-1876  
(903) 455-1710 (facsimile)

2023 APR 10 PM 3:05  
REPUT

## EXHIBIT "A"

### TRACT 1:

ALL those certain lots, tracts or parcels of land in the E-2 Living West Subdivision, located and being situated in Hunt County, Texas, and being Lot(s) 358, 359, 360, 361, 362, and 363, a part of the REESE PRICE SURVEY, and being more particularly described by that certain plat filed of record in Volume 400 Page 885 of the Plat Records of Hunt County, Texas, to which reference is made for full description of same.

### TRACT 2A:

BEING s71 that certain lot, tract, or parcel of land situated in the REESE PRICE SURVEY, ABSTRACT NO. 882, Hunt County, Texas, and being a part of E-2 LIVING WEST SUBDIVISION, a Plat of said Subdivision being of record under Clerk's File No. 2949, Plat Records, Hunt County, Texas, and being part of an area designated as "Reserved Area" in the South part of said Subdivision, said lot, tract, or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the Northwest corner of Lot 370 of said Subdivision, same being the Southwest corner of said "Reserved Area", said POINT OF BEGINNING being North 89° 53' 28" East, a distance of 145.31 feet and North a distance of 187.83 feet from a concrete marker found at the west southerly southwest corner of said Subdivision;

THENCE North 89° 59' 30" East, along the West line of said "Reserved Area", a distance of 146.49 feet to a 1/2 inch iron rod found for the southwest corner of Lot 369 of said Subdivision, same being the Northwest corner of said "Reserved Area";

THENCE along the North line of said "Reserved Area" as follows:

SOUTH 89° 39' 08" East, a distance of 74.10 feet to a 1/2 inch iron rod found for a corner;

NORTH 87° 37' 28" East, a distance of 50.15 feet to a 1/2 inch iron rod found for a corner;

SOUTH 81° 35' 51" East, a distance of 47.55 feet to a 1/2 inch iron rod found for a corner;

SOUTH 47° 18' 57" East, a distance of 183.42 feet to a 5/8 inch iron rod set in concrete found for a corner;

NORTH 44° 08' 02" East, a distance of 38.82 feet to a 5/8 inch iron rod set in concrete found for a corner in the West right-of-way line of a Public Road;

THENCE South 45° 51' 58" East, along said right-of-way line, same being the East line of said "Reserved Area", a distance of 25.99 feet to a 5/8 inch iron rod set for a corner;

THENCE South 87° 45' 44" West, along the South line of said "Reserved Area", a total distance of 238.52 feet to a 5/8 inch iron rod set at an angle point;

THENCE North 88° 25' 13" West, continuing along said South line, a distance of 83.00 feet to a 1/2 inch iron rod found at an angle point;

THENCE South 71° 43' 08" West, continuing along said South line, a distance of 49.84 feet to the POINT OF BEGINNING and containing 6.578 acres or 28,184,000 square feet of land.