

11-12-2024

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 that certain lot, tract or parcel of land situated in Hunt County, Texas being fully described in the Exhibit "A" attached hereto and made a part hereof as though fully copied herein.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust executed by Jaye Guari Ata-Bo Cook, dated April 29, 2021, recorded under Document No. 2021-08974, 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: October 1, 2024

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 Beneficiaries 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 refiling may be after the date originally scheduled for this sale.

The Beneficiaries have duly appointed in writing, by an Appointment of Substitute Trustee dated March 31, 2023, filed of record under Document No. 2023-06582, Official Public Records of Hunt County, Texas, Larry W. Green, Jr., and his assigns, any one of them, as Substitute Trustee under the Deed of Trust.

FILED FOR RECORD
at 9:45 o'clock AM

SEP 10 2024

BECKY LANDRUM
County Clerk, Hunt County, Tex.
by *B. Kinoy*

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 Beneficiaries 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 Beneficiaries have 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 Jaye Guari Ata-Bo Cook.

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 \$117,500.00, executed by Jaye Guari Ata-Bo Cook, and payable to the order of Christopher M. Cobb and wife, Teresa Cobb, and (b) all renewals and extensions of the note. Christopher M. Cobb and wife, Teresa Cobb are the current holders of the Obligations and are the Beneficiaries under the Deed of Trust.

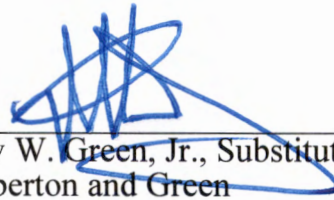
As of September 10, 2024, there was owed \$98,382.08 plus interest which has accrued under the terms of the Note, late fees and reasonable attorney fees reimbursable to the current holder under the Note and/or Deed of Trust and the delinquent ad valorem real property taxes for the year 2023.

Questions concerning the sale may be directed to the undersigned or to the Beneficiaries at 1719 Hideaway Lane, Quinlan, Texas 75474.

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 Beneficiaries 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 Beneficiaries 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 Beneficiaries have requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale the Beneficiaries may appoint another person substitute Trustee to conduct the sale.

Dated: September 10, 2024



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

Exhibit "A"

All that certain lot, tract or parcel of land situated in Hunt County, Texas and being a part of the Mary Latham Survey, Abstract No. 597 and a part of 107.32 acres in said survey described in assignment from Arnold to Claude Martin of record in Volume 532, page 599 of the Hunt County Deed Records, and more particularly described as follows:

BEGINNING at a point on the South boundary and the center of a public road of said Arnold to Martin land 266 feet West from the Southeast corner of said Martin land, which Southeast corner is further identified as being 1606 varas South and 586.2 varas West from Northeast corner of said Latham Survey;

THENCE West along road and said boundary of Martin land 133 feet to corner;

THENCE North 01 deg. 04' W., 1637 feet to corner;

THENCE East 133 feet to corner;

THENCE S. 01 deg. 04' E., 1637 feet to Place of Beginning and containing 5 acres of land, including the manufactured home situated on the Property. Also known as Lot 20 of Sunset Estate Addition, an unrecorded subdivision of Hunt County, Texas.