

FILED FOR RECORD
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AMY L. VASQUEL,
CASS COUNTY CLERK

Notice of Substitute Trustee's Sale

Deed of Trust:

Dated: April 27, 2020
Grantor: Theodore Thomas Adkins, Jr., a single person
Trustee: Amanda Whatley Lafferty
Mortgagee: Bruce E. Anderson
Recorded in: Instrument No. 2020001650 of the real property records of Cass County, Texas

Legal Description:

See Exhibit A

Secures:

Promissory Note dated April 27, 2020, in the original principal amount of \$38,104.00, executed by Theodore Thomas Adkins, Jr., a single person ("Borrower") and payable to the order of Mortgagee and all other indebtedness of Borrower to Mortgagee.

Modifications and Renewals:

None.

Original Property:

The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Released Property:

None.

Property:

The Original Property, save and except the Released Property

Assignment:

None.

Guaranty:

None.

Substitute Trustee:

Janis Pritchard

Substitute Trustee's Address:

201 Pine Dr., Atlanta, Texas 75551, Cass County

Foreclosure Sale:

Date:

September 5, 2023

Time:

The sale of the Property will be held between the hours of 10:00

A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 and not later than three hours thereafter.

Place: The North Entrance of the Cass County Courthouse located on Houston Street, Linden, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Bruce E. Anderson's (Mortgagee) bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Mortgagee as appointed Janis Pritchard as Substitute Trustee under the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Bruce E. Anderson, mortgagee, owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Bruce E. Anderson's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with his rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Bruce E. Anderson passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Bruce E. Anderson. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (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(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.



Janis Pritchard

P.O. Box 221

Atlanta, Texas 75551

Exhibit A

The West One-Half (½) of Lot Numbered Two (2), and the East One-Half (½) of Lot Numbered Three (3), in Block Numbered Four (4) of WILLIS ADDITION to the City of Atlanta, Cass County, Texas; Same being commonly known as 206 Third Street, Atlanta, Texas 75551: TOGETHER WITH all improvements situated thereon and being the same Property conveyed from Mary Monelle Phillips, formerly Mary Monelle Treadway, To Bobby W. Tilley and wife, Melba R. Tilley, by Warranty Deed dated January 22, 2002, to which instrument reference is here made for all purposes.