

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 RSTATE 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

Date: December 13, 2021

Property to be sold, commonly known as 365 N. Main Street, Barnhart, Texas, and further being described as follows:

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), Twenty (20), Twenty-One (21), Twenty-Two (22), Twenty-Three (23) and Twenty-Four (24), Block Twenty-Eight (28), TOWN OF BARNHART, Irion County, Texas, per map or plat of record in the office of the County Clerk, Irion County, Texas.

The Deed of Trust to be foreclosed upon

Recorded in Real Property Records of Irion County, Texas

Dated August 15, 2018

Under Volume & Page Volume 0254, Page 169, #20180002392

The Sale is Scheduled to be held:

Place

The front steps on the East side of the Irion County Courthouse Located at 209 N. Park View St., Mertzon, Texas 76941, Or the area of the courthouse designated by the Commissioners Of Irion County, Texas for real property foreclosures

Date

January 4, 2022

Time

1:00 p.m. – 4:00 p.m.

Terms of Sale: The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the Deed of Trust, the mortgagee has the right to direct the Substitute Trustee to sell the property in one or more parcels and/or to sell all or only part of the Property. Pursuant to § 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.

Obligation Secured: The Deed of Trust executed by Ned Edward Smith, provided that it secures the payment of the indebtedness in the original principal sum amount of \$119,000.00, and obligations therein described including but limited to (a) the promissory note; and (b) all renewals and extensions of the note. Jimmy L. Baker is the current mortgagee of the note and deed of trust and Beesley & Albert, PLLC, is mortgage servicer. A servicing agreement between the mortgagee, whose address is P. O. Box 27, Barnhart, Texas 76930, and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

Substitute Trustee(s) Appointed to Conduct Sale: In accordance with Texas Property Code § 51.0076, the undersigned attorney or authorized agent for the mortgage servicer has named and appointed, and by these presents does name and appoint Liz W. Albert or Stormy Gale Vaughn, of the Law Offices of Beesley & Albert, P.L.L.C., whose address is 610 S. Abe Street, Suite A, San Angelo, Texas 76903, Substitute Trustee to act under and by virtue of said Deed of Trust.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF FORECLOSURE SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT FOR THE MORTGAGEE OR MORTGAGE SERVICER.

Stormy G. Vaughn

LIZ W. ALBERT or STORMY G. VAUGHN, Substitute Trustee
Law Offices of Beesley & Albert, P.L.L.C.
610 South Abe Street, Suite A
San Angelo, Texas 76903

FILED

THE 13 DAY OF December, 2021
AT O'CLOCK 1:41 P. M.
SHIRLEY GRAHAM
COUNTY DIST. CLERK, IRION COUNTY, TX
BY *Shirley Graham*
DEPUTY