

\*VG-1443-2019-1901304\*

Freestone  
County  
Linda Jarvis  
Freestone County  
Clerk

Instrument Number: 1901304

Foreclosure Posting

NOTICE OF FORECLOSURE

Recorded On: April 15, 2019 03:27 PM

Number of Pages: 5

" Examined and Charged as Follows: "

Total Recording: \$8.00

\*\*\*\*\* THIS PAGE IS PART OF THE INSTRUMENT \*\*\*\*\*

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

**File Information:**

Document Number: 1901304  
Receipt Number: 20190415000032  
Recorded Date/Time: April 15, 2019 03:27 PM  
User: Melissa S  
Station: Clerk Station

**Record and Return To:**

Abstract/Trustees of Texas  
PO BOX 9932  
AUSTIN TX 78766



STATE OF TEXAS  
COUNTY OF FREESTONE

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Freestone County, Texas.

Linda Jarvis  
Freestone County Clerk  
Freestone County, TX



AND

T. J. RINEY, H. HOOPER, S.G. HARVEY, B.K. PACKARD,  
5420 LBJ Freeway, Suite 220, Dallas, TX 75240.

The Substitute Trustees are authorized to sell the Premises at public venue to the highest bidder or bidders, for cash. *Note: Each substitute trustee is authorized individually, to act alone without the joinder of the other trustees.*

**Property to be sold:** 105 FM 1366, Wortham, TX 76693, and as further described in Exhibit A attached hereto, along with the improvements on such real property and any after acquired permanent improvements or title to such improvements and/or real property (the "Premises" as described in §9.604 of the Texas Uniform Commercial Code).

**Date of Sale:** Tuesday, May 7, 2019.

**Time of Sale:** The sale will begin no earlier than **10:00 AM** and no later than three (3) hours thereafter.

**Location of Sale:** At the **County Courthouse in Freestone County, Texas**, on the front steps at the South entrance of the courthouse, unless the location of the sale has been otherwise designated to a specific location by the Commissioner's Court of Freestone County. If such a designation by the Commissioner's Court has been made and recorded after the date hereof and prior to the time of the sale, then the Substitute Trustee will sell the Premises at the area designated by the Commissioner's Court of Freestone County, Texas.

**Terms of Sale:** The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Purchase Money 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 Purchase Money 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 Security Instrument, 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 Security Instrument. The sale shall not cover any part of the property that has been released of public record from the lien of the Security Instrument. 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 Security Instrument, 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

<b>PROPERTY ADDRESS:</b> 105 FM 1366 Wortham, TX 76693	<b>RP FILE NO. DITE02-656</b>	<b>BORROWER:</b> Evans, Patrick & Hopwood, Ashley
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as to the warranties of title (if any) provided for under the Purchase Money 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.

**Type of Sale:**


The sale is a non-judicial sale being conducted pursuant to the power of sale granted by the Security Instrument executed by Patrick Evans and Ashley Hopwood.

**Default and Notice:**

Default has been made in payment of the Note and Security Instrument and the Note is now unpaid, delinquent and in default. All required notices have been given to Patrick Evans and Ashley Hopwood and any and all other necessary parties with regard to the defaulted indebtedness. Servicer has requested the undersigned, substitute trustee, to post, file and give notice of foreclosure of the Security Instrument and the lien thereof in accordance with applicable Texas law and the terms and provisions of the Security Instrument.

Dated: April 12, 2019.

By:   
T.J. Riney, as attorney for Mortgage Servicer

By:   
T.J. Riney, Substitute Trustee

**AFTER RECORDING, PLEASE RETURN TO:**

Riney Packard, PLLC  
Attn: T.J. Riney  
Two Lincoln Centre  
5420 LBJ Freeway, Suite 220  
Dallas, Texas 75240

**THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED  
WILL BE USED FOR THAT PURPOSE**

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EXHIBIT "A"

FIELD NOTES

FIELD NOTES OF 0.500 ACRES OF LAND OUT OF THE J. P. MCGUFFIN SURVEY A-406, BEING A PART OF A 2.200 ACRE TRACT DESCRIBED IN A DEED CONVEYED TO MINNIE BAILEY AS RECORDED IN VOLUME 880, PAGE 639 IN THE OFFICIAL RECORDS OF FREESTONE COUNTY, TEXAS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a tes post found in the east margin of Farm Road 1366 and being the southwest corner of a 2.200 acre tract conveyed to Minnie Bailey in Volume 880, Page 639, thence with the east margin of Farm Road 1366, North 04° 21' 00" East for 207.05 feet to a ½ inch steel pin set for the southwest corner of this tract and the POINT OF BEGINNING;

THENCE continuing with the east margin of Farm Road 1366, North 04° 21' 00" East for 90.00 feet to a ½ inch steel pin found for the northeast corner of said 2.200 acre Minnie Bailey tract and being the northwest corner of this tract;

THENCE with north line of said 2.200 acre Minnie Bailey tract and the north line of this tract, South 85° 27' 00" East for 242.00 feet to a ½ inch steel set for the northeast corner of this tract;

THENCE with the east line of this tract, South 04° 21' 00" West for 90.00 feet to a ½ inch steel pin set for the southeast corner of this tract;

THENCE with the south line of this tract, North 85° 27' 00" West for 242.00 feet to the POINT OF BEGINNING.

As surveyed on the ground April 18, 2001.

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