

\*VG-1443-2020-2004130\*

Freestone  
County  
Linda Jarvis  
Freestone County  
Clerk

Instrument Number: 2004130

Foreclosure Posting

NOTICE OF FORECLOSURE

Recorded On: December 14, 2020 12:38 PM

Number of Pages: 6

" 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: 2004130  
Receipt Number: 20201214000016  
Recorded Date/Time: December 14, 2020 12:38 PM  
User: Melissa S  
Station: Clerk Station

**Record and Return To:**

FORECLOSURE SERVICES LLC



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

*Linda Jarvis*

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**DATE:** December 14<sup>TH</sup>, 2020

**PROMISSORY NOTE:** Promissory Note, described as follows:

Original Date: May 21, 2018

Maker: Ruby J. Brumlow, Individually, and as Trustor of The Freddie Brumlow and Ruby Jean Brumlow Revocable Living Trust

Payee: TCT Financial II, LLC, a Texas limited liability company

Amount: \$20,600.00

**DEED OF TRUST:** Deed of Trust, Mortgage, Assignment, Security Agreement and Financing Statement

Original Date: May 21, 2018

Grantor: Ruby J. Brumlow, Individually, and as Trustor of The Freddie Brumlow and Ruby Jean Brumlow Revocable Living Trust

Original Trustee: Esther Bennett

Beneficiary: TCT Financial II, LLC, a Texas limited liability company

Recorded in: Document Number 01801710, OR: 01743 / 00435-00442 of the Official Public Records of Freestone County, Texas.

**LENDER:** TCT Financial II, LLC, a Texas limited liability company

**BORROWER:** Ruby J. Brumlow, Individually, and as Trustor of The Freddie Brumlow and Ruby Jean Brumlow Revocable Living Trust

**PROPERTY:** The "Mortgaged Property" as described in the Deed of Trust and as described on Exhibit A attached hereto.

**SUBSTITUTE TRUSTEE:** Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Allan Johnston, Ronnie Hubbard or Kelly Goddard

**SUBSTITUTE TRUSTEE'S MAILING ADDRESS:**

c/o Hallett & Perrin, P.C.  
1445 Ross Avenue, Suite 2400  
Dallas, Texas 75202  
Attn: Michael B. Franklin

**DATE AND TIME OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:**

January 5, 2021, being the first Tuesday of the month, to commence at 11:00 a.m., or within three hours thereafter.



**PLACE OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:**

The front steps on the south entrance of the Freestone County Courthouse, located at 118 East Commerce Street, Fairfield, Freestone County, Texas 75840, or if the preceding area is no longer the designated area, then in the area of the courthouse designated by the Commissioners Court of Freestone County, Texas for real property foreclosures under Section 51.002 of the Texas Property Code pursuant to instrument(s) recorded in the real property records of Freestone County, Texas.

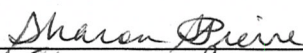
Default has occurred in the payment of the Promissory Note and in the performance of the obligations of the Deed of Trust, which secures the Promissory Note. Because of such default, Lender, the owner of the Promissory Note, and the holder of the Promissory Note and the Deed of Trust lien for purposes of Section 51.002 of the Texas Property Code, has requested Substitute Trustee to sell the Property in accordance with the terms of the Deed of Trust and applicable law.

The Deed of Trust encumbers both real and personal property. Formal notice is hereby given of Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code (Texas UCC).

Therefore, notice is given that on the Date and Time of Substitute Trustee's Sale of Property and at the Place of Substitute Trustee's Sale of Property, I, Substitute Trustee or such other Substitute Trustee as Lender may subsequently appoint, will sell the Property by public sale to the highest bidder for cash, in accordance with the Deed of Trust and applicable law. The sale and conveyance of the Property will be subject to all matters of record applicable to the Property which are superior to the Deed of Trust and to the permitted exceptions to title, if any, described in the Deed of Trust. Substitute Trustee has not made and will not make any covenants, representations, or warranties concerning the Property other than providing the successful bidder at the sale with a deed to the Property containing any warranties of title required by the Deed of Trust. The Property includes only Borrower's right, title, and interest in and to oil, gas and other minerals interests (including royalty interests) and is sold and conveyed "AS IS, WHERE IS", and WITH ALL FAULTS.

**Assert and protect your rights as a member of the armed forces of the United States. If you or your spouse is serving on active military duty, including active military duty as a member of the Texas Nation Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United State, please send written notice of the active duty military service to the sender of this notice immediately.**

**ALTHOUGH SUBSTITUTE TRUSTEE(S) WAS PREVIOUSLY APPOINTED PURSUANT TO THE DEED OF TRUST AND THE TEXAS PROPERTY CODE, FOR AVOIDANCE OF DOUBT, THIS INSTRUMENT REAFFIRMS THAT APPOINTMENT AS FOLLOWS: THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGEE SERVICER.**

  
Printed Name: Sharon St. Pierre  
Title: Substitute Trustee

**EXHIBIT "A"**  
**Mortgaged Property**

All of Borrower's right, title, and interest in and to the Minerals (hereinafter defined), and any current or future royalties, overriding royalties, bonuses, rents or other monies paid, due, or held in suspense as a result of the extraction, sale, lease, extension, or use of the following, or any proceeds therefrom:

1. The land described on Exhibit "A-1" attached hereto (the "**Lands**").
2. All natural resources or other substance of value which may be extracted or produced from the Lands (the "**Minerals**"). The Minerals include, but are not limited to oil, gas, carbons metals and water.
3. Any substances or materials that result from the extraction of Minerals from the Lands (the "**Products**"). The Products include, but are not limited to the extracted Minerals and any materials or substances created from the extracted Minerals.
4. Any existing leases that cover any part of the Lands (the "**Lease**").

The Mortgaged Property additionally includes all of Borrower's right, title, interest and estate in and to the Minerals and Proceeds and all other claims or causes of action held by or accruing to the Borrower under the Lease and any lease covering interests under the Lands or held by Borrower by virtue of ownership of the Lands, Minerals or Products, including, but not limited to revenues, incomes, and payments from royalties, overriding royalties, lease bonuses, lease extensions, and purchases.



**EXHIBIT "A-1"**

**Lands**

**FREESTONE COUNTY, TEXAS:**

<u>Lease</u>	<u>Abstract</u>	<u>Survey</u>
MCWATTERS, T. H.	402	LAMB, G
MCWATTERS, T. H.	448	MORRELL, J W
MCWATTERS, T. H.	111	BATES, U M
MCWATTERS, T. H.	718	DAVIS, N P
BRUMLOW	166	CASTLEMAN, J
SCHILL, MARY JANE	403	LAMB, G
BRUMLOW GAS UNIT NO. 1	94	BOND, J P
KINDON GAS UNIT #1	166	CASTLEMAN, J
MCWATTERS, T. H.	403	LAMB, G
KINDON GAS UNIT #1	56	BULLOCK, D
BRUMLOW GAS UNIT NO. 1	166	CASTLEMAN, J
BRUMLOW GAS UNIT NO. 1	18	LUNA, G
MCWATTERS, T. H.	587	SMYTH, G W
SCHILL, MARY JANE	587	SMYTH, G W
BRUMLOW GAS UNIT #1	18	LUNA, G
KINDON GAS UNIT NO. 1	56	BULLOCK, D
MCWATTERS, T. H.	391	LAUDERDALE, R
BRUMLOW GAS UNIT NO.1	18	LUNA, G
KINDON GAS UNIT #1	94	BOND, J P
KINDON GAS UNIT # 1	166	CASTLEMAN, J
SCHILL, MARY JANE	588	SANDERS, L E
MCWATTERS, T. H.	465	M&W
T. H. MCWATTERS	448	MORRELL, J W
KINDON GAS UNIT NO. 1	166	CASTLEMAN, J

**DESCRIPTION:**

Including but not limited to All of Grantor's oil, gas and minerals in the above Leases, Abstracts, and Surveys and also in Freestone County, Texas more particularly described to wit:

**TRACT 1:**

BEING 70.704 acres of land, more or less, out of the N.F. Davis Survey, A-718; the G.W. Smyth Survey, A-587, and the G.W. Lamb Survey, A-403, Freestone County, Texas,

TRACT 2:

Being 234.088 acres of land, more or less, situated in the J. P. Bond Survey, A-94, the J. Castleman Survey, A-166, and the T. J. Canady Survey, A-706, Freestone County, Texas

TRACT 3:

BEING 123.298 acres of land, more or less, out of the L.E. Sanders Survey, A-588 and the J.J. M. Foreman Survey, A-239, Freestone County, Texas

TRACT 4:

Being 104.937 acres of land, more or less, situated in the N. Peck Survey, A-820 and the J.J.M. Foreman Survey, A-239, Freestone County.