



NOTICE OF FORECLOSURE SALE

Assert and protect your rights as a member of the armed forces of the United States. If you are 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.

NOVEMBER 18, 2024

DEED OF TRUST:

Dated: MAY 16, 2022

Grantor: MICHAEL PHILLIPS and BETHANNA PHILLIPS

Substitute Trustee: JEREMY DERINGTON, SIERRA BARSTOW or CASEY THOMPSON

Lender: GLENDON R. CHICK and PAULA R. CHICK

Recorded as: Instrument No. 20221181, in Volume 610, Page 815, of the Real Property Records of Hamilton County, Texas

Legal Description:

TRACT ONE:

All that certain lot, tract or parcel of land being 0.0706 acres out of Lot 12 of the George S. Peters Block of the William Grubb Subdivision to Hico, Texas, also being part of a 0.183 acre tract described in a Warranty Deed dated September 20, 1995, from Bobby E. Hefner to Dennis McGavock and Lavada McGavock, recorded in Volume 293, Page 853 of the Deed Records of Hamilton County, Texas, further described as follows:

BEGINNING at an iron rod found at the intersection of the South line of Anderson Street with the East line of U.S. Hwy 281 (also State Highway 6), also being the NWC of said 0.183 acres and said Block, for the NWC of this tract;

THENCE N. 60-00 E. with the South line of Anderson Street and the North line of said 0.183 acres, 43.0 feet to an iron rod set at the NEC of this tract;

THENCE S .30-00 E. 75.0 feet to an iron rod set in the South line of said 0.183 acres, for the SEC of this tract;

THENCE S. 60-00 W. 39.0 feet to an iron rod found in the East line of U.S. Highway 281, for the SWC of this tract at the SWC of said 0.183 acres;

THENCE N. 33-03 W. with the East line of the U.S. Highway 281, 75.1 feet to the place of beginning.

TRACT TWO:

All that certain tract or parcel of land being 0.112 of an acre out of Lot 12 of the George S. Peters Block of the William Grubb Subdivision to Hico, Texas, also being part of a 0.183 acre tract described in a Warranty Deed dated September 20, 1995,



from Bobby E. Hefner to Dennis McGavock and Lavada McGavock, recorded in Volume 293, Page 859, of the Deed Records of Hamilton County, Texas.

BEGINNING at an iron rod found at the intersection of the west line of Center Street and the South line of Anderson Street, said point being the NEC of said 0.183 acres and said Lot 12, for the NEC of this tract;

THENCE S. 30-00 E. with the west line of Center Street and said Lot 12, 75.00 feet to an iron rod found at the SEC of this tract;

THENCE S. 60-00 W. with the south line of said 0.183 acres, 65.00 feet to an iron rod found at the SWC of this tract;

THENCE N. 30-00 W. 75.0 feet to an iron rod found in the south line of Anderson Street and the north line of said 0.183 acre, for the NWC of this tract;

THENCE N. 60-00 E. 65.0 feet to the place of beginning.

SAVE AND EXCEPT:

All that certain tract or parcel of land, situated in Hamilton County, Texas, and being 0.308 acres out of the Southerly part of Lot 12 in Block No. 1 of the Peters Addition to the Town of Hico, Hamilton County, Texas, said 0.308 acres described as follows:

BEGINNING at an iron rod set at the SEC of Lot No. 12, Block No. 1, Peters Addition for the SEC of this tract;

THENCE S. 60-00 W. with North Side of street, 98.8 feet to an iron rod set in East right of way U.S. Highway No. 281, for the SWC of this tract;

THENCE with the highway right of way, along a curve to the right, having a radius of 533.7 feet and central angle of 11-16, an arc distance of 105.0 feet (long chord bears N. 36-41W. 104.8 feet) to an iron rod at end of curve for a corner of this tract;

THENCE N. 30-08 E. with said right of way, 20.9 feet to an iron rod set for the NWC of this tract;

THENCE N. 60-00 E. 111.0 feet to an iron rod set in East line of Lot No. 12, being S. 30-00 E. 78 feet from the NEC of Lot No. 12 for the NEC of this tract;

THENCE S. 30-00 E. with the West line of Center Street, 125.0 feet to the place of beginning, and containing 0.308 acres of land, more or less.

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$105,000.00, executed by Michael Phillips and Bethanna Phillips ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

FORECLOSURE SALE:

Date: Tuesday, January 7, 2025

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 AM and not later than three hours thereafter.

Place: On the west center steps of the Hamilton County Courthouse at 102

North Rice Street in the city of Hamilton, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court or in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code.

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 Lender's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the performance of the obligations of the Deed of Trust. Because of that default, Glendon R. Chick and Paula R. Chick, the owner and holder of the Note, has requested a Substitute Trustee to sell the Property.

The Deed of Trust may encumber 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.

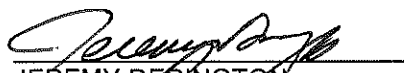
Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, a Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Lender 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 Lender. 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, a 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 a Substitute Trustee.


JEREMY DERINGTON
The Allen Firm, P.C.
181 S. Graham St.
Stephenville, TX 76401
Telephone: (254) 965-3185

FILED and RECORDED

Instrument Number: 20242049 B: RP V: 651 P: 302

Filing and Recording Date: 11/21/2024 10:23:48 AM Recording Fee: 2.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the REAL PROPERTY RECORDS of Hamilton County, Texas.



Rachel L. Geeslin

Rachel Lamb Geeslin, County Clerk
Hamilton County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.