

Notice of Foreclosure Sale

December 11, 2024
("Deed of Trust"):

Dated: April 25, 2017
Grantor: Deigo Mata and Anahy Mata
Trustee: Bird Old III
Lender: Barry G. Hamilton and Lana Hamilton
Recorded in: Under File Number 20171511 of the real property records of Travis County, Texas, being in renewal and extension of Assumption Agreement recorded in File number 20142937 of the real property records of Travis County, Texas

FILED FOR RECORD

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COUNTY CLERK TITUS CO TX

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Legal Description: All that certain lot, tract, or parcel of land situated in the City of Mt. Pleasant, Titus County, Texas, and being known and designated as Lot 6, Block A, PARK HILLS ADDITION, to the city of Mt. Pleasant according to the Map and Plat of said addition of record in Vol. 1 page 171 of the Plat Records of Titus County Texas.

Secures: Note ("Note") in the original principal amount of \$158,000.00, executed by Deigo Mata and Anahy Mata ("Borrower") and payable to the order of Lender

Modifications and Renewals: An assumption agreement, Dated August 2, 2024 and recorded under file number 20242937. (as used herein, the terms "Note" and "Deed of Trust" mean the Note and Deed of Trust as so modified, renewed, and/or extended)

Foreclosure Sale:
Date: Tuesday, January 7th, 2025.
Time: The sale of the Property will be held between 10:00 A.M. and 1:00 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: THE SOUTH DOOR OF THE TITUS COUNTY COURT HOUSE AT100 West 1st Street, Suite 204, Mount Pleasant, TX 75455

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 Barry G. Hamilton and Lana Hamilton's bid may be by credit against the indebtedness secured by the lien of 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, Barry G. Hamilton and Lana Hamilton, the owner and holder of the Note, have requested the Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Barry G. Hamilton and Lana Hamilton's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Barry G. Hamilton and Lana Hamilton'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, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Barry G. Hamilton and Lana Hamilton 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 Barry G. Hamilton and Lana Hamilton. 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, the 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.

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 MORTGAGE SERVICER.



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