NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

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SEP 1 4 2021

J.A. "ANDY" HARWELL, COUNTY CLERK

MOLENNAN COUNTY, TEXAS

1. <u>Property To Be Sold.</u> Lot 10, Block 25 of the University Heights Addition to the City of Waco, McLennan County, Texas, according to the plat of said addition recorded in Volume 65, Page 613 of the McLennan County, Texas Deed Records. Also known as 1719 Live Oak, Waco, Texas.

2. <u>Date, Time, and Place of Sale.</u> The sale is scheduled to be held at the following date, time, and place:

Date: October 5, 2021

Time: The sale shall begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale

shall be completed by no later than 1:00 P.M.

Place: McLennan County Courthouse in Waco, Texas, at the following location: 2nd floor of the

courthouse steps, facing Washington Avenue.

The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiling may be after the date originally scheduled for this sale.

3. <u>Terms of Sale</u>. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the 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 deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The 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 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

- 4. <u>Type of Sale</u>. The sale is a nonjudicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by CALVIN CARR, JR. AND WIFE, LATRICE RENA CARR. The deed of trust is dated July 24, 2018, and is recorded under Clerk's File #2018026599, of the Official Public Records, McLennan County.
- 5. Obligations Secured. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including but not limited to (1) the promissory note in the original principal amount of \$74,000.00, executed by CALVIN CARR, JR. AND WIFE, LATRICE RENA CARR and payable to the order of HENRY KEY MEDLIN, JR.; and all renewals and extensions of the note. HENRY KEY MEDLIN, JR., is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned.

6. <u>Default and Request To Act.</u> Default has occurred under the deed of trust, and the beneficiary has requested me, as Trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

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.

DATED September 14, 2021.

Gary D. Tully, Trystee

8300 Old McGregor Road, Suite 1A

Woodway, Texas 76712 Telephone: 254-772-6525 FAX: 254-772-6515

CERTIFIED MAIL NO. 7019 1640 0000 6051 6219 RETURN RECEIPT REQUESTED AND BY REGULAR MAIL