

#45

FILED
NICOLE TANNER, COUNTY CLERK
HILL COUNTY, TEXAS

NOTICE OF TRUSTEE'S SALE

(NON-JUDICIAL FORECLOSURE)

2022 JUL 12 PM 4:26

July 11, 2022

Notice is hereby given of a public, non-judicial foreclosure sale.

Notice to Member(s) of Armed Forces: 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 a as a member of the 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. The address of the sender of this notice is set forth below.

Deed of Trust:

Dated: December 1, 2020

Grantor: Tina Allen and Camille Cook

Trustee: David K. Waggoner

Beneficiary: Hard Investments, LLC

Recorded in: Volume 2081, Page 708, Clerk's Instrument Number 00117468, Official Public Records of Hill County, Texas

Secures: Real Estate Lien Note (the "Note") in the original principal amount of \$150,000.00, executed by Tina Allen and Camille Cook and payable to the order of Hard Investments, LLC.

Description of the Real Property: All of the real property (including all improvements, if any) described on **Exhibit "A"** attached hereto and incorporated herein for all purposes (the "Property").

Trustee: David K. Waggoner

Trustee's Address: 103 West Elm Street
P.O. Box 875
Hillsboro, Texas 76645

Foreclosure Sale (the "Sale"):

Date: Tuesday, August 2, 2022

Time: The Sale shall begin no earlier than 9:00 A.M., or no later than three hours thereafter. The Sale shall be completed by no later than 12:00 P.M.

Place: The east exterior steps of the Hill County Courthouse located at 1 North Waco Street, Hillsboro, Hill County, Texas, as designated for foreclosure sales by the Commissioners Court of Hill County, Texas, pursuant to Section 51.002 of the Texas Property Code.

Terms of Sale: 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 the Sale. Pursuant to the Deed of Trust, 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.

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 re-posted and re-filed in accordance with the posting and filing requirements of the Texas Property Code. Such re-posting or re-filing may be after the date originally scheduled for this Sale.

Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the property is sold. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.


The Sale is a non-judicial Deed of Trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust. 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. 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.

Pursuant to section 51.009 of the Texas Property Code, the Property shall be sold on an "AS IS, WHERE IS" basis, without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.

Default has occurred under the Deed of Trust and the Beneficiary has requested me, as the duly appointed Trustee, to conduct the Sale. Notice is given that before the Sale the Beneficiary may appoint another person as Substitute Trustee to conduct the Sale.

THIS INSTRUMENT APPOINTS THE TRUSTEE IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT (DEED OF TRUST) IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY AUTHORIZED TO CONDUCT THE FORECLOSURE SALE ON BEHALF OF THE MORTGAGEE (BENEFICIARY) .

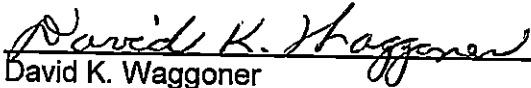
Executed this 11th day of July, 2022.



David K. Waggoner, Trustee
State Bar No. 50511604
103 West Elm Street
P.O. Box 875
Hillsboro, Texas 76645
Telephone: 254-580-0265
Info@WaggonerLawFirm.net

CERTIFICATE OF POSTING

I am David K. Waggoner, whose address is 103 West Elm Street, Hillsboro, Texas, 76645. I hereby declare under penalty of perjury that on July 12, 2022, my agent filed this Notice of Trustee's Sale at the office of the Hill County Clerk and caused it to be posted at the location directed by the Hill County Commissioners Court.



David K. Waggoner

EXHIBIT "A"

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Field Notes For:

A 10.00-acre tract of land in the J. Chambers Survey, Abstract No. 165, Hill County, Texas, as surveyed on the ground in November of 2020 by W.L. Vaughn, Registered Professional Land Surveyor No. 1807, being part of a called 243.146-acre tract described in a deed from C & G Realty E, LLC, et al, to Hard Investments, LLC, dated November 3rd, 2020, recorded in Volume 2076, Page 390 of the Hill County Deed Records and, being more particularly described, referenced to Texas Coordinate System, North Central Zone, 1993 Datum, as follows:

Beginning at the northerly most corner of said Hard Investments tract, a point in a 12" cedar post, in the southerly line of Farm Road 1304, at the northwesterly corner of a 1.00-acre tract described in a deed to Donald Dean Horn, recorded in Volume 561, Page 184 of the Hill County Deed Records;

Thence, South $30^{\circ} 09' 46''$ East, along the common line of said Hard Investments and Horn tracts, in the general line of fence, for a distance of 470.92 feet to an "A/C," $5/8''$ iron with an Aluminum Cap marked "Vaughn Surveyor No. 1807," set for corner;

Thence, South $59^{\circ} 50' 14''$ West, for a distance of 943.26 feet to a Railroad Spike set for corner in Old Lebanon Cemetery Road and, from which, an A/C set for reference, bears North $59^{\circ} 50' 14''$ East, 20.00 feet;

Thence, North $30^{\circ} 45' 03''$ West, along said roadway and the center of a 40-foot Ingress-Egress easement to be retained, along or near the middle of an existing 24-foot-wide Ingress-Egress easement recorded in Volume 2046, Page 148 of said records, for a distance of 454.68 feet to a Railroad Spike set for corner in the southerly line of Farm Road 1304, and for the center of said easement;

Thence North $59^{\circ} 43' 51''$ East, along the southerly line of Farm Road 1304, for a distance of 162.99 feet to a $5/8''$ iron, marked "Ince," found at the beginning of a curve with center bearing North $30^{\circ} 15' 08''$ West, 11,519.16 feet;

Thence northeasterly, along said southerly line and curve, through a central angle of $1^{\circ} 20' 58''$, for an arc distance of 271.31 feet (Chord Bears North $59^{\circ} 04' 23''$ East, 271.30 feet to another $5/8''$ iron marked "Ince," found at the end of said curve;

Thence, North $58^{\circ} 26' 54''$ East, along the southerly line of Farm Road 1304, for a distance of 338.25 feet to another $5/8''$ iron marked "Ince," found at the beginning of another curve with center bearing South $31^{\circ} 57' 25''$ East, 11,399.16 feet;

Thence northeasterly, along said southerly line and curve, through a central angle of $0^{\circ} 52' 57''$, for an arc distance of 175.56 feet (Chord Bears North $58^{\circ} 29' 03''$ East, 175.55 feet to the Place of Beginning and, containing 10.00 acres of land, of which approximately 0.21 acres are situated in said easement.

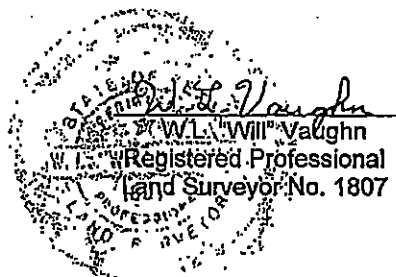
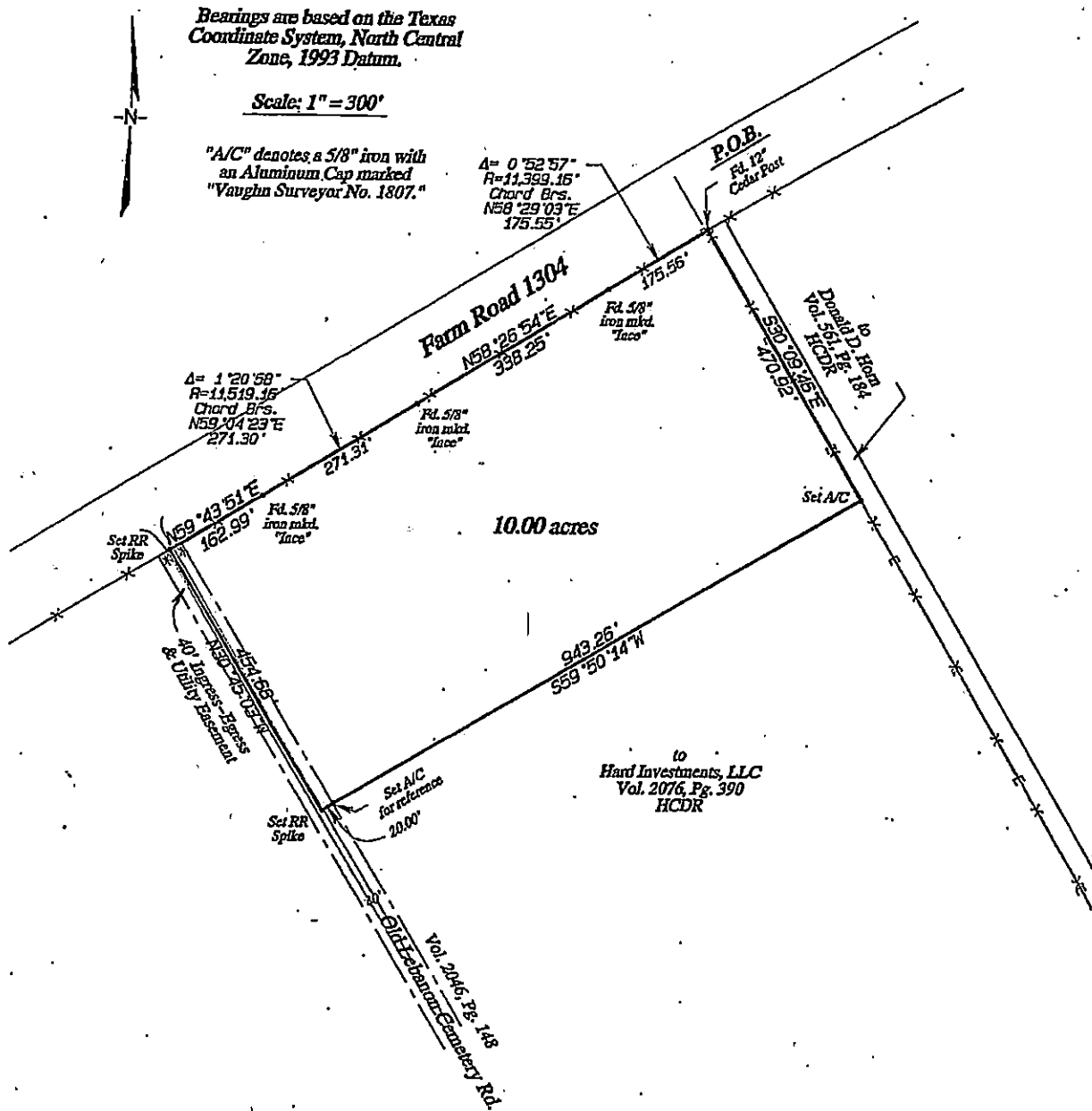


EXHIBIT "A"

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Survey Sketch Of:

A 10.00-acre tract of land in the J. Chambers Survey, Abstract No. 165, Hill County, Texas, being part of a called 243.146-acre tract described in a deed from C & G Realty E, LLC, et al, to Hard Investments, LLC, dated November 3rd, 2020, recorded in Volume 2076, Page 390 of the Hill County Deed Records.