

#9  
FILED  
NICOLE TANNER, COUNTY CLERK  
HILL COUNTY, TEXAS  
2024 FEB -8 PM 12:37

**NOTICE OF FORECLOSURE SALE**

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

February 5, 2024

**Deed of Trust:**

Dated: October 26, 2017

**Trustee:**

Charles J. Nemecek

**Address:**

10101 China Spring Road  
Waco, Texas 76708-6141

**Substitute Trustee:**

Karl R. Quebe

**Address:**

5400 Bosque Blvd., Ste. 312  
Waco, Texas, 76710

**Grantors:** Brianna L. Markum and Bobby McClain

**Mortgagee:** Pointwest Bank (hereafter "Lender")

**Recording Information:** Volume 1929, Page 374 of the real property records of Hill County, Texas.

**Legal Description:**

TRACT 1

BEING all that certain lot, tract or parcel of land lying and situated in the Ephraim Lee Survey A-1080 in Hill County, Texas. Said land is a part of that certain 1440 acre tract described in a deed from Rowland Atwood Senter et us, Barbara Ann Senter to G. Womack recorded in Volume 482 Page 640 of the Deed Records of Hill County, More particularly described as follows:

BEGINNING at a 5/8" iron rod set at a fence corner in the east line of the Clayton C. Harris Survey A-406 and in the east line of that certain tract described in a deed to Judy Henderson recorded in Volume 648 Page 756 of the Deed Records of Hill County, Texas for the northwest corner of the William Santy Survey A-807, for the northwest corner of that certain 58.570 acre tract described in a deed to W.G. Womack recorded in Volume 464 Page 2 of the Deed Records of Hill County, for an outside ell corner of said Lee Survey, for an outside ell corner of said 140 acre tract, and for the southwest corner of this;

THENCE N 29 degrees 10' 30" W 557.27 feet to a 5/8" iron rod set for the northeast corner of said Harris Survey, for the northeast corner of said Henderson tract, for an inside ell corner of said Lee Survey, for an inside ell corner of said 140 acre tract, and for an inside ell corner of this;

THENCE with the north line of said Harris Survey, with a south line of said Lee Survey, with the north line of said Henderson tract, with a south line of said 140 acre tract, and generally along a fence, S 58 degrees 39' 10" W 143.54 feet to a 5/8" iron rod set for an outside ell corner of this;

THENCE N 29 degrees 10' 30" W 895.77 feet to a 5/8" iron rod set for the northwest corner of this;

THENCE N 59 degrees 49' 30" E 202.85 feet to a 5/8" iron rod set for the northeast corner of this;

THENCE S 29 degrees 41' 30" E 1449.93 feet to a 5/8" iron rod set in the south line of said Lee Survey, in the north line of said Santy Survey, in the south line of said 140 acre tract, and in the north line of said 58.570 acre tract for the southeast corner of this;

THENCE generally along a fence, S 59 degrees 49' 30" W 72.47 feet to the place of beginning, containing 5.139 acres of land.

#### TRACT II (ACCESS EASEMENT)

BEING a certain lot, tract, or parcel of land lying and situated in the William Santy Survey A-807 in Hill County, Texas. Said land is a part of that certain 58.570 acre tract described in a deed from William Dee Tennison et ux, Doris Tennison to W.G. Womack recorded in Volume 464, Page 2 of the deed records of Hill County, more particularly described as follows:

BEGINNING at a 1/2" iron pipe found at a fence corner at the intersection of the south line of Ephraim Lee Survey A-1080 and the north line of said Santy Survey with the west line of F.M. Highway 933 for the southeast corner of that certain tract described in a deed to Kenneth W. Johnson recorded in Volume 1021, Page 80 of the Official Public Records of Hill County, for the northwest corner of that certain 2.687 acre tract described in a deed to the State of Texas recorded in Volume 407, Page 541 of the Deed Records of Hill County, for the northeast corner of said 58.570 acre tract. and for the northeast corner of this:

THENCE with the west line of F.M. Highway 933 and with the east line of said 58.570 acre tract, S22°19'09"E 30.28 feet to a point for the southeast corner of this:

THENCE S59°49'30"W 2518.66 feet to a point for the southwest corner of this;

THENCE N29°41'30"W 30.00 feet to a 5/8" iron rod set in the north line of said Santy Survey, in the north line of said 58.570 acre tract, in the south line of said Lee Survey, and in the south line of that certain 140 acre tract described in a deed to Walter G. Womack recorded in Volume 482, Page 640 of the Deed Records of Hill County, for the northwest corner of this:

THENCE with the south line of said Lee Survey, with the north line of said Santy Survey, and generally along a fence, S59°49'30"E, 1266.59 feet passing a 5/8" iron rod found at a fence corner for the southeast corner of said Womack 140 acre tract and for the southwest corner of that certain 18.382 acre tract described in a deed to Dennis Keith Lewis recorded in Volume 1583, Page 404 of the Official Public Records of Hill County, in all a distance of 2522.55 feet to the place of beginning, containing 1.736 acres of land.

#### TRACT III (ACCESS EASEMENT)

BEING a certain lot, tract, or parcel of land lying and situated in the Ephraim Lee Survey A-1080 in Hill County, Texas. Said land is a part of that certain 140 acre tract described in a deed from Rowland Atwood Senter et ux, Barbara Ann Senter to Walter G. Womack recorded in Volume 482, Page 640 of the deed records of Hill County, more particularly described as follows:

BEGINNING at a 5/8" iron rod set in the north line of the William Santy Survey A-807, in the north line of that certain 58.570 acre tract described in a deed to W.G. Womack recorded in Volume 464, Page 2 of the Deed Records of Hill County, and in the south line of said Lee Survey for the southwest corner of this, said rod being N59°49'30"E 72.47 feet from a 5/8" iron rod set at a fence corner for the northwest corner of said Santy Survey, for the northwest corner of said 58.570 acre tract, for an outside ell corner of said Lee Survey, and for an outside ell corner of said 140 acre tract:

THENCE N29°41'30"W, at 1449.93 feet passing a 5/8" iron rod set, in all a distance of 1997.39 feet to a 5/8" iron rod set for the northwest corner of this;

THENCE N60°03'38"E 30.00 feet to a point for the northeast corner of this;

THENCE S29°41'30"E 1997.27 feet to a point in the south line of said Lee Survey, in the south line of said 140 acre tract, in the north line of said Santy Survey, and in the north line of said 58.570 acre tract for the southeast corner of this;

THENCE with the north line of said Santy Survey, with the south line of said Lee Survey, and generally along a fence, S59°49'30"W 30.00 feet to the place of beginning, containing 1.375 acres of land.

**Note Secured by Deed of Trust:** Promissory Note (The term "Note" herein shall mean the Note as so modified, renewed, and/or extended.)

Date: October 26, 2017

Original Principal Amount: \$182,485.87

Makers: Brianna L. Markum and Bobby McClain

Lender: Pointwest Bank

**Property:** All real property and improvements as described in and mortgaged in the Deed of Trust, including all rights and appurtenances thereto, with the exception of any Released Property.

**Sale Location:** The Hill County Courthouse, located at 1 North Waco Street, Hillsboro, Texas 76645 (East door of the courthouse), the place specified for foreclosure sales by the Commissioner's Court of Hill County, Texas.

**Sale Date:** March 5, 2024

**Sale Time:** The public auction of the Foreclosure Sale will take place between the hours of 10:00 AM and 4:00 PM local time. The earliest time the sale will begin is 10:00 AM, or within three hours from that time.

**Terms of the Sale:** This public Foreclosure Sale will sell all property "AS IS" at a public auction to the highest cash bidder, with the exception of the Lender, who will be allowed to bid credit against the amount owed under the obligation secured by the lien in the Deed of Trust.

Due to the default in payment of the Note and in performance of the obligations under the terms of the Deed of Trust, the Lender directed the Substitute Trustee to administer the trust provisions.

The above described Deed of Trust encumbers real property. This document constitutes formal notice by the Lender to foreclose and sell the property, as described in Lender's right and remedies under the Deed of Trust and in accordance with the terms of Section 9.604(a) of the Texas Business and Commerce Code and the Deed of Trust.

Notice is hereby given that the Foreclosure Sale will commence at the Sale Location, Sale Date, and Sale Time indicated above. At that time, the Substitute Trustee will direct the sale of the property described in the Deed of Trust in the manner allowed by the Deed of Trust and applicable Texas law.

If there is any postponement or rescheduling of the Foreclosure Sale, additional notice will be reposted and refiled in accordance with the terms of the Deed of Trust and applicable Texas law.

Potential purchasers are reminded that this sale of property is made subject to the exceptions to conveyance and warranties of the Deed of Trust, all prior liens and defects to title, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust,

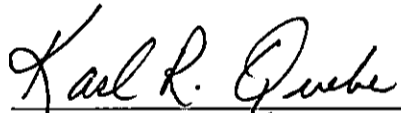
and any rights of recession as set forth in the Texas Property Code. Potential purchasers should examine the property records describing the property within the Deed of Trust for further assurances.

Pursuant to Section 51.009 of the Texas Property Code, this property will be sold "AS IS" to the highest cash bidder. Please be aware that the sale of this property will not include any possession warranties, title warranties, warranties of quiet enjoyment or other warranties, except as expressly provided by the Deed of Trust. All potential purchasers should conduct examinations of the property records for further assurances.

Pursuant to Section 51.0075(a) of the Texas Property Code, the Substitute Trustee will establish conditions for the Foreclosure Sale as are deemed reasonable and in accordance with the Texas Property Code. Any conditions beyond what are listed in this document will be disclosed prior to the opening of bidding on the day of the Foreclosure 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.**

**THIS DOCUMENT ASSIGNS KARL R. QUEBE AS THE SUBSTITUTE TRUSTEE IDENTIFIED TO CARRY OUT THE SALE OF PROPERTY IDENTIFIED IN THE SECURITY INSTRUMENT AS SET FORTH IN THIS NOTICE OF FORECLOSURE SALE. THE SIGNER OF THIS DOCUMENT IS THE DULY AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

  
Karl R. Quebe, Substitute Trustee