

Notice of Foreclosure Sale

July 15, 2020

Deed of Trust ("Deed of Trust"):

Dated: January 29, 2007 but executed February 8, 2007

Grantor: Kenneth Litchfield

Trustee: Sydney Young

Lender: Mary Spears

Recorded in: Volume 1853, Page 6, of the official public records of Lamar County, Texas

Legal Description: See Exhibit "A" attached hereto and made a part hereof.

Secures: Deed of Trust ("Note") in the original principal amount of \$42,500.00, executed by Kenneth Litchfield ("Borrower") and payable to the order of Lender

Substitute Trustee: Chris W. Fitzgerald

Substitute Trustee's Address: P.O. Box 651, Paris, Texas, 75461 (Mail Only); 32 W Plaza Street, Paris, Texas 75460

Foreclosure Sale:

Date: Tuesday, September 1, 2020

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 a.m.

Place: The East foyer, First Floor of the Lamar County Courthouse, 119 N. Main Street, Paris, Lamar County, Texas 75460

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 George Adams, Independent Executor of the Estate of Mary Spears bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

RECEIVED BY
LAMAR COUNTY CLERKS OFFICE
ON THIS THE 16th DAY OF July, 2020.

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, George Adams, Independent Executor of the Estate of Mary Spears, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

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.

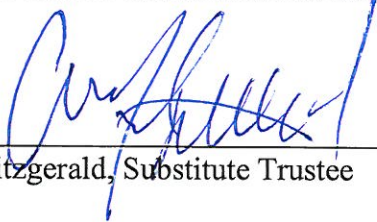
If George Adams, Independent Executor of the Estate of Mary Spears passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 George Adams, Independent Executor of the Estate of Mary Spears. 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, 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.



Chris W. Fitzgerald, Substitute Trustee

Jim Nelson
dba



Nelson Surveying Company

920 North Main Street Paris, Texas 75460
903-785-3551 fax 903-785-3399 e-mail: nelsonsurveying@cox.net
Jim Nelson, owner

J. M. Nelson, Registered Professional Land Surveyor of Texas, #4025

Disk-900/Adams/Adams2 CTilton #926 LCR 26700

Reference Bearing: Center line of US Hwy 82 N of this tract

FIELD NOTES

Situated about 14.6 miles South 75° West of the City of Paris, County of Lamar, and State of Texas, part of the Charles Tilton Survey #926, and being part of a called 92.292 acre tract of land conveyed to Mary Spears by deed recorded in Vol. 1221, Page 314, of the Real Property Records of said County and State.

Beginning at a ½" capped (RPLS - 4025) iron pin (s) for corner at the Southwest corner of a called 3.008 acre tract of land surveyed by me this same day, said corner being South 1°37'47" West a distance of 398.93 feet from a ½" capped (RPLS - 4025) iron pin (frs) for corner at the remaining Westerly Northwest corner of said Spears 92.292 acre tract and at the Southwest corner of a called 9.111 acre tract of land conveyed to Jonathan David Hilburn, Sr. et al by deed recorded in Vol. 1349, Page 75, of the Official Records of said County and State, said Hilburn 9.111 acre tract originally being a part of said Spears 92.292 acre tract.

Thence South 89°22'28" East a distance of 331.99 feet to a ½" capped (RPLS - 4025) iron pin (s) for corner at the Southeast corner of said 3.008 acre tract;

Thence South 0°37'32" West a distance of 390.52 feet to a ½" capped (RPLS - 4025) iron pin (s) for corner at the Northeast corner of a called 3.006 acre tract of land surveyed by me this same day;

Thence North 89°22'28" West a distance of 338.84 feet to a ½" capped (RPLS - 4025) iron pin (s) for corner at the Northwest corner of said 3.006 acre tract;

Thence North 1°37'47" East along the East Boundary Line of Lamar County Road 26700 a distance of 390.58 feet to the place of beginning and containing 3.007 acres of land.

I, **J.M. Nelson, Registered Professional Land Surveyor of Texas, #4025**, certify to Scotty Adams, that the above depicted and described tract of land was taken from an actual survey made on the ground and completed by me on the 21st day of September, 2006, that the Plat, the Field Notes, and the Legend/General Notes, are to be one document and are to be recorded as one, that there doesn't appear to be any visible improvements, easements or encroachments other than those shown thereon, and that this tract of land does not appear to lie in a flood zone as indicated by Community Panel No. 480891 0007 A of the Flood Hazard Boundary Maps.

A handwritten signature in black ink, appearing to read "J.M. Nelson".

J.M. Nelson, RPLS of Texas, #4025

9-21-06

date

