

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

at 12:50 FILED
o'clock P M

THE STATE OF TEXAS }
COUNTY OF LIBERTY }

NOV -4 2019

LEE H. CHAMBERS
COUNTY CLERK, LIBERTY COUNTY, TEXAS
Clara Macias DEPUTY

REFERENCE IS MADE TO THE FOLLOWING FACTS:

(1) JEREMY OVERTURF and DANA RAMIREZ (the "Mortgagors"), executed and delivered that certain Deed of Trust dated November 22, 2016, (hereinafter called the "Deed of Trust") to WILLIAM C. SHADDOCK, Trustee, and Reinstatement, Modification, Renewal and Extension Agreement (the "Renewal") dated September 17, 2012, covering and describing certain real property more particularly described in **Exhibit "A"** which is attached hereto and made a part hereof for all purposes, together with all rights, privileges, hereditaments and appurtenances thereto, and all other property rights and interests in or to which any lien or security interest now in effect was granted, created or preserved by, in or under the Deed of Trust. All such property is hereinafter called the "Subject Property".

(2) The Deed of Trust was recorded in County Clerk's File No. 2016020521 in the Official Public Records of Real Property of Liberty County, Texas and the Renewal was recorded under County Clerk's File No. No. 2019024331 in the Official Public Records of Real Property of Liberty County, Texas.

(3) The Deed of Trust (the "Deed of Trust") was executed and delivered to secure payment of the following items (hereinafter collectively called the "Indebtedness"):

- (a) That one certain Promissory Note dated November 22, 2016, executed by JEREMY OVERTURF and DANA RAMIREZ, in the original amount of ONE HUNDRED NINETEEN THOUSAND NINE HUNDRED AND NO/100 (\$119,900.00) DOLLARS, payable to the order of DARLENE ENLOE DALY and as modified by the Renewal as therein specified.
- (b) Any and all other indebtedness secured by and set out in the Deed of Trust.

(4) Defaults have occurred and are continuing on payment of the above described Note as modified by the Renewal (collectively "the Modified Note"), which matured by its own terms on October 17, 2019. Mortgagors have failed to pay the Modified Note in full when it matured and DARLENE ENLOE DALY has made demand upon the Mortgagors for full payment thereon, and intends to cause the Trustee under the Deed of Trust to exercise the power of sale under the Deed of Trust for the purpose of enforcing the

collection of the Indebtedness.

(5) The Deed of Trust provides, in effect, that the holder of the Indebtedness under the Deed of Trust shall have the right to appoint a Substitute or Successor Trustee to act instead of the Trustee therein named without any other formality than the designation in writing of a Substitute or Successor Trustee, all as more fully provided in the Deed of Trust, to which reference is here made for all purposes.

(6) DARLENE ENLOE DALY, the holder of the Indebtedness, pursuant to the right granted under the Deed of Trust, has directed JAMES H. JASPER, as Substitute Trustee, to exercise the power of sale under the Deed of Trust for the purpose of enforcing the collection of the Indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN:

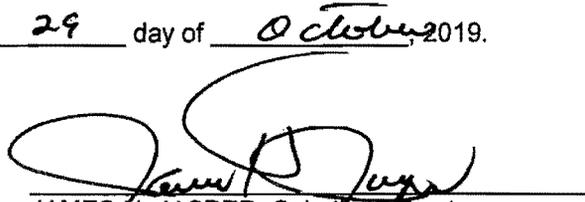
THAT the undersigned, JAMES H. JASPER, Substitute Trustee under the Deed of Trust, hereby gives notice that said JAMES H. JASPER, Substitute Trustee as aforesaid, will sell the Subject Property to the highest bidder for cash at public auction, at the south side of the Courthouse, with an address of 1923 Sam Houston, as the front steps of the Courthouse for the purpose of public sales and auctions at the Courthouse (Designated Location") in Liberty, Liberty County, Texas, in which county the Subject Property is situated, such sale to be conducted between the hours of 10:00 o'clock A.M. and 4:00 o'clock P.M., provided such sale shall not begin before 10:00 A.M. nor later than three hours after such time, on the 3rd day of December, 2019, same being the first Tuesday of said month, after giving notice of the time, place and terms of sale by posting or causing to be posted written or printed notices thereof for at least twenty-one (21) consecutive days prior to the day of the said sale in said County at the Courthouse door of Liberty County, Texas, and by giving such other notice as may be required by the laws of the State of Texas.

"ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU 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."

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY, OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER CREDITOR NOR SUBSTITUTE TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS, OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH SHALL BE EXPRESSLY WAIVED BY PURCHASER.

NOTICE: THE INTERNAL REVENUE SERVICE HAS ONE HUNDRED TWENTY (120) DAYS FROM THE DATE OF SALE OF THE SUBJECT PROPERTY WITHIN WHICH TO REDEEM THE SUBJECT PROPERTY.

EXECUTED in multiple counterparts on this 29 day of October, 2019.



JAMES H. JASPER, Substitute Trustee
108 E. Dallas
Cleveland, Texas 77327
Tele: 281-592-4673
Jasperjh@sbcglobal.net

File #12,817 JHJ/dabForecl.

BEING LOT ONE (1), LOT TWO (2), AND LOT THREE (3), BLOCK THIRTY-SEVEN A, (37-A), NOBLE GARVEY SUBDIVISION OF A PORTION OF THE COX ADDITION, AN ADDITION IN THE CITY OF CLEVELAND, LIBERTY COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 1 PAGE 63, MAP RECORDS OF LIBERTY COUNTY, TEXAS.

Exhibit "A"