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NOT

2020016512

NOTICE OF FORECLOSURE SALE
AND APPOINTMENT OF SUBSTITUTE TRUSTEE

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

Deed of Trust dated August 17, 2018, executed by Elmo Ross and Tiffany Gayle Ross, as Grantor, conveying to Belinda Lopez as Trustee, for the benefit of Lender, Kay L. Salmon, recorded in Liberty County Clerk's File No. 2018018607, securing a note of even date executed by Grantor to Lender, for the property described as:

See Exhibit A, attached hereto and incorporated by reference herein, more commonly known as 14498 FM 1008, Dayton, TX 77535.

The address or other common designation of this real property is: 14498 FM 1008, Dayton, TX 77535.

Foreclosure Sale:

Date: Tuesday, July 7, 2020

Time: The sale of the Property will be held between the hours of 10:00 a.m. and 1:00 p.m. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m.

Place: The front steps of the south side of the Liberty County Courthouse, 1923 Sam Houston Street, Liberty, Texas 77575 or such other location as designated by the County Commissioners, Liberty County, Texas

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 the bid of the lienholder may be credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of the default, Payee Kay L. Salmon, the owner and holder of the Note, has appointed Richard D. Brady, P.O. Box 5050, Liberty, Texas 77575-2350 as a substitute trustee ("Substitute Trustee") requested the 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 Payee 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 Payee. 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, 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.



Thomas H. Smith III, Attorney for Lender
9301 Southwest Freeway, Suite 250, Houston, Texas 77074

STATE OF TEXAS
COUNTY OF FORT BEND

BEFORE ME, the undersigned authority, on this day personally appeared Thomas H. Smith, Attorney for Lender, known to me through a current identification card to be the person whose name is subscribed to the foregoing instrument, and who acknowledged to me that he executed the instrument for the purposes and considerations expressed in it. Given under my hand and seal of office on June 6th, 2020.

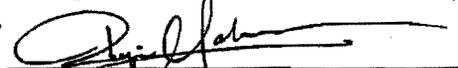
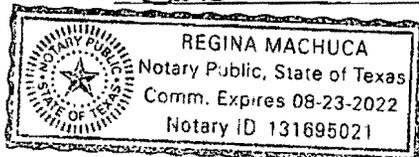

Notary Public, State of Texas

EXHIBIT A

BEING THAT SAME PARCEL DESCRIBED IN DEED FROM LINDA SUE REAMS, ET VIR, TO KAY L. SALMON, DATED SEPTEMBER 27, 2017, FILED OCTOBER 5, 2017, RECORDED IN DOCUMENT NO. 2017018888, REAL PROPERTY RECORDS, LIBERTY COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 1.0045 ACRES OF LAND SITUATED IN THE JOHN FAULK LEAGUE, ABSTRACT NO. 34, LIBERTY COUNTY, TEXAS, AND BEING OUT AND A PART OF THE HAROLD H. DIAL, SR. AND WIFE, ALICE J. DIAL CALLED 17 ¼ ACRE TRACT AS DESCRIBED IN VOLUME 659, PAGE 204 OFFICIAL PUBLIC RECORDS; SAID 1.0045 ACRE TRACT BEING RECORDED UNDER CLERK'S FILE NO. 2004009538 OFFICIAL PUBLIC RECORDS LIBERTY COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT A 5/8 INCH IRON ROD FOUND IN THE NORTH RIGHT OF-WAY OF F.M. HIGHWAY NO. 1008 FOR THE SOUTHWEST CORNER OF THIS TRACT AND SAME BEING THE LOWER SOUTHEAST CORNER OF THE CALLED JAMES AND PAMELA SMITH CALLED 9.342 ACRE TRACT AS DESCRIBED IN VOLUME 1696, PAGE 703 O.P.R.L.C.

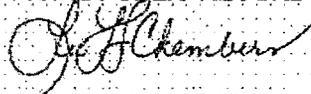
THENCE NORTH 00 DEGREES 01 MINUTES 40 SECONDS WEST, A DISTANCE OF 210.21 FEET, (CALLED 70 YARDS), WITH THE SMITH LINE TO A 5/8 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF THIS TRACT AND SAME BEING AN INTERIOR CORNER OF THE 9.342 ACRE TRACT;

THENCE SOUTH 89 DEGREES 10 MINUTES 06 SECONDS EAST, A DISTANCE OF 198.62 FEET, (CALLED 70 YARDS), WITH THE SMITH LINE TO A 8 INCH ROUND FENCE CORNER POST FOUND FOR THE NORTHEAST CORNER OF THIS TRACT FROM WHICH A ½ INCH IRON ROD FOUND BEARS: NORTH 80 DEGREES 11'45" EAST, A DISTANCE OF 1.80 FEET;

THENCE SOUTH 05 DEGREES 43 MINUTES 44 SECONDS EAST, A DISTANCE OF 209.76 FEET (CALLED SOUTH A DISTANCE OF 70 YARDS), TO A 5/8 INCH IRON ROD FOUND IN THE NORTH RIGHT-OF-WAY OF SAID HIGHWAY FOR THE SOUTHEAST CORNER OF THIS TRACT;

THENCE NORTH 89 DEGREES 38 MINUTES 10 SECONDS WEST, A DISTANCE OF 219.44 FEET, (CALLED 70 YARDS), WITH THE NORTH MARGIN OF SAID HIGHWAY TO THE PLACE OF BEGINNING AND CONTAINING 1.0045 ACRES.

**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**



Lee Haidusek Chambers, County Clerk
Liberty County Texas

June 11, 2020 12:53:34 PM



FEE: \$34.00 CMACIAS **2020016512**
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