

SEP 10 2015

## NOTICE OF FORECLOSURE SALE

GWINDA JONES, COUNTY CLERK  
ERATH COUNTY, TEXAS

**Assert and protect your rights as a member of the armed forces of the United States. Deputy**  
**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.**

1. *Property to Be Sold.* The property to be sold is described as follows: BEING all that certain 5.00 acre tract of land, more or less, out of the William Tindall Survey, Abstract No. 774, Erath County, Texas, being part of that certain 15.00 acre tract of land conveyed by Fred J. Jaggars to Gerald W. Skinner by deed dated March 27, 1985 and recorded in Volume 657, Page 458, of the Deed Records of Erath County, Texas, with said 15.00 acre tract being part of a former 73.55 acre tract described as First Tract in deed from Billy Dean Glidewell, et us to Fred Jaggars, dated February 2, 1973 and recorded in Volume 485, Page 252, Deed Records of Erath County, Texas and described as follows:

BEGINNING at an iron rod set at the intersection of the northwest right of way line of State Highway No. 220 and the northeast line of a County Road, being the south corner of the Gerald W. Skinner 15.00 acre tract described in deed mentioned above, for the south corner of this tract, from which the NEC of the William Tindall Survey bears N 56 degrees 58' 36" W, 1857.8', N 59 degrees 36' 30" E, 3071.4' and N 59 degrees 39' E, 966.5 varas;

THENCE N 56 degrees 58' 36" W along the northeast line of said County Road and the southwest line of said 15.00 acre tract, 1072.59' to an iron rod set for the NWC of this tract;

THENCE N 59 degrees 36' 30" E, 454.13' to an iron rod set in the east line of said 15.00 acre tract for the NEC of this tract;

THENCE S 31 degrees 56' 13" E, 959.53' to the Place of Beginning, and being the same property conveyed to Ronnie Elliott and Lesa Elliott by deed from Gerald W. Skinner and Sharlott Y. Skinner, dated September 19, 1985 and recorded in Volume 651, Page 76, Deed Records of Erath County, Texas.

2. *Instrument to Be Foreclosed.* The instrument to be foreclosed is the *Deed of Trust* recorded under Document Number 2011-06649 in the Real Property Records of Erath County, Texas.

3. *Date, Time, and Place of Sale.* The sale is scheduled to be held at the following date, time, and place:

Date: October 6, 2015

Time: The sale will begin no earlier than 1:00 P.M. or no later than three hours thereafter. The sale will be completed by no later than 4:00 P.M.

Place: Erath County Courthouse in Stephenville, Texas, at the place designated for public foreclosure sales by the Commissioner's Court of Erath County, Texas.

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 reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

4. *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 sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

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. The sale shall not cover any part of the property that has been released of public record from the lien of the deed of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (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 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 or any substitute trustee.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Rosa Amaya and husband, Juan P. Morales.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note in the original principal amount of \$80,910.00, executed by Rosa Amaya and husband, Juan P. Morales, and payable to the order of Lesa Elliott Wright, who is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Lesa Elliott Wright.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

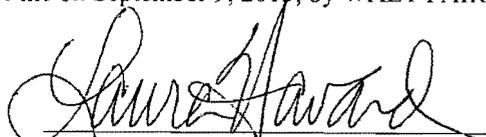
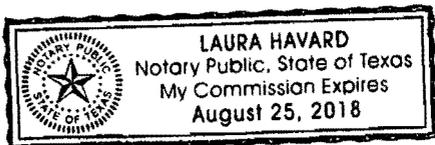
Dated September 9, 2015.



WALT FAIR, Trustee

THE STATE OF TEXAS  
COUNTY OF McLENNAN

This instrument was acknowledged before me on September 9, 2015, by WALT FAIR

  
NOTARY PUBLIC, STATE OF TEXAS