

Notice of Foreclosure Sale

May 4, 2021

Real Estate Deed of Trust ("Deed of Trust"):

Dated: June 10, 2016

Grantor: Johnny R. Conway and Wendi K. Conway

Trustee: Cassandra M. Evatt

Lender: Robert E. Merworth and Carolyn Merworth

Recorded in: Volume 410, Page 162 of the Deed of Trust records of Comanche County, Texas.

Legal Description: TRACT ONE:
Being Lot 3, Block 2, Morning Side Addition to the City of Comanche, Comanche County, Texas, as per the Official Plat of said addition filed of record in Cabinet 1, Slide 78, Plat Cabinet of Comanche County, Texas.

TRACT TWO:

All that certain lot, tract or parcel of land being out of Lot No. 4, Block No. 2, Morning Side Addition to the City of Comanche, Comanche County, Texas, and described by metes and bounds as follows:

BEGINNING at the Southwest corner of said Lot No. 4 for the Southwest corner of this tract;

THENCE N 89 degrees 15' 00" E, 90.60 feet to the Southeast corner of Lot No. 4 for the Southeast corner of this tract;

THENCE N 00 degrees 45' 00" W, 1.48 feet to the point for the Northeast corner of this tract; THENCE S 89 degrees 15' 00" W, 90.60 feet to a point for the Northwest corner of this tract;

THENCE S 00 degrees 45' 00" E, 2.91 feet to the place of beginning.

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$77,900.00, executed by Johnny R. Conway and Wendi K. Conway ("Borrower") and payable to the order of Lender.

Foreclosure Sale:

Date: Tuesday, May 4, 2021

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 at 10:00 A.M. and no later than three hours thereafter.

Place: The steps of the Comanche County Courthouse

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 Robert E. Merworth and Carolyn Merworth's bid may be by 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 that default, Robert E. Merworth and Carolyn Merworth, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Robert E. Merworth and Carolyn Merworth's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Robert E. Merworth and Carolyn Merworth's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

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 Robert E. Merworth and Carolyn Merworth 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 Robert E. Merworth and Carolyn Merworth. 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.

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.



Austin Navarro
Attorney for Lender
214 N. Austin Street
Comanche, Texas 76442
Telephone (325) 356-1199
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FILED
AT _____ O'CLOCK _____ M

APR 7 2021


Clerk, County Court Comanche Co., Texas