

POSTED

DATE 3-12-2021
A.M. 2:14 P.M.

BY Michelle Reynolds
AB Deputy

FILED
MICHELLE REYNOLDS
COUNTY CLERK
SOMERVELL CO., TEXAS

2021 MAR 12 PM 2:09

DEPUTY

BY AB

Notice of Foreclosure Sale

March 12, 2021

("Deed of Trust"):

Dated: May 18, 2012

Grantor: KELLY BREWER and LINDSEY BREWER

Trustee: JON PAUL HAMMOND

Lender: NATHAN HAWKINS and EVA JO HAWKINS

Recorded in: Instrument number 20120825 of the real property records of Somervell County, Texas.

Secures: ("Note") in the original principal amount of \$45,000.00, executed by KELLY BREWER and LINDSEY BREWER ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Dear KELLY BREWER and LINDSEY BREWER:

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Foreclosure Sale:

Date: Tuesday, April 6, 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 is 12:00 p.m. and not later than three hours thereafter.

Place: 107 NE Vernon
Glen Rose, Texas 76043

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 NATHAN HAWKINS'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, NATHAN HAWKINS, 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 NATHAN HAWKINS's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with NATHAN HAWKINS'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 NATHAN HAWKINS 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 NATHAN HAWKINS. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

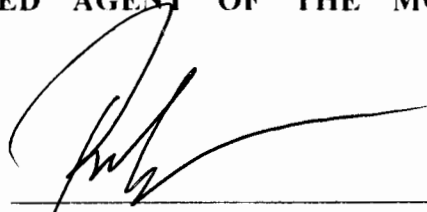
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical 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.



Brady Pendleton
P.O. BOX 483
STEPHENVILLE, TX 76401
Telephone (254) 965-4000
Telecopier (817) 887-3196

EXHIBIT A

A part of the J.H. Raley Survey Abstract 47 and Block 57 of the Milam County School Land Survey Abstract 136, in the City of Glen Rose, Somervell County, Texas, and being all of the tract conveyed to W.G. Lee by deed recorded in Volume 68, page 563 of the Real Property Records of said County, except for a 0.33 acre tract conveyed to Lee Gustafson by deed recorded in Volume 90, page 800 of the Deed Records of said County, and a 0.161 acre tract conveyed to Mark Verbeck et ux by deed recorded in Volume 92, page 577 of said Real Property Records, and a 0.161 acre tract retained by said Lee. All of the tracts, the Gustafson, the Verbeck, and the 0.161 acre tract retained by said Lee fronting on Ross Street, and being more fully described as follows:

All bearings and coordinates recited herein are based on the Texas State Coordinate System, North Central Zone, 1983 Datum. All recited distances are horizontal measure and a 0.9999435 multiplier is to be used to convert to equivalent grid measure.

Beginning at a 6" Concrete Monument with a Brass cap stamped "311 RPS 314" found in place at a common corner of the tract conveyed to William F. Berkatt et ux by deed recorded in Volume 30, page 720 of the Deed Records of said County, and a common corner of the tract conveyed to John L. Roebuck et ux, by deed recorded in Volume 18, page 389 of the Real Property Records of said County, and also a common corner of the tract conveyed to Rayburn A. Carter et ux by deed recorded in Volume 44, page 575 of the Real Property Records of said County. Said Monument having coordinates of N 6,766,463.25 E 2,158,163.72 feet.

Thence South 27-19-00 West with the common line of said Lee and Carter tracts and the tract conveyed to Brian Watts et ux by deed recorded in Volume 53, page 773 of said Real Property Records, at 103.23 feet plus 1.82 feet westerly of a 1 1/2" iron found in place in the common line of said Carter and Watts tracts, in all a distance of 205.14 feet to a 1 1/2" iron found in place 1.0 feet north of a corner of fence going in an easterly direction.

Thence South 26-14-44 West a distance of 100.17 feet to a 5/8" iron set for corner in the northerly line of the tract conveyed to Garland Osborne by deed recorded in Volume 53, page 481 of the Deed Records of said County.

Thence North 73-15-42 West with the northerly line of said Osborne tract a distance of 70.93 feet to an old 5" corner post.

Thence South 23-35-25 West with an old fence, a distance of 74.09 feet to an old 3" corner post at the westerly end of an old fence, at the corner of a rock wall, same being the common occupied corner of said Osborne Tract and the tract conveyed to Mark R. Pitts by deed recorded in Volume 67, page 213 of the Real Property Records.

Thence South 58-23-27 West, along the occupied line of said Pitts and Lee tracts, with an old fence line, a distance of 64.10 feet to a 28" Elm Tree used as the common corner of said fence; and continuing with said fence North 56-52-15 West 9.73 feet to an angle point in same; and North 67-17-01 West 19.00 feet to an angle point in same; and South 88-21-03 West 35.69 feet to an angle point in same; and South 72-58-31 West 10.82 feet to an angle point in same; and South 57-55-16 West 14.09 feet to a 32" Elm Tree at an angle point in same; and South 25-45-25 West 8.48 feet to an angle point in said fence, same being a chain link corner post of said fence; and South 22-10-21 West 10.54 feet to a chain link corner post, same being the common southerly corner of said Pitts and Lee tracts, and also being in the northerly line of another tract conveyed to said Pitts in Volume 67, page 215 of said Real Property Records.

Thence North 63-15-32 West, continuing with said chain link fence along the north line of said Ritts Tract as used and occupied on the ground, a distance of 121.34 feet to a pipe corner post of said chain link fence; and South 47-49-28 West with said fence, a distance of 59.53 feet to a corner of said chain link fence, same being the southwest corner of said Ritts Tract.

Thence North 60-13-32 West, continuing with said chain link fence, same being the north line of the tract conveyed to Greg Shank by deed recorded in Volume 33, page 946 of the Real Property Records of said County, and the tract conveyed to Dennis Panches by deed recorded in Volume 57, page 488 of said Real Property Records, and the tract conveyed to James P. Strahan by deed recorded in Volume 60, page 786 of said Real Property Records, a distance of 157.88 feet to a 5/8" iron set at the southwest corner of said Lee Tract and being in a southeasterly projection of the east line of Ross Street.

Thence North 28-57-32 East with the easterly line of an unimproved portion of said Ross Street, at 128 feet, the beginning of the improved portion of Ross Street, in all a distance of 143.67 feet to a 5/8" iron with an aluminum cap stamped "RFS 1807" found in place at the southwest corner of said 0.161 acre lot to be retained by said Lee.

Thence South 61-61-09 East with the southeasterly line of said 0.161 acre lot, a distance of 700.00 feet to a similar 5/8" iron found in place at the southeast corner of said retained lot or tract.

Thence North 28-58-51 East with the east line of said retained lot and with the east line of the 0.161 acre lot conveyed to Mark Verbeck et ux, by deed recorded in Volume 52, page 577 of the Real Property Records of said County, at 70.90 feet past the common corner of said tracts, in all a distance of 140.00 feet to a 5/8" iron with said aluminum cap found in place at the common corner of said Verbeck Tract and the southerly line of the Lee Gustafson 0.93 acre tract.

Thence South 61-01-09 East with the south line of the tract conveyed to said Gustafson by deed recorded in Volume 90, page 800 of said Real Property Records, a distance of 43.80 feet to a 5/8" iron with said aluminum cap found in place at the southeast corner of same.

Thence North 38-15-10 East with the easterly line of said Gustafson Tract a distance of 59.46 feet to a 5/8" iron with said aluminum cap found in place at the northeast corner of same.

Thence South 56-16-29 East with a fence along the occupied south line of the 5th Parcel of the 2nd Tract conveyed to James Bernard et al by deed recorded in Volume 54, page 69 of said Real Property Records, to an old 7" corner post for corner.

Thence with an old fence along the easterly line of said Bernard Tract, North 93-06-21 East 134.54 feet to a 5/8" iron set at a bend in same; and North 29-20-03 East 95.10 feet to a 5/8" iron with said aluminum cap found in place for corner at the northeast corner of said Bernard Tract and the southerly line of the tract conveyed to Rick Frazee et ux by deed recorded in Volume 34, page 145 of the Real Property Records of said County.

Thence South 60-07-18 East with said south line, a distance of 52.35 feet to a 5/8" iron with said aluminum cap, found in place at the common corner of said Frazee Tract and the tract conveyed to said William E. Burkett; and South 59-49-31 East with the south line of said Burkett Tract, a distance of 149.53 feet to the place of beginning and containing 3.42 acres.

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FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Candace Garrett
May 18, 2012 04:16:36 PM 20120825

FEE: \$52.00

Candace Garrett County Clerk

Somervell County TEXAS