

NOTICE OF FORECLOSURE SALE

708 Barrow, Goldthwaite, Texas

Deed of Trust ("Deed of Trust"):

Dated: October 10, 2017

Grantor: Marcus Lee Bennett

Trustee: Robert E. Hemsath

Lender: Mills County State Bank

Recorded in: Instrument No. 1708800 of the Official Public Records of Mills County, Texas

Legal Description: Being 0.280 acres comprised of all of Lot 2 and a part of Lot 1, Block "B" of Campbell Addition to the City of Goldthwaite, Texas, as recorded in Volume 93, Page 482 of the Deed Records of Mills County, Texas; said 0.280 acres being more fully described on the attached Exhibit "A".

Secures: Real Estate Lien Note ("Note") in the original principal amount of \$26,400.00, executed by Marcus Lee Bennett ("Borrower") and payable to the order of Lender

Property: The real property and improvements described in and mortgaged in the Deed of Trust, including the real property described herein and all rights and appurtenances thereto.

Substitute Trustees: Chris Brown, Michael L. Smith or Stephen E. Haynes

Foreclosure Sale:

Date: Tuesday, October 6, 2020

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 10:00 and not later than three hours thereafter.

Place: Front steps on the Northside of the Mills County Courthouse located at 1011 4th Street, Goldthwaite, Mills 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

MCBank, formerly known as, Mills County State Bank, 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, MCBank, 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 MCBank's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with MCBank'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 MCBank 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 MCBank. 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.



Chris Brown
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EXHIBIT "A"

Being 0.280 acres comprised of all Lot 2 and a part of Lot 1, Block "B" of CAMPBELL ADDITION to the City of Goldthwaite, Texas, as a recorded in Volume 93, Page 482 of the Deed Record Mills County, Texas; said 0.280 acres being more particularly described as follows;

BEGINNING at a square head bolt on the east line of Barrows Street for the southwest corner of said Lot 2 and the northwest corner of Lot 3 of said subdivision;

THENCE North 19 degrees 00' 00" West, with the east line of said Barrows Street and the west line of said Lot 2 and 1, 112.16 feet to a 1/2 inch iron pin set;

Thence North 71 degrees 32'24" East, 64.98 feet to a 1/2 iron pin set on the west line of east one-half (1/2) of said Lot 1;

THENCE South 19 degrees 00' 00" East, with the west line of said east one-half of said Lot 1, 32.67 feet to a 1/2 inch iron pin set for the southwest corner of said east one-half of said Lot 1 and being on the north line of said Lot 2;

THENCE North 69 degrees 20' 32" East, with the north line of said Lot 2 and the south line of said Lot 1, 65.00 feet to a magnetized nail set in a 6 inch Hackberry tree for the northeast corner of said Lot 2, the southwest corner of said Lot 1, and the northwest corner of Lot 6 of said block and the southwest corner of Lot 5 of said block;

THENCE South 19 degrees 00' 00" East, with the east line of said Lot 2 and the west line of said Lot 6, 77.00 feet to 1/2 inch iron pin set for the southeast corner of said Lot 2 and the northeast corner of said Lot 3, being the southwest corner of said Lot 6 and the northwest corner of Lot 7 of said block;

THENCE South 69 degrees 20' 32" West, with the south line of said Lot 2 and the north line of said Lot 3, 130.00 feet to the PLACE OF BEGINNING.