

## NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public non-judicial foreclosure sale.

1. Property To Be Sold. The property to be sold is described as follows:

All property (real, personal or otherwise) described in the deed of trust (as hereinafter defined as the "Deed of Trust"), together with the rights, appurtenances and improvements thereto, including, but not limited to, the real property described on Exhibit A attached hereto and made a part hereof. In the event any property encumbered by the Deed of Trust has been released by Lender (or its predecessor in interest, as applicable), then said released property shall be excluded from the property sold at foreclosure.

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

**Date: Tuesday, December 1, 2020.**

**Time: The sale shall begin no earlier than 1:00 p.m. or no later than three hours thereafter. The sale shall be completed by no later than 4:00 p.m.**

**Place: The sale will take place at the Comanche County Courthouse at the place designated by the Comanche County Commissioner's Court.**

The Deed of Trust permits the Lender (as hereinafter defined) 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 and/or Texas Business and Commerce Code. Such reposting or refileing may be after the date originally scheduled for this sale.

3. 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 Lender to have the bid credited 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 cash on the day the property is sold.

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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

4. Type of Sale. The sale is a non-judicial foreclosure sale being conducted pursuant to the power of sale granted by that certain Deed of Trust (the "Deed of Trust") recorded under Volume No. 439, Page 122 in the Real Property Records of Comanche County, Texas, and executed by Andrea J. Newman aka Andrea Janan Newman (whether one or more, the "Grantor"), for the benefit of 21<sup>st</sup> Mortgage Corporation ("Lender"), covering the property described above.

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Indebtedness") including but not limited to the unpaid principal and interest owing on: that certain Consumer Loan Note, Security Agreement and Disclosure Statement (the "Note") dated on or about September 14, 2018, executed by the Grantor and payable to the order of Lender, and all renewals, modifications and extensions of the Note. Lender is the current owner and/or holder of the Note and the Indebtedness and is the beneficiary under the Deed of Trust.

Questions concerning the sale may be directed to the undersigned or to the Lender:

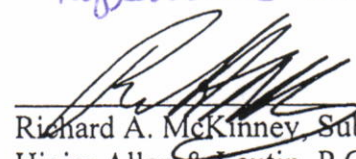
21st Mortgage Corporation  
620 Market Street One Center Square  
Knoxville, TN 37902  
Phone: 800-955-0021  
Fax: 866-231-4851

6. Default and Request To Act. Default has occurred under the Deed of Trust, and Lender has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale Lender may appoint another person as substitute trustee to conduct the sale.

7. Armed Forces Notice. **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.**

DATED: November 6, 2020.

 Substitute Trustee

  
Richard A. McKinney, Substitute Trustee  
Higier Allen & Lautin, P.C.  
The Tower at Cityplace  
2711 N. Haskell Ave., Suite 2400  
Dallas, Texas 75204  
Telephone: (972) 716-1888  
Fax: (972) 716-1899

**\*\*\*PLEASE FAX ALL COMMUNICATIONS REGARDING THIS MATTER TO THE SUBSTITUTE TRUSTEE AT 972-716-1899 (FAX), NOTE THE SUBSTITUTE TRUSTEE'S NAME ON YOUR COVER SHEET AND CONTACT THE SUBSTITUTE TRUSTEE AT 972-716-1888 (PHONE) TO CONFIRM RECEIPT. PLEASE ASSUME YOUR FAX HAS NOT BEEN RECEIVED UNTIL YOU VERBALLY CONFIRM RECEIPT THEREOF WITH OUR OFFICE. THANKS IN ADVANCE FOR YOUR COOPERATION.\*\*\***

**EXHIBIT A**

PROPERTY DESCRIPTION

[FOLLOWS THIS COVER PAGE]

**EXHIBIT "A"**

All that certain tract or parcel of land situated in Comanche County, Texas, being 2.238 acres of land out of the John Clark Survey, A-147 and being a part of those two tracts totaling approximately 5 acres described in Deed to Burk Denman per Vol. 708, Page 138, Comanche County Deed Records, said 2.238 acre tract described by metes and bounds as follows:

**BEGINNING** at a 3/8" steel pin with cap set in the South line of State Highway 36 being S3-05E, 820 feet from its intersection with the East line of County Road 286, said pin the NWC of said 5 acre tract and the NWC of this;

**THENCE** S35-05-1 OE (all GPS bearings) along said highway, at 387.26 feet a 3/8" steel pin with cap set, the NEC of this;

**THENCE** S26-13-08W, an unfenced line, at 396.43 feet a 3/8" steel pin set at the base of a 4" cedar post, the SEC of this;

**THENCE** N70-54-03W along fence at 109.90 feet a twin Mesquite trees and N57-40-49W, 71.19 feet a 2011 Post Oak tree for the SWC of this;

**THENCE** N18-28-25E along the fenced West line of said 5 acre tract, at 535.30 feet the Point of Beginning and containing 2.238 acres of land.

**TOGETHER WITH THAT CERTAIN EASEMENT DESCRIBED AS FOLLOWS:**

A Twenty (20') foot access road easement through and across a 5 acre tract out of the John Clark Survey, A-147 described in Deed to Burk Denman per Vol. 708, Page 138, Comanche County Deed Records, said easement described as follows: Ten (10') feet along and either side of a line Beginning at a steel pin set in the South line of State Highway 36 being S 35-05-10 E 1151 feet from its intersection with the East line of County Road 286, also being S 35-05-10 E 44.0 feet of the NEC of a 2.238 acre tract fractured from said 5 acre tract for Todd Denman on 17 Feb 2009;

**THENCE** S 79-25-00 W along of an improved driveway to the existing house tract of said 2.238 acre tract at 67.8 feet a steel pin set, the End point of this being in the east line of same S 26-13-08 W, 50.0 feet from its NEC and providing access and egress thereto.

**NOTE:** The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.

FILED 18th DAY OF September, 2018, AT 10:30 O'CLOCK A M.

RECORDED 19th DAY OF September, 2018, AT 9:00 O'CLOCK A M.

RUBY LESLEY, COMANCHE COUNTY CLERK

VERIFIED BY: Amy Huddleston DEPUTY