

NOTICE OF FORECLOSURE SALE

FILED FOR RECORD

April 11, 2019

2019 APR 11 PM 4:25

SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX

BY _____ DEP.

Deed of Trust:

Dated: January 5, 2018
 Grantor: Phillip Muhs
 Trustee: Celia C. Flowers
 Lender: Peggy Melancon Muhs
 Recorded in: Document No. 2018-000141, Real Property Records of Van Zandt County, Texas

Legal Description: All that certain lot, tract or parcel of land, situated in the B. Hollingsworth Survey, Abstract No. 413, Van Zandt County, Texas, and being more particularly described by meets and bounds as follows:

Beginning at a 1/2 inch iron rod (found) for the Southwest corner of these 1.63 acres. Said corner also being the Southwest corner of the above referenced Lot 4, being the Southeast corner of Lot 5, Block B, of Garden Acres Addition recorded in Glide 71B of the Plat Records of Van Zandt County, Texas, and being with the right of way of Van Zandt County Road No. 4409;

Thence North 02 deg. 03 min. 31 sec. West, along the West line of Lot 4 and the East line of Lot 5, a distance of 411.09 feet to a x-tie fence corner post (found) for the Northwest corner of these 1.63 acres;

Thence North 89 deg. 11 min. 36 sec. East, over and across Lot 4, a distance of 151.53 feet to a 1/2 inch rod (set) for the Northeast corner of these 1.63 acres;

Thence South 08 deg. 07 min. 01 sec. East, continuing over and across Lot 4, a distance of 411.59 feet to a 1/2 inch iron rod (set) for the Southeast corner of these 1.63 acres. Said corner also being on the South line of Lot 4 and being within the right of way of Van Zandt County Road N. 4409;

Thence South 88 deg. 23 min. 08 sec. West, along the South line of Lot 4 and within the right of way of Van Zandt County Road No. 4409, a distance of 194.94 feet back to the Point of Beginning and containing 1.63 acre tract of land.

Secures: Installment Note ("Note") dated September 28, 2017, in the original principal amount of \$16,000.00, executed by Phillip Muhs ("Borrower") and payable to the order of Lender, and all other indebtedness of Borrower to Lender.

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in Document No. 2018-000141 of the Real Property Records of Van Zandt County, Texas, and all rights and appurtenances thereto

Substitute Trustee: Tammie Harp

Substitute Trustee's Address: 137 W. James Street, Wills Point, Texas, 75169

Foreclosure Sale:

Date: Tuesday, May 7, 2019

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 a.m.

Place: Van Zandt County Courthouse located at 121 E. Dallas Street, Canton, Texas 75103

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 Peggy Melancon Muhs' 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, Peggy Melancon Muhs, 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 Peggy Melancon Muhs' election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Peggy Melancon Muhs' 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.

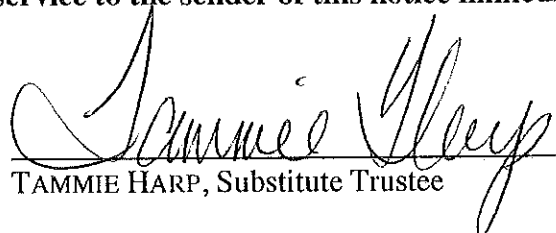
If Peggy Melancon Muhs passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

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 Peggy Melancon Muhs. 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.


TAMMIE HARP, Substitute Trustee