

**NOTICE OF FORECLOSURE SALE**

January 20, 2021

**Deed of Trust:**

Date: February 14, 2011

Grantors: Marty L. Hines and wife, Kimberly D. Hines

Trustee: George T. Holland

Lender: Salena Short; Current Holder: Brenda Ilene Bentley, Independent Executrix of the Estate of Salena Gail Short, Deceased

Recorded: Instrument No. 2011-001113, Public Records of Van Zandt County, Texas

Legal Description: 0.46 Acres, more or less, and all improvements thereon, situated in the Nacogdoches School Land Survey, Abstract No. 620, Van Zandt County, Texas, and more particularly described on the attached Exhibit A, which is incorporated here for all purposes, and being the same land described in that certain Warranty Deed with Vendors Lien by and between Salena Short, Grantor, and Marty L. Hines and wife, Kimberly D. Hines, dated February 14, 2011, and recorded as Instrument No. 2011-001112, Public Records of Van Zandt County, Texas.

Secures: Promissory Note dated February 14, 2011, in the original principal amount of \$68,860.00, executed by Marty L. Hines and wife, Kimberly D. Hines, and payable to the order of Salena Short, 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. 2011-001113, Public Records of Van Zandt County, Texas, and all rights and appurtenances thereto.

Substitute Trustee: Randall J. Cook  
Hardy Cook & Hardy, P.C.  
2080 Three Lakes Parkway  
Tyler, Smith County, Texas 75703

RECORDED  
JAN 20 2021  
VAN ZANDT COUNTY, TEXAS

**Foreclosure Sale:**

- Date: March 2, 2021
- Time: Between the hours of 10:00 a.m. and 4:00 p.m, local time, beginning not earlier than 10:00 o'clock a.m. nor later than three hours thereafter.
- Place: Van Zandt County, Texas Courthouse, in the area designated by the Commissioner's Court of Van Zandt County, Texas, pursuant to Section 51.002, of the Texas Property Code, as amended; if no area is so designated by the Commissioner's Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Substitute Trustee's Sale was posted.
- 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 beneficiary thereunder to have the bid credited to the note 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 must demonstrate the ability to pay cash on the date the property is sold.

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

Therefore, notice is given that on the Date, Time, and Place for the Foreclosure Sale above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

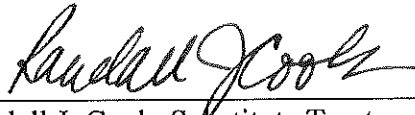
The deed of trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the deed of trust need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refilled in accordance with the posting and filing requirements of the Texas Property Code. Such reporting or refiling may be after the date originally scheduled for this sale.

The sale will be made expressly subject to unpaid ad valorem taxes and 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.

Pursuant to § 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 § 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.



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Randall J. Cook, Substitute Trustee  
Hardy Cook & Hardy, P.C.  
2080 Three Lakes Parkway  
Tyler, Texas 75703  
Phone: 903-561-8400  
Fax: 903-561-8228

**Assert and protect your rights as a member of the armed forces of the United States. If you 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 to the sender of this notice immediately.**

**EXHIBIT "A"**

All that certain lot, tract or parcel of land situated within the Nacogdoches School Land Survey, Abstract No. 620, Van Zandt County, Texas, same being a part of that tract of land conveyed to James E. Tetrick et ux. Oneta C. Tetrick in Volume 1255, Page 614, Real Records of Van Zandt County, Texas, and being more particularly described as follows:

BEGINNING at a point for corner in the Southwest line of said Tetrick tract and within County Road No.1502, from which a spike set for the West corner of said Tetrick tract bears North 45 degrees 29 minutes 00 seconds West at 167.65 feet for witness;

THENCE North 63 degrees 32 minutes 18 seconds East, passing a 1/2 inch steel rod set and capped "Vogt 5248" at 22.05 feet, in all 76.55 feet to a 1/2 inch steel rod set and capped "Vogt 5248" for corner;

THENCE North 50 degrees 21 minutes 05 seconds East, 97.58 feet to a 1/2 inch steel rod set and capped "Vogt 5248" for corner;

THENCE South 45 degrees 16 minutes 00 seconds East, 107.32 feet to a 1/2 inch steel rod set and capped "Vogt 5248" for corner;

THENCE South 45 degrees 43 minutes 26 seconds West, passing a 1/2 inch steel rod set and capped "Vogt 5248" at 150.07 feet, in all 169.44 feet to a point for corner in the Southwest line of said Tetrick tract and within County Road No.1502;

THENCE North 45 degrees 20 minutes 00 seconds West, with the Southwest line of said Tetrick tract and within County Road No. 1502, 138.62 feet to the Point of Beginning and containing 0.46 of an acre of land, of which approximately 0.07 of an acre lies within said County Road No.1502.