

OCT 09 2024

**NOTICE OF FORECLOSURE SALE**

Notice is hereby given of a public nonjudicial foreclosure sale.

SUSAN STRICKLAND  
COUNTY CLERK, VAN ZANDT CO., TX  
BY \_\_\_\_\_ DEP

1. Deed of Trust. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the following described deed of trust:

Date: September 8, 2021

Grantor(s): Dalton Koonce

Beneficiary: Austin Bank, Texas N.A.

Substitute Trustee: Drew Gillen

Recording Information: Deed of Trust recorded in Document No. 2021-010481 of the Official Public Records of Van Zandt County, Texas.

2. Property to be Sold. The property to be sold (the "Property") is described as follows:

All that certain lot, tract or parcel of land located within the Mund Gross Survey, Abstract No. 299 of Van Zandt County, Texas, being all of a called 0.544 of an acre tract as described in a deed from Helen G. Mackey to Claudia Sanders, dated October 13, 2014 and recorded in Document No. 2014-008312 of the Real Records of Van Zandt County, Texas, and this 0.545 acre tract being more particularly described on Exhibit "A" attached hereto and being made a part hereof.

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

Date: November 5, 2024

Time: The sale shall begin no earlier than 1:00 p.m. or no later than three (3) hours thereafter. The sale shall be completed by no later than 4:00 p.m.

Place: Van Zandt County Courthouse in Canton, Texas, at the following location:  
In the area of such Courthouse designated by the Van Zandt County Commissioners' Court as the area where foreclosure sales shall take place, or, if no such area has been designated, then within 25 feet at

or near and including the outside steps and the main hall of the west entrance of the Van Zandt County Courthouse, in Canton, Texas.

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 refiled 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.

4. 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 will need to demonstrate their ability to pay cash on the date the property is sold.

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 other 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.

A purchaser at the sale of the Property "acquires the Property "AS IS" without any expressed or implied warranties" (except as to the warranties of title from the grantor identified in the deed of trust described below). Any purchaser acquires the Property "at the purchaser's own risk." Texas

Property Code §51.009. Nothing set forth in this Notice is an express or implied representation or warranty regarding the Property, all of which are specifically disclaimed by the undersigned and by the beneficiary of the herein described deed of trust.

5. Type of Sale. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Dalton Koonce. The deed of trust is dated September 8, 2021, and is recorded in the office of the County Clerk of Van Zandt County, Texas, in Document No. 2021-010481, of the Official Public Records of Van Zandt County, Texas.

6. Obligations Secured. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including, but not limited to, (1) the September 8, 2021 promissory note in the original principal amount of \$162,000.00, executed by Dalton Koonce, and payable to the order of Austin Bank, Texas N.A.; (2) all renewals and extensions of the note; (3) all interest, late charges, fees and other expenses payable under said note on the herein described deed of trust; and (4) all other debts and obligations described in the deed of trust (including all debts secured by any cross-collateralization clause in the deed of trust). Austin Bank, Texas N.A. is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Austin Bank, N.A., Attention: Shannon Seay, telephone 903-759-3828.

7. Default and Request to Act. Default has occurred under the deed of trust, and the beneficiary has asked me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

DATED: October 1, 2024



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Drew Gillen, Substitute Trustee  
2381 Oak Alley  
Tyler, Texas 75703  
Tel: (903) 535-2900  
Fax: (903) 533-8646  
drew@gillenandgillen.com

**Notice to Members of the Armed Forces of the United States:**

**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.**

EXHIBIT "A"

All that certain lot, tract or parcel of land located within the Mund Gross Survey, Abstract No. 299 of Van Zandt County, Texas, being all of a called 0.544 of an acre tract as described in a deed from Helen G. Mackey to Claudia Sanders, dated October 13, 2014 and recorded in Document No. 2014-008312 of the Real Records of Van Zandt County, Texas, and this 0.545 acre tract being more fully described as follows:

BEGINNING at a 5/8" Iron Rod found in the North right-of-way line of Pine Chase Street for the Southwest corner of this tract, being the Southeast corner of a called 0.498 of an acre tract as described in a deed from Brenda Richards to Michael L. Mattox, dated May 8, 2001 and recorded in Volume 1626 on Page 93, from which a 5/8" Iron Rod found for the Northeast corner of same bears: North 00 deg. 22 min. 43 sec. East, a distance of 239.22 feet;

THENCE North 00 deg. 22 min. 43 sec. East, a distance of 183.63 feet, with the East line of said 0.498 acre tract to a 1/2" Iron Rod found in same, being the most Western Southwest corner of a called 1.562 acre tract as described in a deed from Devin W. Rowe, and wife Diane E. Rowe to Maria Delcarmen Colorado, dated August 21, 2014 and recorded in Document No. 2014-006891, a 5/8" Iron Rod found for the Northwest corner of same bears: North 00 deg. 22 min. 43 sec. East, a distance of 55.59 feet;

THENCE South 89 deg. 34 min. 32 sec. East, a distance of 96.25 feet, with a South line of said 1.562 acre tract to a 1/2" Iron Rod found for an interior corner of same;

THENCE South 31 deg. 37 min. 42 sec. East, a distance of 97.81 feet, with a Southwest line of said 1.562 acre tract to a 1/2" Iron Rod found for an interior corner of same;

THENCE South 02 deg. 17 min. 07 sec. East, a distance of 83.33 feet, with a West line of said 1.562 acre tract to a 1/2" Iron Rod found in the North right-of-way line of Pine Chase Street for the most Southern Southwest corner of same;

THENCE South 83 deg. 45 min. 32 sec. West, a distance of 150.54 feet, with said right-of-way line to the POINT OF BEGINNING AND CONTAINING 0.545 OF AN ACRE OF LAND.

An actual on the ground survey of the above described property was prepared under the direction and supervision of JACE D. SCARBROUGH, R.P.L.S. #6289, dated July 19, 2021.