

Notice of Foreclosure Sale

Sydney O'Keefe

September 22, 2023

("Deed of Trust"):

Dated: March 18, 2022

Grantor: Sydney O'Keefe

Trustee: Gary D. Peak

Lender: Gary D. Peak

Recorded in: Instrument Number 2022-001726, the real property records of Eastland County, Texas.

Legal Description: BEING the South 37 feet of MANSKER ADDITION and the North 12 feet of Lots 9 and 10 C.U. Connellee Addition to the City of Eastland, Eastland County, Texas

Secures: Sale of real property as set out above and in real property records of Eastland County, Texas, Vol 2022, Pg. 1725, in the original principal amount of \$80,000.00, executed by Sydney O'Keefe and payable to the order of Gary D. Peak.

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto

Foreclosure Sale:

Date: November 7, 2023

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 12:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 a.m. and not later than two hours thereafter.

Place: Eastland County Courthouse
100 W. Main St.
Eastland, Texas 76448
Entry on South side of the courthouse.

Filed for Record at 11:15A M.
CATHY JENTHO, COUNTY CLERK

SEP 27 2023

EASTLAND COUNTY, TEXAS
By EN Deputy

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 Lender's 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 by failing to pay as agreed, failing to maintain insurance on the property as required, and failing to pay taxes on the property as required. Because of that default, Gary D. Peak, the owner and holder of the Note, has requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Gary D. Peak's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Gary D. Peak'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 Gary D. Peak 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 Gary D. Peak. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

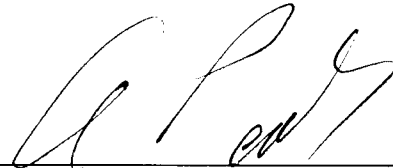
Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, 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.



Gary D. Peak
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Eastland, Texas 76448
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Attorney and Trustee