

NOTICE OF NON-JUDICIAL FORECLOSURE SALE

WHEREAS, That certain Deed of Trust (the "Deed of Trust") dated August 10, 2017, from Jonathan Andrew Barney and Jennifer DeAnn Barney ("Borrower"), as Grantor to Ryan Coggin, Trustee, filed for record in Real Property Records of Eastland County, Texas on August 24, 2017, as Instrument Number 2017-002394, more particularly described therein, which serves as security for a \$32,000.00 promissory note described therein (the "Note") executed by Borrower payable to the order of Chris Hinkle Real Estate, LLC.

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of the said original Trustee, upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, default, as same is defined in the Promissory Note and/or the Deed of Trust, has occurred and the outstanding indebtedness on same is now wholly due; and

WHEREAS, Chris Hinkle Real Estate, LLC the Owner and Holder of the Promissory Note has requested the undersigned to sell the real property described in the Deed of Trust to satisfy said indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, December 1, 2020 beginning at 10:00 o'clock am or no later than 1:00 o'clock pm, the Trustee or Substitute Trustee, will sell the following described real property, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness affecting the property which is superior to the Deed of Trust, if any, at the Courthouse of Eastland County, Texas, in the area designated by the Commissioners Court of such County, or if no such area has been so designated, then at the place where non-judicial foreclosure sales of real property are customarily and regularly held in Eastland County, Texas, which real property is described as follows:

Legal Description: BEING 70 feet by 127 feet out of the Northwest corner of Block D/-3, in the City of Eastland, Eastland County, Texas and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

Together with all improvements on the property; all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water rights, and water stock; all fixtures attached to the property; and all personal property, if any described in and secured by the Deed of Trust.

The property to be sold is the same property described in said Deed of Trust, except as same may have been modified of record.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE(S), EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER THE OWNER ~~OR TRUSTEE~~ <sup>RECEIVED</sup> 11:45 A.M.  
CATHY JENTHO, COUNTY CLERK

NOV 03 2020

EASTLAND COUNTY, TEXAS  
By AH Deput.

PROMISSORY NOTE NOR THE SUBSTITUTE TRUSTEE(S) MAKES ANY REPRESENTATIONS OR WARRANTIES WITH THE RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATIONS WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

**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.**

IN WITNESS HEREOF, this instrument has been executed to be effective October 30, 2020

Property Address: 408 W. Moss Street, Eastland, TX 76448

Substitute Trustee, \_\_\_\_\_

  
Eric Jancovech

EXHIBIT "A"

70 feet x 127 feet out of the Northwest corner of Block D/-3, in the City of Eastland, Eastland County, Texas, described as follows:

Beginning at the Northwest corner of said Block D/-3 for the northwest corner of this tract;

Thence South 127 feet;

Thence East 70 feet;

Thence North 127 feet;

Thence West 70 feet to the place of beginning.

(And being the same property described in Vol. 551, page 508, Deed Records, Eastland County, Texas, deed to J. F. Wilson, et ux)