

## Notice of Substitute Trustee's Sale

**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.**

Notice is hereby given that, subject to the terms and conditions set forth in this Notice, a public sale, at auction, of the Property (as that term is defined and described below) will be held at the date, time and place set forth in this Notice.

1. *Property to Be Sold.* The Property to be sold, including improvements (collectively, the "Property"), is described as follows:

Legal Description of the Property:

***See Exhibit "A"***

Mailing Address of the Property:

***524 W Roberts St., Gorman, Texas 76454-2713***

2. *Deed of Trust Creating Lien That Is The Subject of Sale.*

Deed of Trust dated December 20, 2017, executed by Gabriela Alanis-Ramirez and Benjamin Ramirez to David W. Bailey, Trustee for the benefit of First Financial Bank, N.A., recorded in the Official Public Records of Eastland County, Texas as Instrument No. 2017-003497 (the "***Deed of Trust***")

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

Date: October 3, 2023

Time: The sale will begin no earlier than 10:00 a.m. or no later than three hours thereafter.

Place: Eastland County Courthouse, Texas at the following location: 100 W Main St., Eastland, Texas 76448 at the South Entrance Steps of the Eastland County Courthouse, or if the preceding area is no longer the designated area, at the area

most recently designated by the County Commissioners Court, pursuant to Section 51.002 of the Texas Property Code.

The Beneficiary reserves the right to postpone, withdraw, or reschedule the sale for another day. In the event that the sale is postponed or rescheduled, notice of the date of any rescheduled Substitute Trustee's Sale will be reposted and re-filed in accordance with the posting and filing requirements of the Texas Property Code. The reposting or re-filing 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 permitting the Beneficiary to have its bid(s) credited to the amounts owing under the terms of the Note (as hereafter described) that is secured by the Deed of Trust.

Those desiring to purchase the Property will need to demonstrate their immediate ability to pay by cash (which may be by cashier's check) at the time that the Property is sold.

The 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 sale will necessarily be made subject to all 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. The sale shall not cover any part of the Property that has been released of public record from the lien of 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 the Deed of Trust, the Beneficiary has the right to direct the Trustee or Substitute Trustee to sell the Property in one or more parcels and/or to sell all or only part of the Property.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold in "as is" condition, without any express or implied warranties, except as to the warranties of title (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 of the Texas Property Code, the undersigned, as Substitute Trustee, reserves the right to set reasonable conditions (in addition to the conditions set forth herein) for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the Substitute Trustee.

5. *Type of Sale.* The sale is a non-judicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust.

6. *Obligations Secured.* The Deed of Trust dated December 20, 2017 including all extensions, modifications, and renewals thereof provides that it secures the payment of the indebtedness and obligations therein described including, but not limited to the Promissory Note in the original principal amount of \$21,510.00 made payable to the order of First Financial Bank, N.A. First

Financial Bank, N.A. is the current owner and holder of the afore-mentioned Note and Deed of Trust and is the beneficiary identified therein.

7. *Trustee/Substitute Trustee.* The undersigned has been appointed by the Beneficiary as Substitute Trustee under the terms of the Deed of Trust and may be referred to herein as either the "Trustee" or "Substitute Trustee".

8. *Default and Request to Act.* Default has occurred in the payment of indebtedness due under the afore-mentioned Note that is secured by the Deed of Trust. As a result, all of the unpaid balance of principal and accrued interest upon, the Note is now due and payable, along with all costs and expenses (including attorney's fees) that have been incurred by the Beneficiary and that are secured by the Deed of Trust. The Beneficiary has requested the Substitute Trustee under the Deed of Trust, to conduct this sale, the proceeds of such sale to be applied in accordance with the terms of the Deed of Trust. Notice is hereby given that before the sale, the Beneficiary may appoint another person substitute trustee to conduct the sale.

THEREFORE, at the date, time and place set forth above, the appointed Substitute Trustee will sell the Property (including any improvements) at public auction to the highest bidder for cash (subject to the right of the Beneficiary to have its bid(s) credited to the amounts due under the Note) pursuant to the terms of the Deed of Trust and applicable law.

Questions concerning the sale may be directed to the undersigned.

Dated: September 7, 2023.

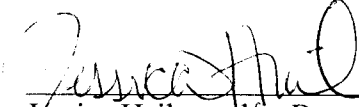
  
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EXHIBIT "A"

Field notes of a survey of a survey of Real Property and Improvements situated on a 0.34 acre tract of land out of and part of Lot 2 Block I, City of Gorman, Eastland County, Texas, as per the Official Plat of said Townsite filed of record in Slide 134 of the Plat Cabinet Records of Eastland County, Texas. Said 0.34 acres also being out of and part of the First and Second tracts described in a deed to L. Ross Wilson, et. ux. recorded in Volume 2414 Page 100 of the Official Public Records of Eastland County, Texas. Said tract having a physical address of 526 Roberts Street, Gorman, Texas 76454. This survey of said 0.34 acres being made for the Ross Wilson Estate by virtue of their request and being more particularly described as follows;

Beginning at a ½" rebar with survey cap # 5085 set in the South line of Roberts Street and the North line of Lot 2 Block I, City of Gorman, for the Northeast corner of this described tract and the Northeast corner of L. Ross Wilson, et. ux. First tract (100' X 150' tract), said point also being the Northerlymost corner of C. W. Swanner 50' X 150' tract described in Volume 611 Page 576, Deed Records of Eastland County, Texas and being located N 48° 11' 58" W 140.00 feet from the Easterlymost corner of said Lot 2 Block I, City of Gorman.

Thence S 42° 00' 17" W, with the East line of this described tract and the West line of C. W. Swanner tract, at 150.00 feet passing the Southeast corner of said L. Ross Wilson, et. ux. First tract and Northeast corner of L. Ross Wilson, et. ux. Second tract, same being the Southwest corner of C. W. Swanner tract, thence continuing along same course for a total distance of 155.00 feet to a ½" rebar with survey cap # 5085 set for the Southerlymost or Southeast corner of this described tract.

Thence N 48° 11' 27" W, 93.65 feet with the South line of this described tract, to a ½" rebar with survey cap # 5085 set for the Westerlymost or Southwest corner of this described tract.

Thence N 41° 03' 20" E, with the West line of this described tract, at 5.00 feet passing the North line of L. Ross Wilson, et. ux. Second tract and the South line of L. Ross Wilson, et. ux. First tract, thence continuing along same course for a total distance of 155.00 feet to a ½" rebar with survey cap # 5085 set at its intersection with the North line of Lot 2 Block I, City of Gorman and the South line of Roberts Street, for the Northerlymost or Northwest corner of this described tract.

Thence S 48° 11' 58" E, 96.42 feet with the North line of this described tract and the North line of L. Ross Wilson, et. ux. First tract, same being the North line of Lot 2 Block I, City of Gorman, also being the South line of Roberts Street, to the place of beginning and containing 0.34 acres of land.

Bearings on the above described tract were based upon Grid North, WGS 84, G.P.S. Surveying System.

RECORDED 1:50 P M.  
CATHY JUMITHO, COUNTY CLERK

SEP 07 2023

EASTLAND COUNTY, TEXAS  
By EN Deputy