

NOTICE OF TRUSTEE'S SALE

4 February 2020

“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.” TEX. PROP. CODE §51.002(i)

Name & Address of Sender of the Notice: **Richard G. Baker** as (Substitute) Trustee
Physical Address 1935 Trinity, Liberty, TX 77575 (Liberty County)
Mailing Address P. O. Box 10066, Liberty TX 77575 (Liberty County)
Office Telephone No. 936.336.6677

THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

STATE OF TEXAS §
COUNTY OF CHAMBERS § *KNOW ALL MEN BY THESE PRESENTS:* §

<u>Note Secured by Lien (“the Note”):</u> Date of Note: 11 April 2014 Debtor/Maker: Kim Walker (a single person) Creditor/Holder: Larry W. Wells & Cynthia J. Hoverson (husband and wife) Original Principal Amount: US\$63,000 Scheduled Maturity Date: 1 June 2029 Maturity Accelerated: 19 December 2019	<u>Deed of Trust Securing Payment of the Note:</u> Dated: 11 April 2014 Recorded: 14 April 2014 as Instrument Indexed, Marked or Coded #2014 93208 of the Official Public Records of Chambers County, Texas.
<u>Property Subject to Deed of Trust & Note Secured by Deed of Trust (the Property):</u> Lot Three (3) and Lot Four (4), Block Four (4), Bayview Addition , a subdivision in Chambers County, Texas, according to the map or plat thereof recorded in Volume “B” , Page 4 of the Plat Records of Chambers County, Texas; said property also described as Parcel ID 1647 in the maps and records of the Appraisal District of Chambers County, Texas; and located at 306 Live Oak, Anahuac, TX 77514 ; together with the improvements, attachments, fixtures and appurtenances thereon and thereto as per the terms of the Deed of Trust, hereby incorporated by reference.	

Original Trustee: **Joe F. Sandlin**
P. O. Box 656, Anahuac, TX 77514 (Chambers County)

Notice of Trustee’s Sale by Trustee: Richard G. Baker
Owner/Debtor: Kim Walker (a single person)
Property: Lots 3 & 4, Block 4, Bayview Addition,
Anahuac, Chambers County, TX 77514



Substitute Trustee appointed and empowered to act in the place of the original trustee upon the contingency and in the manner authorized by the Deed of Trust:

Richard G. Baker

1935 Trinity, Liberty, TX 77575 (Liberty County)

P. O. Box 10066, Liberty, TX 77575 (Liberty County)

Telephone No. 936.336.6677

Owner(s) of the Property: **Kim Walker** (a single person)

P. O. Box 1229, Anahuac, TX 77514 (Chambers County)

(bing the last known address according to Mortgagee's records)

Holder of Note/Beneficiary of Deed of Trust (Holder or Mortgagee):

Larry W. Wells & Cynthia J. Hoverson (husband and wife)

P. O. Box P, Anahuac, TX 77514 (Chambers County)

Date & Time of Sale: on Tuesday, **4 February 2020**, between the hours of 1:00 o'clock p.m. and 4:00 o'clock p.m.

Place of Sale: the foreclosure sale will be conducted at public venue in the area designated by the Chambers County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted; *see* Order of the Chambers County Commissioners Court dated 30 October 1987 recorded as Instrument Marked/Indexed/Coded 4933-B in Volume 29 at Pages 106, *et seq.*, of the Official Public Records of Chambers County, Texas and amended by order dated 10 July 1989 recorded in Volume 50 at Pages 624, *et seq.*, of the Commissioners Court Minutes of Chambers County, Texas, said orders hereby incorporated by reference; and said area and place of sale generally described as and being inside the Courthouse, on the Eastern-most steps of the Second Level Middle Floor of the County Courthouse of Chambers County, Texas located at 404 Washington Avenue in Anahuac, Texas 77514, where the foreclosure sales by trustees are to take place.

In this notice, the term "Trustee" and "the trustee" includes the Substitute Trustee, if any, and the term "Trustee's Sale" includes the Substitute Trustee's Sale, if any, and the term "Notice of Trustee's Sale" includes Notice of Substitute Trustee's Sale, if any.

Incorporating the foregoing by reference, WHEREAS:

1. Owner/Debtor executed a Deed of Trust conveying the Property to the Original Trustee named in the Deed of Trust as Trustee to secure the payment of the note and the obligations described in the Deed of Trust ("the indebtedness");

Notice of Trustee's Sale by Trustee: Richard G. Baker

Owner/Debtor: Kim Walker (a single person)

Property: Lots 3 & 4, Block 4, Bayview Addition,

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2. Holder is the holder and owner of the note and the beneficiary of the Deed of Trust and the lien and power of sale contained therein;

3. Holder, as the holder and owner of the note and beneficiary of the Deed of Trust and the lien and power of sale contained therein, duly designated and appointed the Substitute Trustee to serve as trustee under and pursuant to the terms of said Deed of Trust and applicable law to foreclose and sell the Property accordingly; &

4. default has occurred in the payment of the indebtedness, and the same is now wholly due and owing, and Holder has requested Substitute Trustee to enforce the trust created in the Deed of Trust, and Holder further requested Substitute Trustee to sell the Property to satisfy the indebtedness or part thereof.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on the Date & Time of Sale at the Place of Sale pursuant to the powers of sale in the Deed of Trust and the Designation/Appointment as Substitute Trustee, I, said Substitute Trustee and as Trustee, will sell to the highest bidder for cash the Property. This sale is not intended to impair or extinguish, and will not impair or extinguish, other lien rights of Holder to the Property, and to the repayment of the indebtedness secured by other lien right(s) of Holder. Trustee and Holder intend that said other lien right(s), if any, will continue to exist after this sale. Trustee and Holder reserve the right to allocate the sale proceeds in accordance with the terms of the Note, the Deed of Trust, applicable statutes, the common law and Holder's rights to repayment of any indebtedness Owner/Debtor owes to Holder, and to reserve and/or except from the sale and the conveyance after the sale other lien right(s) of Holder upon the Property securing the repayment of other indebtedness.

The sale will be conducted as a public auction to the highest bidder for cash at the place, date and time specified, 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.

Persons desiring to purchase the property will need to demonstrate his ability to pay cash on the day the property is sold. If a purchaser desires to pay with cashier's check(s), the cashier's check should be made payable to **Richard G. Baker, Trustee** or endorsed in accordance with the instructions by the Trustee. The purchase price in a sale held by the Trustee is payable immediately on the Trustee's acceptance of the bid. 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 be necessarily 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 inspect the applicable property records to determine the nature and extent of such matters, if any. If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Trustee, the Mortgagor, the Mortgagor's attorney, the Mortgagee or the Mortgagee's attorney.

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


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Pursuant to §51.009 of the Texas Property Code, the Property will be sold in an "as-is, where-is" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the Deed of Trust or other valid, applicable title documents, and subject to all matters of record affecting the Property, at the purchaser's own risk and the purchaser is not a consumer. Prospective bidders are advised to conduct an independent investigation of the Property.

Pursuant to §51.0075 of the Texas Property Code, the Trustee reserves the right to set further reasonable conditions 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 Trustee.

WITNESS MY HAND this **19 December 2019**, A.D.


Richard G. Baker as (Substitute) Trustee

cc: copies of this notice were delivered or mailed this date to the following person(s)/entities by the following methods based upon the information made available to the Holder and the Substitute Trustee:

<u>Holder of Note & Lien:</u> Larry W. Wells & Cynthia J. Hoverson P. O. Box P, Anahuac, TX 77514 via 1 st Class Regular U. S. Mail	<u>Debtor(s):</u> Kim Walker (a single person) P. O. Box 1229 Anahuac, TX 77514 via 1 st Class U. S. Mail, a) Regular & b) Certified, Return Receipt Requested, No. 7012 2210 0001 5218 7454
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FILED FOR RECORD IN:
Chambers County
On: 12/19/2019 10:52:31 AM
Doc Number: 2019-2920
Number of Pages: 4
Amount: 10.00
Order#: 20191219000020
By: LM



Heather H. Hawthorne, County Clerk

Recorded: 

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