

#62

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**  
**(NON-JUDICIAL FORECLOSURE)**

December 14, 2020

**Notice is hereby given of a public, non-judicial foreclosure sale.**

**Notice to Member(s) of Armed Forces: 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 the 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. The address of the sender of this notice is set forth below.**

**Deed of Trust:**

Dated: April 21, 2017

Grantor: Casey McGee and Arielle Akin

Trustee: Michael W. McDonald

Lender: Jim D. Vaughn and Lynda Vaughn

Recorded in: Volume 1904, Page 528, Clerk's Instrument Number 00087850,  
Official Public Records of Hill County, Texas

Secures: Real Estate Lien Note (the "Note") in the original principal amount of \$84,000.00, executed by Casey McGee and Arielle Akin and payable to the order of Jim D. Vaughn and Lynda Vaughn

**Description of the Real Property:** All those certain lots, tracts or parcels of land lying and situated in the City of Whitney, Hill County, Texas, being all of Lots One (1) and Two (2), Block Three (3) of the SUBURBAN ADDITION, containing 0.298 acre, and being more particularly described by metes and bounds on **Exhibit "A"** attached hereto and incorporated herein for all purposes (the "Property").

**Substitute Trustee:** David K. Waggoner

**Substitute Trustee's Address:** 103 West Elm Street  
P.O. Box 875  
Hillsboro, Texas 76645

FILED 9:57 A.M

DEC 14 2020

Nicole Tanner  
CLERK COUNTY HILL COUNTY TEXAS  
BY L. Cantaneda COUNTY

**Foreclosure Sale (the "Sale"):**

**Date:** Tuesday, January 5, 2021

**Time:** The Sale shall begin no earlier than 9:00 A.M., or no later than three hours thereafter. The Sale shall be completed by no later than 12:00 P.M.

**Place:** Hill County Courthouse in Hillsboro, Texas, on the east exterior steps as designated for foreclosure sales by the Commissioners Court of Hill County, Texas, pursuant to Section 51.002 of the Texas Property Code.

**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 the Sale. Pursuant to the Deed of Trust, the Beneficiary has the right to direct the Trustee to sell the Property in one or more parcels and/or to sell all or only part of the Property.

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 re-posted and re-filed in accordance with the posting and filing requirements of the Texas Property Code. Such re-posting or re-filing may be after the date originally scheduled for this Sale.

Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the property is sold. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

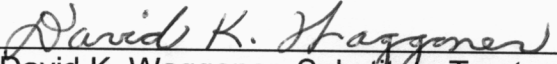
The Sale is a non-judicial Deed of Trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust. The Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Sale will necessarily be made subject to all 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. Pursuant to Section 51.0075 of the Texas Property Code, the Substitute 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 Substitute Trustee.

Pursuant to section 51.009 of the Texas Property Code, the Property shall be sold on an "AS IS, WHERE IS" basis, without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.

Default has occurred under the Deed of Trust and the Beneficiary has requested me, as the duly appointed Substitute Trustee, to conduct the Sale. Notice is given that before the Sale the Beneficiary may appoint another person as Substitute Trustee to conduct the Sale.

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT (DEED OF TRUST) IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY AUTHORIZED TO CONDUCT THE FORECLOSURE SALE ON BEHALF OF THE MORTGAGEE (BENEFICIARY) .**

Executed this 14th day of December, 2020.



David K. Waggoner, Substitute Trustee  
State Bar No. 50511604  
103 West Elm Street  
P.O. Box 875  
Hillsboro, Texas 76645  
Telephone: 254-580-0265  
Info@WaggonerLawFirm.net

#### CERTIFICATE OF POSTING

I am David K. Waggoner, whose address is 103 West Elm Street, Hillsboro, Texas, 76645. I hereby declare under penalty of perjury that on December 14, 2020, I filed this Notice of Substitute Trustee's Sale at the office of the Hill County Clerk and caused it to be posted at the location directed by the Hill County Commissioners Court.



David K. Waggoner

EXHIBIT "A"

Page 1 of 2

INCE SURVEYING & ENGINEERING  
FIRM #10068000  
184 THOUSAND OAKS DRIVE  
WHITNEY, TEXAS 76692  
PHONE: (254)694-7708  
FAX: (254)694-7230

Field notes for the survey of a certain lot, tract, or parcel of land being all of Lots 1 and 2, Block 3 of the Suburban Addition to the City of Whitney, Hill County, Texas; according to plat recorded in Slide B-115 of the Official Plat Records of Hill County. Said land is all those certain tracts described in a deed from Paul Carter to Deborah Carter recorded in Volume 1458, Page 705 of the Official Public Records of Hill County, more particularly described as follows:

BEGINNING at a 1/2" iron rod found at the intersection of the east line of Texas Street with the south line of Beth Street for the northwest corner of said Lot 1 and for the northwest corner of this;

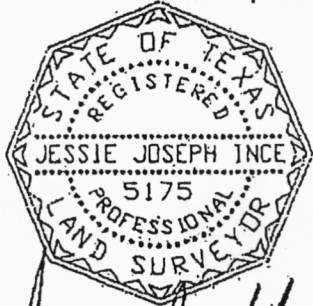
THENCE with the south line of Beth Street, N58°57'33"E 129.97 feet to a 3/8" iron rod found under concrete driveway for the northeast corner of said Lot 2 and for the northeast corner of this;

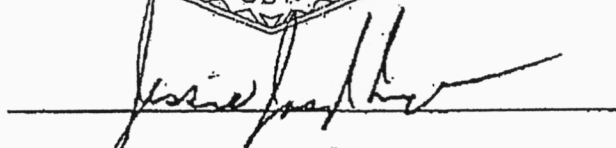
THENCE generally along a wood privacy fence as extended, S29°00'00"E 100.01 feet to a 3/8" iron rod found at a fence corner in the north line of a 20 foot alley for the southeast corner of said Lot 2 and for the southeast corner of this;

THENCE with the north line of said alley, S59°00'45"W 129.92 feet to a 3/8" iron rod found in the east line of Texas Street for the southwest corner of said Lot 1 and for the southwest corner of this;

THENCE with the east line of Texas Street, N29°01'37"W 99.89 feet to the place of beginning, containing 0.298 acres of land.

A plat of even date accompanies these field notes.

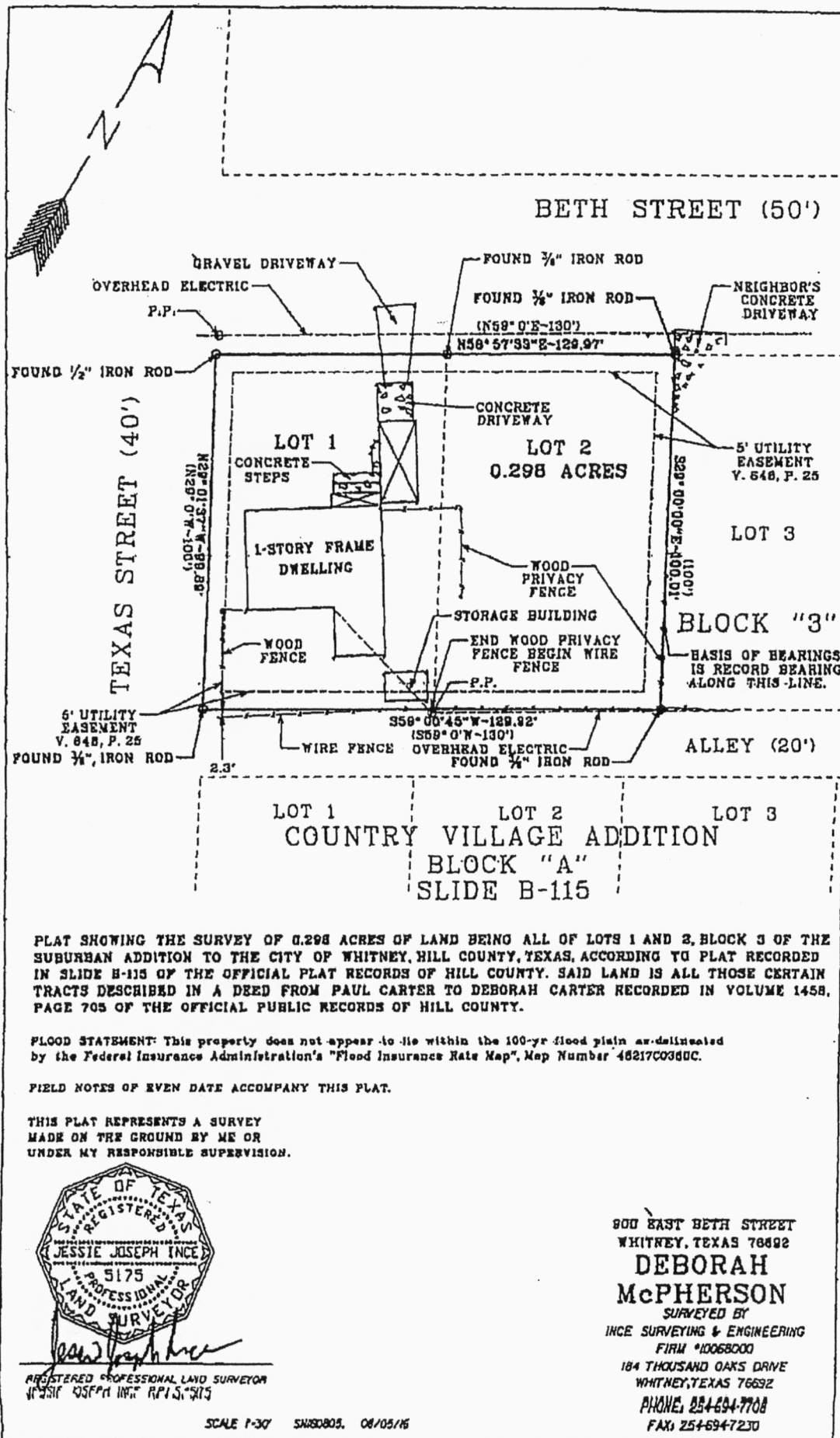




Registered Professional Land Surveyor  
08/05/16

EXHIBIT "A"

Page 2 of 2



LOT 1 LOT 2 LOT 3  
 COUNTRY VILLAGE ADDITION  
 BLOCK "A"  
 SLIDE B-115

PLAT SHOWING THE SURVEY OF 0.298 ACRES OF LAND BEING ALL OF LOTS 1 AND 2, BLOCK 3 OF THE SUBURBAN ADDITION TO THE CITY OF WHITNEY, HILL COUNTY, TEXAS, ACCORDING TO PLAT RECORDED IN SLIDE B-115 OF THE OFFICIAL PLAT RECORDS OF HILL COUNTY. SAID LAND IS ALL THOSE CERTAIN TRACTS DESCRIBED IN A DEED FROM PAUL CARTER TO DEBORAH CARTER RECORDED IN VOLUME 1458, PAGE 705 OF THE OFFICIAL PUBLIC RECORDS OF HILL COUNTY.

FLOOD STATEMENT: This property does not appear to lie within the 100-yr flood plain as delineated by the Federal Insurance Administration's "Flood Insurance Rate Map", Map Number 46217C0360C.

FIELD NOTES OF EVEN DATE ACCOMPANY THIS PLAT.

THIS PLAT REPRESENTS A SURVEY MADE ON THE GROUND BY ME OR UNDER MY RESPONSIBLE SUPERVISION.



REGISTERED PROFESSIONAL LAND SURVEYOR  
 JESSIE JOSEPH INCE, P.L.S. #5175

SCALE 1"=30' SH830805, 08/05/16

800 EAST BETH STREET  
 WHITNEY, TEXAS 76692  
**DEBORAH McPHERSON**  
 SURVEYED BY  
 INCE SURVEYING & ENGINEERING  
 FIRM #10068000  
 184 THOUSAND OAKS DRIVE  
 WHITNEY, TEXAS 76692  
 PHONE: 254-694-7708  
 FAX: 254-694-7230