

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

FILED  
NICOLE TANNER, COUNTY CLERK  
HILL COUNTY, TEXAS

2019 JAN 14 P 3:56

January 11, 2019

**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 a 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: May 6, 2016

Grantor: Shawn Whitaker

Trustee: David K. Waggoner

Beneficiary: Rollin' P Properties, LLC

Recorded in: Volume 1865, Page 460,  
Official Public Records of Hill County, Texas

Secures: Real Estate Lien Note (the "Note") in the original principal amount of \$16,700.00, executed by Shawn Whitaker and payable to the order of Rollin' P Properties, LLC

**Description of the Real Property:** All of the real property (including all improvements, if any) described as parts of Lot Eight (8) and Lot Nine (9) in Block Four (4) in the ROSE HILL ADDITION to the City of Hillsboro, Hill County, Texas, as shown on the plat thereof recorded in Volume 32, Page 570, Deed Records of Hill County, Texas, and being more fully described on **Exhibit "A"** attached hereto and incorporated herein for all purposes (the "Property").

**Trustee:** David K. Waggoner

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

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

**Date:** Tuesday, February 5, 2019

**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 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.

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 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.

Executed this 11th day of January, 2019.

*David K. Waggoner*

David K. Waggoner, Trustee

State Bar No. 50511604

103 West Elm Street

P.O. Box 875

Hillsboro, Texas 76645

Telephone: 254-580-0265

Info@WaggonerLawFirm.net

## EXHIBIT "A"

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All those certain lots, tracts or parcels of land lying and situated in the ROSE HILL ADDITION of the City of Hillsboro, Hill County, Texas, as shown on the plat thereof recorded in Volume 32, Page 570, of the Deed Records of Hill County, Texas, and being described in two tracts as follows:

TRACT ONE: All of Lot Eight (8) in Block Four (4); SAVE AND EXCEPT 14.63 feet off the West end of said lot which was conveyed by F.A. Ramsey and wife, Mollie Ramsey to the State of Texas by Deed dated July 16, 1936, as recorded in Volume 279, Page 597, Deed Records of Hill County, Texas.

TRACT TWO: All of Lot Nine (9) in Block Four (4); SAVE AND EXCEPT approximately fifteen feet (15 ft.) off the West end of said lot as conveyed by H.F. Henderson to the City of Hillsboro by Deed dated July 21, 1936, as recorded in Volume 278, Page 298, Deed Records of Hill County, Texas.