

Posting  
shows to sell  
in McLennan Co.

148

NOTICE OF TRUSTEE'S SALE

FILED  
NICOLE TANNER, COUNTY CLERK  
HILL COUNTY, TEXAS

2016 SEP 13 A 9:57

PURSUANT to authority conferred upon me by that certain Deed of Trust executed by DAVID HUSE FAITH ALEXANDER HUSE, dated SEPTEMBER 12TH, 2016, duly recorded in \_\_\_\_\_, I will, as Substitute Trustee under said Deed of Trust, in order to satisfy the indebtedness secured thereby and at the request of the holder of said indebtedness (the "Holder"), default having been made in the payment thereof, sell on Tuesday, OCTOBER 4TH, 2016, (that being the first Tuesday of said month), at public auction to the highest bidder for cash at the Courthouse of McLennan County, Texas, at the designated area as so designated by the Commissioner's Court of the County of McLennan, State of Texas, for sales of real property under powers of sale conferred by deeds of trust or other contract liens, the following described property, together with all improvements, fixtures and personal property described in and covered by the deed of trust described above and all and singular the rights and appurtenances pertaining thereto; to-wit:

SEE ATTACHED EXHIBIT "A"

The designated area for such sales being found of record at Volume 1607, Page 365, Deed Records, McLennan County, Texas. The said sale to occur no earlier than 10:00 a.m. nor later than 1:00 p.m. on that day.

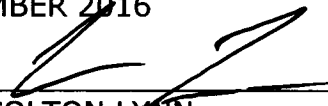
The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Holder's election to proceed against and sell both the real property and any personal property described in the Deed of Trust, in accordance with Holder's rights and remedies under the Deed of Trust and Section 9.501(d) of the Texas Business and Commerce Code (Texas UCC).

The sale shall be subject to any legal impediments to the sale of the Property, ad valorem taxes and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.

No warranties shall be conveyed by Substitute Trustee save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust.

**Assert and protect your rights as a member of the armed forces of the United States. If you 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 or the United States, please send written notice of the active duty military service to sender of this notice immediately.**

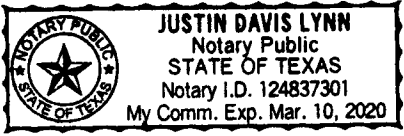
EXECUTED THIS 12<sup>TH</sup> DAYS OF SEPTEMBER 2016

  
\_\_\_\_\_  
COLTON LYNN  
Trustee  
5312 Franklin Avenue  
Waco, Texas 76710  
254-399-0399

STATE OF TEXAS           §  
  §  
COUNTY OF MCLENNAN   §

This instrument was acknowledged before me on SEPTEMBER 12TH, 2016, by Colton Lynn.

  
\_\_\_\_\_



Notary Public, State of Texas  
Printed Name Justin Davis Lynn  
My Commission Expires: 03/10/2020

EXHIBIT "A"

All that certain lot, tract or parcel of land containing 2.624 acres of land lying and situated in the A. Frederick Survey, A-315 in Hill County, Texas. Said land is all that certain tract described in a deed from E. Rex Arnold, et al to W. A. Fowler as recorded in Volume 450, Page 124 of the Deed Records of Hill County, Texas, as more particularly described by metes and bounds as follows:

Beginning at an iron stake set in the east line of the Old Waco-Cleburn Road, said point being North 364 feet from the southwest corner of that certain First Tract described in a deed from Noel Gillaspie et ux Charlie Gillaspie as recorded in Volume 408, Page 560 of the Deed Records of Hill County, Texas, also being the northwest corner of the Peoria Cumberland Presbyterian Church Tract as it is held and claimed on the ground, being that certain tract described in an affidavit recorded in Volume 410, Page 530 of the Deed Records of Hill County, Texas;

Thence North 496 feet along said east line of the Old Waco-Cleburn Road to an iron stake;

Thence North 81 degrees 58 minutes East 233.0 Feet along a fence to an iron stake;

Thence South 1 degree 42 minutes West 532 Feet along a fence to an iron stake;

Thence North 88 degrees 53 minutes West 215 feet to the place of beginning and containing 2.624 acres of land.

**DONALD B. LYNN**  
**ATTORNEY AT LAW**  
**5312 FRANKLIN AVENUE**  
**WACO, TEXAS 76710**

Telephone (254) 399-0399

Facsimile (254) 399-0160

**NOTICE OF DEFAULT, ACCELERATION AND FORECLOSURE**

SEPTEMBER 12TH, 2016

DAVID HUSE  
FAITH ALEXANDER HUSE  
132 HCR 1320  
HILLSBORO, TEXAS 76645

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
RECEIPT # 7015-1520-0001-9013-3011  
AND COPY REGULAR MAIL

Re: Real Estate Lien Note (the "Note") in the original principal sum of executed by DAVID HUSE FAITH ALEXANDER HUSE ("Debtor") payable to the order of EQUITY TRUST COMPANY CUSTODIAN FOR DONALD B. LYNN IRA# 054228 ("Lender") and secured by a lien on the real property (the "Property") described in a Deed of Trust Recorded \_\_\_\_\_ (the "Deed of Trust")

Dear DAVID HUSE AND WIFE, FAITH ALEXANDER HUSE:

Please be advised that you are in default in the payment of the Note. The payment due on the first day of each and every month beginning on 06/01/2016 thru 09/01/2016, in the amount of \$2,408.24 has not been received by Lender. You are accordingly given notice that Lender hereby declares the entire unpaid principal balance of the Note immediately due and payable and demands payment of the sum of \$62,799.79 plus interest accruing from 09/12/2016, at the rate of \$13.76 per day.

Please take notice that Colton Lynn, as Trustee, has posted the Property for foreclosure on OCTOBER 4TH, 2016. The sale will occur no earlier than 10:00 a.m. nor later than 1:00 p.m. on that date. A copy of the Notice of Substitute Trustee's Sale is enclosed herewith and the terms and provisions are incorporated herein by reference.

In the event that the above sum is not received by Lender at Lender's office in collected funds by the time of the sale, I will conduct the sale in accordance with the Deed of Trust securing the Note and Section 51.002 of the Texas Property Code.

You are advised that the indebtedness represented by the Note will be assumed valid unless you dispute the debt within 30 days after receipt of this notice. If you notify this office within 30 days from receipt of this letter that the debt or any portion thereof is disputed, then this office will obtain and mail a verification of the debt to you. If requested in writing, this office will provide you with the name and address of the original creditor if different from the present creditor. Nothing contained herein shall be construed as limiting Lender's ability to foreclose on the Property. This letter is an attempt to collect a debt, and any information obtained will be used for that purpose.

This notice is made without prejudice to, or waiver of, the rights of Lender or remedies available to Lender under the Note, the Deed of Trust, or any other documents evidencing, securing the payment of, or relating to the loan evidenced by the Note or any other right or remedy available to note holder at law or in equity or as an admission by Lender that the Property covered by the Deed of Trust is the residence of Debtor.

Sincerely,



Donald B. Lynn  
Attorney at Law

Enclosures as Stated

cc: EQUITY TRUST COMPANY CUSTODIAN FOR DONALD B. LYNN IRA# 054228  
5312 FRANKLIN AVENUE  
WACO, TEXAS 76710