

Posted
~~FILED~~

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

2019 DEC -6 AM 11:46

THE STATE OF TEXAS §
§
COUNTY OF HOWARD §

BRENT ZITTEGROFF
COUNTY CLERK HOWARD CO. TX

BY DEPUTY 

WHEREAS, by Deed of Trust (hereinafter referred to as the "Deed of Trust") dated April 16, 2007 ROBIN CISNEROS and LAURA CISNEROS conveyed to James L. McGilvray, Trustee for the benefit of TERRY D. SMITH and RHONDA G. SMITH, certain real property situated in Howard County, Texas, more particularly described as follows, to wit:

All of Lot 10, Block 5, North Parkhill Addition, City of Big Spring, Howard County, Texas also known as 801 W. 14th Street.

(hereinafter referred to as the "Property") to secure the payment of one certain Real Estate Lien Note (hereinafter referred to as the "Real Estate Lien Note") therein described, of even date therewith and payable to the order of TERRY D. SMITH and RHONDA G. SMITH, which said Deed of Trust is recorded at Volume 1046, Page 603 in the Official Public Records of Howard County, Texas, reference to which said Real Estate Lien Note and Deed of Trust and the recordation thereof is hereby made for all purposes; and,

WHEREAS, Terry D. Smith and Rhonda G. Smith filed an Appointment of Substitute Trustee to appoint Thomas L. Rees, Jr., as Substitute Trustee.

WHEREAS, holder of the Note and Deed of Trusts has appointed Thomas L. Rees, Jr. As Substitute Trustee by Appointment of Substitute Trustee dated September 30, 2019, which is filed at Volume 1862, Page 603 of the Official Public Records of Howard County, Texas and

WHEREAS, Notice of Default was forwarded to Debtors/Makers on August 30, 2019, by Certified Mail demanding payment of delinquent installment payments, payment of legal fees and insurance coverage within the time allowed therefor; and,

WHEREAS, the Real Estate Lien Note remained in default as of November 8, 2019, due to failure to cure the existing default under the Note; the owner and holder of the Real Estate Lien Note requested that Thomas L. Rees, Jr., Successor Trustee, notify ROBIN CISNEROS and LAURA CISNEROS that the balance of the Note, including the outstanding principle and accrued interest balance of the Note is accelerated and is now fully due and payable and that the Property will be sold at foreclosure sale if ROBIN CISNEROS and LAURA CISNEROS fail to pay off the accelerated matured indebtedness prior to the date of the Trustee Sale; said Notice to Borrowers was duly sent by certified mail on November 8, 2019; further notice was also sent on December 2, 2019, as required by law;

WHEREAS, such default has not been cured as of the date of the posting of this Notice of Substitute Trustee's Sale, and the indebtedness evidenced therein is now wholly due and payable; and,

WHEREAS, TERRY D. SMITH and RHONDA G. SMITH, the beneficiary named in said Deed of Trust and the owner and holder of said lien and the Indebtedness secured thereby, has requested the undersigned to sell the Property at Public Auction to satisfy the Indebtedness.