


Notice of Foreclosure Sale

APRIL 12, 2024

FILED FOR RECORD
2024 APR 12 PM 3:29

MANDY SAWYER
COUNTY CLERK
RAINS COUNTY, TEXAS
BY  DEPUTY

Deed of Trust:

Dated:

Grantor: JASON – MICHELLE CLEVELAND

Trustee: Becky Wix

Lender: Wayne Harris

Recorded in: Vol. 557 page 0045, Rains County, Texas

Note: In the original principal amount of \$77,268.73, executed by Jason – Michelle Cleveland ("Borrower") and payable to the order of Lender

Property: **See Exhibit "A" attached hereto and made a part hereof for all purposes**

Foreclosure Sale:

Date: Tuesday, May 7, 2024

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 11:00 A.M.

Place: Westernmost Steps of Rains County Courthouse, Emory, TX

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Wayne Harris' bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, Because of that default, Wayne Harris, the owner and holder of the Note, has requested the Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property.

Formal notice is hereby given of Wayne Harris' election to proceed against and sell both the real property and any personal property described in the Promissory Note and Deed of Trust

in accordance with Wayne Harris' rights and remedies under the Deed of Trust section 51.0011 and 51.002 of the Texas Property Code.

Therefore, notice is given that on May 7, 2024 at the Date, Time, and Place for the Foreclosure Sale described above, the Trustee will sell the Property in accordance with the Terms of Sale described above, the Promissory Note and Deed of Trust, and applicable Texas law.

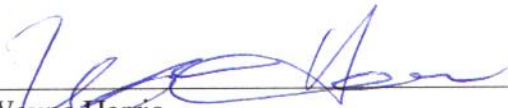
If Wayne Harris passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Wayne Harris. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Contract of Sale and for Deed. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.



Wayne Harris
363 County Road 2326
Sulphur Springs, TX 75482
Telephone: (903) 439-7897

EXHIBIT A

Part of a 90 acre tract of land in the F.L. Smith Survey, A-207, Rains County, Texas described in Warranty Deed from A.A. Hunt, et ux to R.R. Young, dated December 13, 1943, recorded in Volume 96, Page 277, Deed Records, Rains County, Texas and part of a 20 acre tract in Warranty Deed with Vendor's Lien dated July 31, 1996, from Billie Sue Allen, Individually and as Sole Divisee under the Will of Richard Elwood Allen to Wayne Harris et ux, Kim A. Harris, recorded in Volume 336, Page 793, Real Property Records, Rains County, Texas, being more fully described as follows:

BEGINNING 400 feet South of the Northwest corner of the 90 and 20 acre tracts at a point in the West Boundary line of said tracts and also being the Northwest corner of a 9 1/2 acre tract deeded of even date to Kim A. Harris by Wayne Harris;

THENCE South with said 90 and 20 acre tracts 1041 feet to Southwest corner of said tracts;

THENCE East 400 feet with South Boundary line of said 90 and 20 acre tracts to the Southeast corner of said 20 acre tract;

THENCE North 1041 feet with East Boundary line of said 20 acre tract to the Southeast corner of a 9 1/2 acre tract conveyed this date by Wayne Harris to Kim A. Harris;

THENCE West 400 feet with South Boundary line of the Kim A. Harris tract to the place of beginning and containing 9 1/2 acres of land, more or less and being the South one-half of the said 20 acre tract.