

FILED FOR RECORD
At 10:27 O'Clock AM

OCT 10 2023

NOTICE OF FORECLOSURE SALE

SONYA SCOTT County & District Clerk
Mills County, Texas

By [Signature] Deputy

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Deed of Trust. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the following described deed of trust:

Date: July 21, 2021
Grantor: Matthew Craig Thompson
Beneficiary: Heritage Land Bank, FLCA
Substitute Trustee: Scott A. Ritcheson, and/or Douglas A. Ritcheson, and/or Charles E. Lauffer, Jr., and/or Lance Vincent
Recording Information: Deed of Trust recorded under Clerk's File No. 2021-2113682, in the Official Public Records of Mills County, Texas.

2. Property to be Sold. The property to be sold (the "Property") is described as follows:

All that certain lot, tract or parcel of land situated in Mills County, Texas, being more particularly described in the Deed of Trust and on what is attached hereto as Exhibit "A" and made a part hereof for all purposes.

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time and place:

Date: **November 7, 2023**
Time: The sale shall begin no earlier than 1:00 p.m. or no later than three (3) hours thereafter. The sale shall be completed by no later than 4:00 p.m.
Place: Mills County Courthouse in Goldthwaite, Texas, at the following location:

In the area of such Courthouse designated by the Mills County Commissioners' Court as the area where foreclosure sales shall take place, or, if no such area has been designated, then at the common area base of the North steps outside of the Mills County Courthouse.

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 reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reposting or refiling may be after the date originally scheduled for this sale.

4. 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 sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the date the property is sold.

The sale will be made expressly subject to unpaid ad valorem taxes and 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 other 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

A purchaser at the sale of the Property "acquires the Property 'AS IS' without any expressed or implied warranties" (except as to the warranties of title from the grantor identified in

the deed of trust described below). Any purchaser acquires the Property “at the purchaser’s own risk.” TEXAS PROPERTY CODE §51.009. Nothing set forth in this Notice is an express or implied representation or warranty regarding the Property, all of which are specifically disclaimed by the undersigned and by the beneficiary of the herein described deed of trust.

5. Type of Sale. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Matthew Craig Thompson. The deed of trust is dated July 21, 2021, and is recorded in the office of the County Clerk of Mills County, Texas, under Clerk’s File No. 2021-2113682, in the Official Public Records of Mills County, Texas.

6. Obligations Secured. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including, but not limited to, (1) the July 21, 2021 promissory note in the original principal amount of \$111,920.00, executed by Matthew Craig Thompson, and payable to the order of Heritage Land Bank, FLCA; (2) all renewals and extensions of the note; (3) all interest, late charges, fees and other expenses payable under said note on the herein described deed of trust; and (4) all other debts and obligations described in the deed of trust (including all debts secured by any cross-collateralization clause in the deed of trust). Heritage Land Bank, FLCA is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Heritage Land Bank, FLCA, Attention: Chad Stephenson, telephone (903) 422-7991.

7. Default and Request to Act. Default has occurred under the deed of trust, and the beneficiary has asked me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

DATED: September 20, 2023.



SCOTT A. RITCHESON, Substitute Trustee
821 ESE Loop 323, Suite 530
Tyler, Texas 75701
Tel: (903) 535-2900
Fax: (903) 533-8646

Notice to Members of the Armed Forces of the United States:

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.

EXHIBIT "A"

2021/09/09 10:00:00 AM

BEING A 20.018 ACRE TRACT OF LAND, HEREAFTER CALLED LOT 79, INDIAN SPRINGS, PHASE II, LOCATED IN MILLS COUNTY, TEXAS, OUT OF THE T. BOWMAN SURVEY, MILLS COUNTY, ABSTRACT NUMBER 17, FURTHER BEING A PORTION OF THAT SAME TRACT AS A CALLED 991.41 ACRE TRACT OF LAND AS DESCRIBED IN DOCUMENT TO LSLP INDIAN SPRINGS, LLC, RECORDED ON INSTRUMENT NO. 2112738 OF THE OFFICIAL PUBLIC RECORDS OF MILLS COUNTY, TEXAS. SAID 20.018 ACRE TRACT BEING FURTHER DESCRIBED BY METES AND BOUNDS DESCRIPTION AS FOLLOWS:

BEGINNING at a 1/2" iron pin set with plastic cap stamped "CUPLIN" in the east right of way line of Mills County Road No. 242, the west line of said 991.41 acre tract, at the southwest corner hereof, having a northing of 10,568,446.03UsFt, and an easting of 2,883,760.98UsFt. of the Texas Coordinate System, Central Zone, NAD 83/2011-Epoch 2010, Grid US Ft;

THENCE North 17°03'49" East, along the east line of said CR 242 and the west line of said 991.41 acre tract, for the west line hereof, a distance of 520.19' to a 1/2" iron pin set with plastic cap stamped "CUPLIN", at the northwest corner hereof;

THENCE over and across said 991.41 acre tract the following three (3) courses and distances;

1. South 72°55'51" East, along the north line hereof, a distance of 1634.18' to a 1/2" iron pin set with plastic cap stamped "CUPLIN" at the northeast corner hereof;
2. South 07°51'56" West, along the east line hereof, a distance of 526.97' to a 1/2" iron pin set with plastic cap stamped "CUPLIN" at the southeast corner hereof;
3. North 72°55'51" West, along the south line hereof, a distance of 1718.42' to the POINT OF BEGINNING, containing 20.018 acres, more or less.