

2020 JAN -7 P 4: 26

NOTICE OF NON-JUDICIAL FORECLOSURE SALE

WHEREAS, on November 8, 2006, Eliu Fontanez, executed a Deed of Trust to secure in the payment of that certain Promissory Note of even date therewith in the principal sum of **\$27,000.00 (Twenty Seven Thousand and 00/100s Dollars)**, said Deed of Trust being filed for record as document #13275 of the Hill County Clerks Records. Subsequently an Assignment of Notes and Liens dated October 31, 2019 in favor of ACTT Properties, LLC, a Delaware limited liability company to which and the record thereof reference is made for all purposes.

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of the said original Trustee, upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, default, as same is defined in the Promissory Note and/or the Deed of Trust, has occurred and the outstanding indebtedness on same is now wholly due; and

WHEREAS, ACTT PROPERTIES, LLC, the Owner and Holder of the Promissory Note has requested the undersigned to sell the real property described in the Deed of Trust to satisfy said indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, February 4, 2020 beginning at 10:00 o'clock am, or not later than 1:00 o'clock pm, the Trustee or Substitute Trustee, will sell the following described real property, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness affecting the property which is superior to the Deed of Trust, if any, at the Courthouse of Hill County, Texas, in the area designated by the Commissioners Court of such County, or if no such area has been so designated, then at the place where non-judicial foreclosure sales of real property are customarily and regularly held in Hill County, Texas, which real property is described as follows:

Legal Description: All that certain lot, tract or parcel of land located in Hill County, Texas, and being part of lots Twenty-Four (24) and Twenty-Five (25) McMullen Addition to the city of Hillsboro, Hill County, Texas.

Together with all improvements on the property; all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water rights, and water stock; all fixtures attached to the property; and all personal property, if any described in and secured by the Deed of Trust.

The property to be sold is the same property described in said Deed of Trust, except as same may have been modified of record.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE(S), EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER THE OWNER OF THE PROMISSORY NOTE NOR THE SUBSTITUTE TRUSTEE(S) MAKES ANY REPRESENTATIONS OR WARRANTIES WITH THE RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATIONS WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

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.

IN WITNESS HEREOF, this instrument has been executed to be effective December 31, 2019

Property Address: 124 S. Pleasant Street, Hillsboro, Hill County, TX 76645

Substitute Trustee, Cal Green
Cal Green