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NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public non-judicial foreclosure sale.

SYLVIA GUERRERO
CLERK OF COURT
HEMPHILL COUNTY TEXAS

DMC

1. **Property to be Sold.** The property to be sold includes all such real property described in the below referenced Security Instrument and further described to include, but not to limit, as follows:

ALL OF LOTS NO. 5-R AND 6-R, BLOCK NO. FIFTEEN (15), MOODY'S FIRST ADDITION TO THE ORIGINAL TOWN OF CANADIAN, HEMPHILL COUNTY, TEXAS, AS PER REVISED PLAT OF SAID BLOCK RECORDED IN VOLUME 1, PAGE 17-A, PLAT RECORDS OF HEMPHILL COUNTY, TEXAS.

2. **Security Instrument.** The document entitled Texas Home Equity Security Instrument ("Security Instrument") pursuant to which this sale will be conducted is described as follows:

Dated: January 25, 2021
Grantor: Christopher Morgan Hanes, a single man
Beneficiary: Centennial Bank, an Arkansas state bank, d/b/a Happy State Bank, successor-in-interest to Happy State Bank, a State Banking Association
Recorded: March 31, 2021, under Clerk's File No. 076557, of the Official Public Records of Hemphill County, Texas

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

Date: February 7, 2023
Time: The sale shall begin no earlier than 10:00 o'clock, A.M. or no later than three (3) hours thereafter. The sale shall be completed by no later than 1:00 P.M.
Place: At the front doors of the Hemphill County Courthouse located at 400 Main Street, Canadian, Texas 79014

Posted on 1/9/23 @ 9:49 AM By Rosa Ceandara For Sylvia Guerrero *Clerk*

The Security Instrument permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Security Instrument 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 Security Instrument permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Security Instrument at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold. The property to be sold shall include all real property secured by the Security Instrument that has not been previously released.

The sale will be made expressly subject to any title matters set forth in the Security Instrument, but prospective bidders are reminded that by law the 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 Security Instrument. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

5. **Type of Sale.** The sale is a non-judicial Texas Home Equity Security Instrument Lien Foreclosure Sale under Rule 736 of the Texas Rules of Civil Procedure, conducted pursuant to the Power of Sale granted by the Security Instrument and the

Court's Default Order signed December 20, 2022, in Cause No. 7770, in Re: Order for Foreclosure concerning 902 Park Lane, Canadian, Texas 79014 under Tex. R. Civ. P. 736, Petitioner: Centennial Bank, an Arkansas state bank, d/b/a Happy State Bank vs. Respondent: Christopher Morgan Hanes, an unmarried man in the 31st District Court, Hemphill County, Texas.

6. **Obligations Secured.** The Security Instrument provides that it secures the payment of the indebtedness and obligations therein described (collectively the "obligations") including but not limited to (1) Texas Home Equity Fixed/Adjustable Rate Note in the original principal amount of \$40,000.00, executed by Christopher Morgan Hanes, a single man, and payable to the order of Centennial Bank, an Arkansas state bank, d/b/a Happy State Bank, successor-in-interest to Happy State Bank, a State Banking Association (the "Note"); (2) all renewals and extensions of the Note; and (3) any and all present and future indebtedness of Christopher Morgan Hanes, a single man to Centennial Bank, an Arkansas state bank, d/b/a Happy State Bank, successor-in-interest to Happy State Bank, a State Banking Association. Centennial Bank, an Arkansas state bank, d/b/a Happy State Bank, successor-in-interest to Happy State Bank, a State Banking Association is the current owner and holder of the obligations and is the Beneficiary under the Security Instrument.

Questions concerning the sale may be directed to the undersigned or to the Beneficiary, Centennial Bank, an Arkansas state bank, d/b/a Happy State Bank, successor-in-interest to Happy State Bank, a State Banking Association, 701 S. Taylor Street, Amarillo, Texas 79101.

7. **Default and Request to Act.** Default has occurred under the Security Instrument, and the Beneficiary has requested me, Samuel S. Karr, Bailey Hartman, C. Jared Knight, or Cathy Miller, as Substitute Trustee, to conduct this sale. Notice is given that before the sale the Beneficiary may appoint another person as Substitute Trustee to conduct the sale.

8. **Statutory Notice of Servicemember Rights.** 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.

DATED this the 5th day of January, 2023.

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By: Bailey Hartman
Samuel S. Karr, Bailey Hartman, C. Jared
Knight, or Cathy Miller
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