

This 16th day of Nov, 2020
at 10:04 am Posted

Notice of Substitute Trustee's Sale

Assert and protect your rights as a member of the armed forces of the United States. If you 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 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.

Date: November 9, 2020

Deed of Trust

Date: Effective April 15, 2013

Grantor: Jerry Lee Galicia, a single man

Beneficiary/Mortgagee: Myra Nell (Marn) Tyler, Jerry D. Tyler, Kelly L. Tyler and Nancy L. Victor, Co-Trustees of The Noah E. Tyler and Myra Nell (Marn) Tyler Family Trust

Trustee: Sharon E. White

Substitute Trustee: Richard L. Hanna

Property: The West 89 feet of the North 40 feet of Lot 27 and the West 89 feet of the South 20 feet of Lot 26, Miller and Mosley's Subdivision of Block 26, Evants Addition to the Town of Hereford, Deaf Smith County, Texas (the address of the Property being 328 Miller, Hereford, Texas 79045).

Recording information: Clerk's Instrument No. 13-0654 of the Official Public Records of Deaf Smith County, Texas.

Note

Date: Effective April 15, 2013

Amount: \$27,500.00

Maker: Jerry Lee Galicia

Payee and Holder: Myra Nell (Marn) Tyler, Jerry D. Tyler, Kelly L. Tyler and Nancy L. Victor, Co-Trustees of The Noah E. Tyler and Myra Nell (Marn) Tyler Family Trust

Date of Sale of Property (first Tuesday of the month): December 1, 2020

Earliest Time of Sale of Property
(between 10:00 a.m. and 4:00 p.m.): 11:00 a.m.

Place of Sale of Property: On the South, second-floor entrance (balcony area) of the courthouse or inside doors in entrance hall in case of inclement weather, located at 235 E. 3rd Street, Hereford, Deaf Smith County, Texas (or such other location as may be designated by the Commissioners after the sending of this notice and before the time of sale).

If Beneficiary passes the Substitute Trustee's Sale, notice of the date of any rescheduled substitute trustee's sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

Because of default in performance of the obligations of the Deed of Trust, Substitute Trustee will sell the property by public auction to the highest bidder for cash (except that the holder of the Indebtedness secured by the deed of trust may bid credit against the Indebtedness due and owing) at the place and date specified to satisfy the debt secured by the deed of trust. The sale will begin at the earliest time stated above or within three hours after that time. This Sale will be conducted subject to the right of rescission contained in Section 51.016 of the Texas Property Code.

PURSUANT TO SECTION 51.009 OF THE TEXAS PROPERTY CODE, THE SALE OF THE SUBJECT PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY, OR OTHERWISE, AND WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER THE BENEFICIARY/MORTGAGEE NOR THE SUBSTITUTE TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO COMPLIANCE WITH LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATIONS, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE SUBJECT PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER. PROSPECTIVE BIDDERS ARE ADVISED TO CONDUCT AN INDEPENDENT INVESTIGATION OF THE NATURE AND PHYSICAL CONDITION OF THE PROPERTY.

THE SALE WILL ALSO BE MADE EXPRESSLY SUBJECT TO ANY TITLE MATTERS SET FORTH IN THE DEED OF TRUST, BUT PROSPECTIVE PURCHASERS 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 DEED OF TRUST.

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


THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.



RICHARD L. HANNA, Substitute Trustee
White Hanna & Boyd, PLLC
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Amarillo, Texas 79101
Phone: (806) 379-6683
Fax: (806) 379-8504
Email: rhanna@whb-law.com

STATE OF TEXAS
COUNTY OF POTTER

This instrument was acknowledged before me on the 9th day of November, 2020, by RICHARD L. HANNA.



Notary Public, State of Texas

