

## NOTICE OF FORECLOSURE SALE

1208 Willis Street, Brownwood, Texas 76801

### Deed of Trust ("Deed of Trust"):

Dated: April 22, 2013  
Grantor: Bonnie Franqui, a single person  
Trustee: C.T. Head  
Lender: Mills County State Bank (now known as MCBank)  
Recorded in: Volume 85, Page 463, Official Public Records of Brown County, Texas

Legal Description: Being all that certain lot, tract or parcel of land lying and being situated in Brown County, Texas, being all of Lot Nos. Three (3) and Four (4), of the MORNINGSIDE ADDITION to the City of Brownwood, Brown County, Texas, according to the map or plat thereof recorded in Volume 1, Page 110 of the Plat Records of Brown County, Texas and being more particularly described by metes and bounds in one (1) tract on Exhibit "A" which is attached hereto and made a part hereof for all purposes.

Secures: Promissory Note ("Note") in the original principal amount of \$30,400.00, executed by Bonnie Franqui ("Borrower") and payable to the order of Lender.

Property: The real property and improvements described in and mortgaged in the Deed of Trust, including the real property described herein and all rights and appurtenances thereto.

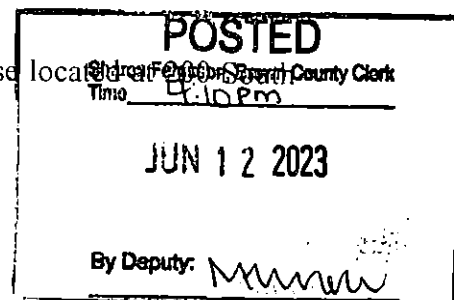
Substitute Trustee: Christopher D. Brown

### Foreclosure Sale:

Date: Wednesday, July 5, 2023

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 10:00 and not later than three hours thereafter.

Place: Front steps of the Brown County Courthouse located at 200 S. Brown



Broadway, Brownwood, Brown County, Texas.

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 Mills County State Bank (now known as MCBank) 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, Mills County State Bank (now known as MCBank), the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Mills County State Bank (now known as MCBank) election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Mills County State Bank (now known as MCBank) rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

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

If Mills County State Bank (now known as MCBank) 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 Mills County State Bank (now known as MCBank). 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 Deed of Trust. 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.

<b>POSTED</b>
Sharon Ferguson, Brown County Clerk
Time _____
<b>JUN 12 2023</b>
By Deputy:

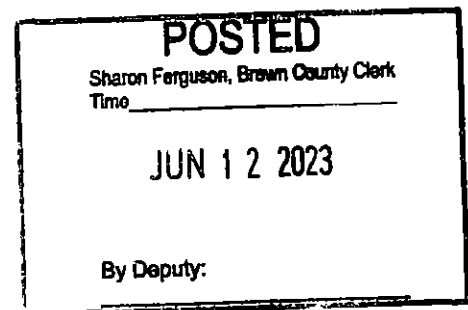
**Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.**

**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.**



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**EXHIBIT "A"**

Field Notes for a tract of land in Brown County, Texas, said tract being all of Lot 3 and 4, of the Morningside Addition to the City of Brownwood, according to the plat of record recorded in Volume 1, Page 110, Plat Records of Brown County, Texas, said tract being the same tract described in a deed from Gavin Laquey to Justus Properties, as recorded in Volume 1683, Page 27, Real Property Records of Brown County, Texas, said tract being sometimes known as 1208 Willis Street and being more fully described as follows:

**BEGINNING** at a 1/2" iron stake found in the ground in the Southeast line of Willis Street, said stake marking the West corner of said Lot 4 and this tract;

**THENCE** N 45° 24' 10" E 99.46' along said Southeast line to a 3/4" iron pipe found in the ground, said pipe marking the North corner of said Lot 3 and this tract, at 50', the North corner of said Lot 4 and the West corner to said Lot 3;

**THENCE** S 31° 30' 00" E 165.00' to a 3/8" iron stake set in the ground, said stake marking the East corner of said Lot 3 and this tract;

**THENCE** S 45° 16' 19" W 99.51' to a 1/2" iron stake found in the ground, said stake marking the South corner of said Lot 4 and this tract, at 49.51', the South corner of said Lot 3 and the East corner of said Lot 4;

**THENCE** N 31° 30' 00" W 165.23' (Basis of Bearing--Plat Call) to the place of **BEGINNING**.

**POSTED**  
Sharon Ferguson, Brown County Clerk  
Time \_\_\_\_\_  
**JUN 12 2023**  
By Deputy: