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2024 SEP 10 A 9:14  
MONTAGUE COUNTY CLERK  
MONTAGUE, TX

**NOTICE OF FORECLOSURE SALE**  
(Montague County)

**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.**

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Property to Be Sold. The property to be sold is described as follows:

BEING Lot 13, Block 2, Unit 1, Frontier Shores Lake Estates, an addition in Montague County, Texas, according to the plt recorded in Volume 487, Page 249, Deed Records, Montague County, Texas.

2. Instruments to be Foreclosed. The instruments to be foreclosed are (1) the Deed Of Trust (“Deed Of Trust”) recorded as Instrument No. 1703617, Official Public Records, Montague County, Texas; (2) the Warranty Deed With Vendor’s Lien (“Warranty Deed With Vendor’s Lien”) recorded as Instrument No. 1703616, Official Public Records, Montague County, Texas; and any and all other instruments filed of record with respect to said Deed of Trust and Warranty Deed With Vendor’s Lien (which are hereinafter referred to as the “Security Instruments”).

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

Date: October 1, 2024

Time: The sale shall begin no earlier than 11:00 A.M. or no later than three hours thereafter. The sale shall be completed by no later than 4:00 P.M.

Place: Montague County Courthouse, 11339 State Highway 59 N,  
Montague, Texas 76251, at the following location:  
East Entrance to Courthouse.

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 Instruments, permitting the Beneficiaries thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Security Instruments 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 sale will be made expressly subject to any title matters set forth in the Security Instruments, 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 Instruments. The sale shall not cover any part of the property that has been released of public record from the liens of the Security Instruments. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Security Instruments, the Beneficiaries have the right to direct the Trustee and/or Substitute Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the Security Instruments. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of the Texas Property Code, the Trustee and/or 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 the Trustee or any Substitute Trustee.

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 Security Instruments executed by ANJANETTE BENNETT.

6. Obligations Secured. The Security Instruments provide that they secure the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to the Real Estate Lien Note ("Note") dated August 31, 2017, in the original principal amount of \$70,000.00, executed by ANJANETTE BENNETT, and payable to the order of D. W. BACA and M. J. BACA. D. W. BACA and M. J. BACA are the current owners and holders of the Obligations and are the Beneficiaries under the Security Instruments.

As of August 7, 2024, there was owed \$34,456.57 on the Note, being principal, interest, late fees, and attorney's fees in the following amounts: \$31,631.55 in principal; \$1,342.30 in interest; \$334.08 in late fees; and at least \$1,000.00 in attorney's fees, with additional interest accruing at the rate of \$4.33 per day thereafter. Applicable Trustee's fees, additional interest, late fees, delinquent ad valorem taxes, property insurance, additional attorney's fees and other expenses, may be added to the amount owed.

Questions concerning the sale may be directed to the undersigned at (940) 569-2201.

7. Default and Request to Act. Default has occurred under the Security Instruments, and the Beneficiaries have requested me, as Substitute Trustee, to conduct this sale.

Notice is given that before the sale the Beneficiaries may appoint another person substitute trustee to conduct the sale.

DATED August 20, 2024.

Jonathan R. Ellzey  
JONATHAN ELLZEY, Substitute Trustee  
320 E. Third Street  
Burkburnett, Texas 76354  
(940) 569-2201  
(940) 569-5032 (Fax)

THE STATE OF TEXAS :  
:  
COUNTY OF WICHITA :

This instrument was acknowledged before me on the 20<sup>th</sup> day of August, 2024, by JONATHAN ELLZEY, Substitute Trustee.



Levita West  
Notary Public, State of Texas