

Notice of Foreclosure Sale

January 12, 2024

Deed of Trust:

Dated: August 17, 2021

Grantor: JOSE A. ESQUIVEL and wife, BRITTNEY M. ESQUIVEL

Trustee: KASSIE S. ROYE

Lender: JAMES M. WOOTEN and wife, DEBBIE J. WOOTEN

Recorded in: Instrument Number 21002811, Official Public Records of Young County, Texas, and being in renewal and extension of a Vendor's Lien described in a Warranty Deed with Vendor's Lien recorded in Instrument Number 21002810, Official Public Records of Young County, Texas.

Legal Description: Being all of Lot No. FOUR (4), in Block No. SIX (6) HIGHLAND TERRACE Addition to the City of Olney, Young County, Texas, as shown by map or plat in Volume 1, Page 65, Plat Records of Young County, Texas.

Secures: Promissory Note ("Note") in the original principal amount of \$94,000.00, executed by JOSE A. ESQUIVEL and wife, BRITTNEY M. ESQUIVEL ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Property: The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described hereinabove.

Foreclosure Sale:

Date: Tuesday, February 6, 2024

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 A.M. and not later than three hours thereafter.

FILED FOR RECORD

JAN 12 2024

**ANN FORD, COUNTY CLERK
YOUNG COUNTY, TEXAS**

Place: Under the Portico of the North Entrance of the Young County Courthouse, located at 516 Fourth Street, Graham, Young County, Texas 76450, or as designated by the Commissioner's Court of Young 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 JAMES M. WOOTEN and wife, DEBBIE J. WOOTEN's 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, JAMES M. WOOTEN and wife, DEBBIE J. WOOTEN, the owners and holders of the Note, have requested Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of JAMES M. WOOTEN and wife, DEBBIE J. WOOTEN's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with JAMES M. WOOTEN and wife, DEBBIE J. WOOTEN's 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, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If JAMES M. WOOTEN and wife, DEBBIE J. WOOTEN 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 JAMES M. WOOTEN and wife, DEBBIE J. WOOTEN. 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, 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 Trustee.

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.

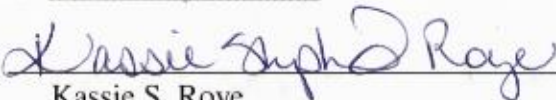
Law Office of Kassie S. Roye, PLLC

623 Elm Street, Suite 408

P.O. Box 106

Tel: (940) 532-0327

Email: kassie@royelaw.com

By: 

Kassie S. Roye

State Bar No.: 24083834

Trustee