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FILED FOR RECORD

OCT 13 2023

NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

Nancy E. Roster

County Clerk, Williamson Co., TX

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

Lot 154R, in Block C, of AMENDING PLAT OF CIMARRON HILLS COUNTRY CLUB PHASE TWO LOT 126-128, 141-147, 150-156, 160-161, BLOCK C, a Subdivision in Williamson County, Texas, according to the map or plat recorded in Document No. 2021196382, of the Official Public Records of Williamson County, Texas;

Any and all previously or subsequently vacated alleys and streets abutting the property, easements, rights, appurtenances, rents, leases, royalties, minerals, oil and gas rights and profits, water, water rights, and water stock appurtenant to the Property;

Any and all fixtures, machinery, equipment, engines, boilers, incinerators, and building materials of every nature now or subsequently located in, on, or used, or intended to be used in connection with this Property, including, but not limited to items for the purposes of supplying or distributing heating, cooling, electricity, gas, water, air and light; all elevators and related machinery and equipment; fire prevention and extinguishing apparatus; security and access control apparatus; plumbing and plumbing fixtures; refrigerating, cooking and laundry equipment; floor coverings and interior and exterior window treatments; cabinets; interior and exterior plantings and plant and lawn maintenance equipment;

Any and all plans and specifications for development of or construction of improvements upon the Property;

Any and all contracts and subcontracts relating to the Property;

Any and all accounts, contract rights, instruments, documents, general intangibles, and chattel paper arising from or by virtue of any transactions related to the Property;

Any and all permits, licenses, franchises, certificates, and other rights and privileges obtained in connection with the Property;

Any and all proceeds arising from or by virtue of the sale, lease, or other disposition of any of the Property;

Any and all proceeds payable or to be payable under each policy of insurance relating to the Property;

Any and all proceeds arising from the taking of all or a part of the Property for any public or quasi-public use under any law, or by right of eminent domain, or by private or other purchase in lieu thereof; and

All other interests of every kind and character which Grantor now has or at any time subsequently acquires in and to the Property.

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

Date: Tuesday, November 7, 2023

Time: The sale shall begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale shall be completed no later than 1:00 p.m.

Place: The area of the Williamson County Courthouse in Georgetown, Texas, designated by the Commissioner's Court pursuant to Section 51.002 of the Texas Property Code as a place where foreclosure sales are to take place.

The Deed of Trust permits the beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust 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.

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the date the property is sold.

The 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 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. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. 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 Deed of Trust, the beneficiary has the right to direct the trustee or substitute trustee to sell the property in one or more parcels and/or sell all or only part of the property.

Pursuant to 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 Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and condition of the property.

Pursuant to the Texas Property Code, the trustee 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 sale.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. app. Section 501 et seq.) and state law, including section 51.015 Texas Property Code. 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.

4. Type of Sale. The sale is a nonjudicial Deed of Trust lien foreclosure sale being conducted pursuant to the power of sale granted by that one certain Deed of Trust, Security Agreement and Financing Statement executed by Ashby Signature Homes, LLC, dated June 29, 2022 and recorded in Document Number 2022078846 of the Official Public Records of Williamson County, Texas.

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described in the original principal amount of \$714,304.00 executed by Ashby Signature Homes, LLC payable to the order of BancorpSouth Bank, a division of Cadence Bank and all other indebtedness as owed by Ashby Signature Homes, LLC to Cadence Bank (collectively the "Obligation"). Cadence Bank is the current owner and holder of the Obligation and is the beneficiary under the Deed of Trust.

6. Default and Request To Act. Default has occurred under the Deed of Trust, and the beneficiary has requested me, as trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

DATED: October 12, 2023.



Blake Rasner
Substitute Trustee
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