

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**Date:** June 9, 2017

**Texas Home Equity Deed of Trust ("Deed of Trust"):**

<b>Date:</b>	December 30, 2011
<b>Grantor:</b>	Richard K. Blackwell
<b>Trustee:</b>	Heather Thompson
<b>Substitute Trustee:</b>	Mike Smiley
<b>Substitute Trustee's Mailing Address:</b>	P.O. Box 9158, Amarillo, Texas 79105
<b>Substitute Trustee's Physical Address:</b>	500 S. Taylor Street, Amarillo, Texas 79101
<b>Lender:</b>	First National Bank dba National Bank of Commerce
<b>Recording Information:</b>	Volume 551, Page 468, Official Public Records of Carson County, Texas

CELESTIE BORNHSEL  
COUNTY & DISTRICT CLERK  
CARSON COUNTY, TEXAS

2017 JUN 9 PM 1 04

FILED

**Property ("Property"):** The South One-half (S/2) of Lot Number Eight (8) and all of Lot Number Nine (9), Block Number Three (3), West Addition to the Town of White Deer, Carson County, Texas, according to the duly recorded map or plat thereof on file in Volume 1, Page 19, Plat Records, Carson County, Texas.<sup>1</sup>

**Texas Home Equity Real Estate Note ("Note"):**

<b>Date:</b>	December 30, 2011
<b>Amount:</b>	\$46,000
<b>Borrower:</b>	Richard K. Blackwell
<b>Lender:</b>	First National Bank dba National Bank of Commerce
<b>Holder:</b>	First National Bank

**Date of Sale of Property:** July 4, 2017

**Earliest Time of Sale of Property:** 10:00 a.m. (Central Time)

**Place of Sale of Property:** On the front steps of the Carson County Courthouse, 501 Main Street, Panhandle, Texas, or if the proceeding area is no longer the designated area, at the area most recently designated by the Carson County Commissioners' Court.

**Secured Obligation:** Note and any and all obligations described in or secured by the Deed of Trust.

<sup>1</sup> In the event of a conflict between this instrument and the Deed of Trust concerning the description of the Property, the description contained in the Deed of Trust will control.

Because of default in performance of Borrower's obligations under the Note and Deed of Trust referenced above, and in accordance with provisions of these instruments and the Order Permitting Foreclosure of Home Equity Lien signed by the Court on June 5, 2017 and filed on June 5, 2017 in Case No. 11712, entitled In re Order for Foreclosure Concerning Richard K. Blackwell and 305 Grimes Street, White Deer, Texas 79097, in the 100<sup>th</sup> District Court of Carson County, Texas, First National Bank dba National Bank of Commerce, Lender and beneficiary ("Beneficiary") has requested Substitute Trustee to sell the Property described above. Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified to satisfy the debt secured by the Deed of Trust. The sale will begin at the time stated above or within three hours after that time.

The Lender (or its designee, assignee, or agent, as applicable), who is the beneficiary under the Deed of Trust will be permitted to "credit bid" against the Secured Obligation; other bidders will need to demonstrate the ability to pay cash on the Date of Sale of Property. Additional conditions for the conduct of the sale may be announced by the Substitute Trustee before the bidding is opened for the first sale of the day to be conducted by the Substitute Trustee.<sup>2</sup>

The sale will also include all personal property and fixtures, if any, of any nature referenced or described in the Deed of Trust. Lender has requested that the Substitute Trustee sell all of the components of the Property that are personal property or fixtures, if any, in accordance with the terms of Chapter 9 of the Texas Business and Commerce Code (the Texas Uniform Commercial Code). The foreclosure of the personal property will be held at the same time and place as the sale noticed above; to the extent permitted by Chapter 9 of the Texas Business and Commerce Code (Texas Uniform Commercial Code) and / or the Texas Property Code, the Substitute Trustee has been instructed to proceed as to both the real property and personal property in accordance with the rights and remedies of the owner and holder of the Secured Obligation.

The Property will be sold *AS IS, WHERE IS, IN ITS PRESENT PHYSICAL CONDITION*,<sup>3</sup> subject to ad valorem tax liens, if any, against the Property. Any prospective purchaser is encouraged to conduct its own independent investigation of the Property, record title

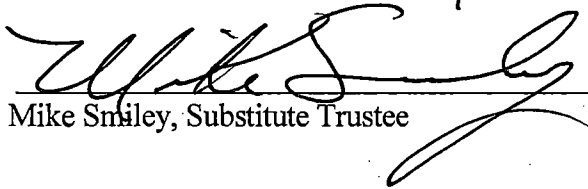
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<sup>2</sup> See Tex. Prop. Code § 51.0075.

<sup>3</sup> See Tex. Prop. Code § 51.009.

to the Property, tax liens, if any, against the Property, and the physical condition of the Property prior to the sale.

**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.**

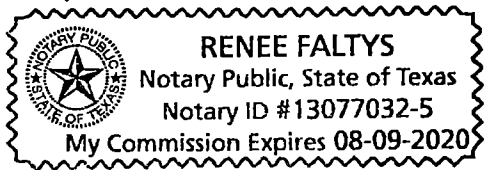
  
Mike Smiley, Substitute Trustee


STATE OF TEXAS

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COUNTY OF POTTER

This instrument was acknowledged before me on the 9<sup>th</sup> day of June, 2017, by Mike Smiley, Substitute Trustee.



  
Notary Public, State of Texas

**ADDRESS OF SUBSTITUTE TRUSTEE:**

Mike Smiley, Substitute Trustee  
C/O UNDERWOOD LAW FIRM, PC  
P.O. Box 9158  
Amarillo, TX 79105-9158  
806.376.5613 (phone)  
Street Address:  
500 S. Taylor, Suite 1200  
Amarillo, TX 79101

**ADDRESS OF LENDER/BENEFICIARY:**

First National Bank  
Attn: Claudette (Joji) Morrison  
Vice President-Loan Compliance  
111 Jefferson Street  
Waupaca, WI 54981  
715.258.5511 (phone)