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POSTED

JUL 10 2023

TIME 9:30 AM
BY: Nichelle Medley
SANDRA K. DUCKWORTH, COUNTY CLERK

NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

1. Deed of Trust. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the following described deed of trust:

Date: April 27, 2021

Grantor: Quenet Rachel Adams

Beneficiary: BOM Bank

Substitute Trustee: Scott A. Ritcheson, and/or Douglas A. Ritcheson, and/or Charles E. Lauffer, Jr., and/or Lance Vincent

Recording Information: Deed of Trust recorded in Volume 746, Page 231 of the Official Public Records of Newton County, Texas.

2. Property to be Sold. The property to be sold (the "Property") is described as follows:

All that certain lot, tract or parcel of land situated in Newton County, Texas, being more particularly described on what is attached hereto as Exhibit "A" and made a part hereof for all purposes.

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

Date: **August 1, 2023**

Time: The sale shall begin no earlier than 1:00 p.m. or no later than three (3) hours thereafter. The sale shall be completed by no later than 4:00 p.m.

Place: Newton County Courthouse in Newton, Texas, at the following location:

In the area of such Courthouse designated by the Newton County Commissioners' Court as the area where foreclosure sales shall take

place, or, if no such area has been designated, then on the sidewalk in front of the posting board located near the middle of the block facing US Highway 190 on the north side of the Newton County Courthouse Square in Newton, Newton County, Texas, which said building is owned by and houses the Newton County Clerk and Newton County Tax Assessor-Collectors Offices.

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.

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 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 unpaid ad valorem taxes and 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 other 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

A purchaser at the sale of the Property "acquires the Property 'AS IS' without any expressed or implied warranties" (except as to the warranties of title from the grantor identified in the deed of trust described below). Any purchaser acquires the Property "at the purchaser's own risk." TEXAS PROPERTY CODE §51.009. Nothing set forth in this Notice is an express or implied representation or warranty regarding the Property, all of which are specifically disclaimed by the undersigned and by the beneficiary of the herein described deed of trust.

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 deed of trust executed by Quenet Rachel Adams. The deed of trust is dated April 27, 2021, and is recorded in the office of the County Clerk of Newton County, Texas, in Volume 746, Page 231 of the Official Public Records of Newton County, Texas.

6. Obligations Secured. The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including, but not limited to, (1) the April 27, 2021 promissory note in the original principal amount of \$296,000.00, executed by Quenet Rachel Adams, and payable to the order of BOM Bank; (2) all renewals and extensions of the note; (3) all interest, late charges, fees and other expenses payable under said note on the herein described deed of trust; and (4) all other debts and obligations described in the deed of trust (including all debts secured by any cross-collateralization clause in the deed of trust). BOM Bank is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, BOM Bank, Attention: Reagan Cunningham, telephone (318) 238-2330, ext. 1426.

7. Default and Request to Act. Default has occurred under the deed of trust, and the beneficiary has asked me, as substitute 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: July 5, 2023.



DOUGLAS A. RITCHESON,
Substitute Trustee
821 ESE Loop 323, Suite 530
Tyler, Texas 75701
Tel: (903) 535-2900
Fax: (903) 533-8646

EXHIBIT "A"

BEING a 28.000 acre tract of land out of the D.R. Garlington Survey, Abstract No. 134, Newton County, Texas, and being all of the same 28.000 acre tract of land as described in Warranty Deed dated May 10, 2016, from McGee Ranch, LLC to Brock M. Degeyter and wife, Angela B. Degeyter, as recorded in Volume 672, Page 724 of the Official Deed Records of Newton County, Texas, the said 28.000 acre tract of land being more particularly described as follows:

BEGINNING at a 5/8" Iron rod with cap stamped "QUIN" found for the north most corner of the above referenced 28.000 acre tract, same being a southeasterly corner of a called 17.918 acre tract of land (Volume 668, Page 745 OPRNC);

THENCE S 03°56'59" E, with the most northerly east line of the above referenced 28.000 acre tract and traversing with a westerly line of a called 52.51 acre tract of land (Volume 713, Page 129 OPRNC), a distance of **394.99 feet** to a concrete monument found at the east most interior corner of the said 28.000 acre tract, same being a southwesterly corner of said 52.51 acre tract of land;

THENCE N 72°13'19" E, with the most easterly north line of the above referenced 28.000 acre tract, same being a southerly line of said 52.51 acre tract of land, a distance of **470.83 feet** to a concrete monument found for the most easterly northeast corner of the said 28.000 acre tract, same being an interior corner of said 52.51 acre tract of land;

THENCE S 24°55'48" E, with the most easterly east line of the above referenced 28.000 acre tract, same being a westerly line of said 52.5 acre tract of land, a distance of **375.24 feet** to a concrete monument found at the east corner of the said 28.000 acre tract, same being a southwesterly corner of said 52.51 acre tract of land;

THENCE S 52°10'17" W, with the southeasterly line of the above referenced 28.000 acre tract, same being a northwesterly line of a called 36.1 acre tract of land (Volume 525, Page 922 OPRNC) a distance of **1805.28 feet** to a 1/2" Iron rod found in the easterly margin of State Highway 87 at the south corner of the said 28.000 acre tract, same being a west, or northwesterly angle, corner of said 36.1 acre tract of land;

THENCE N 11°39'43" W, with the west most westerly line of the above referenced 28.000 acre tract and traversing with the easterly margin of the said State Highway No. 87, a distance of **852.77 feet** to a point for the west most northwesterly corner of said 28.000 acre tract of land, same being the southwesterly corner of a called 2.874 acre tract of land (Volume 603, Page 72 OPRNC);

THENCE with random meandering northerly lines of the above referenced 28.000 acre tract of land and traversing with random meandering southerly lines of the said 2.874 acre tract of land as follows:

- 1) **N 50°51'36" E**, at 12.98 feet pass a 5/8" Iron rod found for reference and continuing same course a total distance of **130.82 feet** to a 5/8" iron rod found for an angle corner;
- 2) **N 24°11'41" E**, a distance of **82.65 feet** to a 5/8" Iron rod found for an angle corner;
- 3) **N 54°39'49" E**, a distance of **53.62 feet** to a 5/8" Iron rod found for an angle corner;
- 4) **N 73°14'29" E**, a distance of **351.44 feet** to a 5/8" Iron rod with a "QUIN" cap found for an interior corner of said 28.000 acre tract of land, same being the southeasterly corner of said 2.874 acre tract of land;

THENCE N 04°37'46" E, with the north most westerly line of the above referenced 28.000 acre tract of land, same being the easterly line of said 2.874 acre tract of land, a distance of **301.91 feet** to a 5/8" Iron rod found for the most northerly northwest corner of the said 28.000 acre tract of land, same being the northeasterly corner of said 2.874 acre tract of land;

THENCE N 57°25'05" E, with the north most northerly line of the above referenced 28.000 acre tract, same being the southerly line of the above mentioned 17.918 acre tract of land, a distance of **503.91 feet** to the **POINT OF BEGINNING**, and containing within these bounds an area of **28.000 acres of land**.