

9247

Notice of Foreclosure Sale

Residential Lease with Option to Purchase

Dated: May 30, 2017
Buyer/Borrower: Bobby Glenn South
Trustee: Scott W. Stover
Seller/Lender: Marie Ybarra
Recorded in: Volume 781 Pg 624 the official records of Newton County,
Texas

POSTED

SEP 07 2023

TIME 8:30 AM
BY: Michelle Medley
SANDRA K. DUCKWORTH, COUNTY CLERK

Foreclosure Sale:

Date: Tuesday, October 3, 2023
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 am and not later than three hours thereafter.
Place: Newton County Courthouse
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 Marie Ybarra's bid may be by credit against the Contract balance owed.

Default has occurred in the payment and in the performance of the obligations of the Contract. Because of that default, Marie Ybarra, the owner of the Property, has requested Trustee to sell the Property.

Formal notice is hereby given of Marie Ybarra's election to proceed against and sell real property described in the Contract in accordance with Marie Ybarra's rights and remedies under the Contract, 9.604(a) of the Texas Business and Commerce Code and Texas Property Code 5.066.

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 Contract and applicable Texas law.

If Marie Ybarra 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 Contract and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Contract, 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 Contract. 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 Contract by Marie Ybarra. 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. 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.

THIS INSTRUMENT APPOINTS THE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE OWNER.



Scott W. Stover

P.O. Box 480, 950 N. Wheeler
Jasper, TX 75951
Telephone (409) 384-3463
Telecopier (409) 384-3017

Sandra K. Duckworth
COUNTY CLERK

115 Court Street
PO Box 484
Newton, Texas, 75966
PHONE (409) 379-5341
FAX (409) 379-9049



DO NOT DESTROY

WARNING-THIS IS PART OF THE OFFICIAL RECORD

INSTRUMENT NO. 177260

FILED FOR REGISTRATION SEPTEMBER 07, 2023 07:59AM 2PGS \$30.00

SUBMITTER: SEALE, STOVER & BISBEY

RETURN TO:

SEALE, STOVER & BISBEY
PO BOX 480
JASPER TX 75951

I hereby certify that this instrument was FILED in
file number Sequence on the date and at the time
stamped here on by me and was duly RECORDED in the
Official Public Records of NEWTON COUNTY, TEXAS.

BY: Sandra K. Duckworth

ANY PROVISION WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY
BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW