

**NOTICE OF FORECLOSURE SALE**

*6/15/20* FILED  
11:44 am  
CHERIE HAWKINS  
COUNTY & DISTRICT CLERK  
SHACKELFORD COUNTY, TX  
*Janet Straden deputy*

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: November 17, 2017  
Grantors: Mark Wayne Belcher and Melissa Manship Belcher  
Beneficiary: Heritage Land Bank, FLCA  
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 under Clerk's File No. 20170953, in the Official Public Records of Shackelford 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 being situated in Shackelford 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: **July 7, 2020**  
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: Shackelford County Courthouse in Albany, Texas, at the following location:

In the area of such Courthouse designated by the Shackelford County Commissioners' Court as the area where foreclosure sales shall take place, or, if no such area has been designated, then at East door of the Shackelford County Courthouse, in Albany, Texas.

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 reporting or refiled 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 Mark Wayne Belcher and Melissa Manship Belcher. The deed of trust is dated November 17, 2017, and is recorded in the office of the County Clerk of Shackelford County, Texas, under Clerk's File No. 20170953, in the Official Public Records of Shackelford 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 November 17, 2017 promissory note in the original principal amount of \$460,800.00, executed by Mark Wayne Belcher and Melissa Manship Belcher, and payable to the order of Heritage Land Bank, FLCA; (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). Heritage Land Bank, FLCA 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, Heritage Land Bank, FLCA, Attention: Charlotte Sellers, telephone (903) 534-5040.

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: June 11, 2020.



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

**Notice to Members of the Armed Forces of the United States:**

**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.**

## EXHIBIT "A"

All of Texas Emigration & Land Co. Survey No. 529, Abstract No. 335, containing 324.5 acres of land, more or less, described by metes and bounds as follows:

BEGINNING at the North corner of Survey No. 529, T. E. & L. Co., an iron stake in a stone mound on the right bank of Taylor Creek and 13 vrs. from the center of the channel of said stream and from which the stump of the original Elm witness tree Brs. N 26° W., 11.9 vrs., a large Hackberry brs. N 59°15' W., 8.6 vrs. a large Mes. brs S 67° 15' W 35.2 vrs.

THENCE S 46° 32' E., immediately passing over a bend in the channel of the creek, at 214 vrs. cross a drain, course N 30° W., at 1387 vrs. the original East corner of Survey No. 529, an iron stake in an old stone mound on the right bank of a large branch and at a fence intersection, from which an old marked Mes. brs. S 79° 10' E. 45 vrs., another old marked Mes. S 70° 45' W. 53.5 vrs.

THENCE S 46° 20' W. immediately crossing the said large branch, 1354.5 vrs. to the original South corner of Survey No. 529, an old stone mound which is identified by original branch calls and from which a fence intersection brs. S 45° E. 3.5 vrs.

THENCE N 45°10' W. at 833 vrs. cross Taylor Creek, general course Northeast, at 928 vrs. pass an old stone mound on line, at 1347.8 vrs. an iron stake in an old stone mound on a wide Mes. flat, the original West corner of Survey No. 529, which is identified by an original creek call southeast;

THENCE N 44°41' 45" E., re-crossing Taylor Creek, 1321 vrs. to the Place of BEGINNING.