

2021-48

FILED FOR RECORD

AT 11:59 O'CLOCK a.m.

NOTICE OF FORECLOSURE SALE

AUG 05 2021

SHERRY DOWD, County Clerk  
NAVARRO COUNTY, TEXAS

BY CB DEPUTY

Notice is hereby given of a public nonjudicial foreclosure sale.

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

BEING 55 acres of land in the F. Procello Survey, situated in Navarro County, Texas, same being the South one-third of said Hines Homestead, and being more particularly described as follows:

All that certain lot, tract or parcel of land situated in Navarro County, Texas and being a part of the F. Procello Survey, same being the South one-third of said Hines Homestead, and more particularly described by metes and bounds as follows:

BEGINNING at a stake in the E. line of a 48 ½ acre tract deeded by A.W. Hines to R.T. Hines, same being 422.2 VRS. S. 30 E. from the N.W. corner of said Hines Homestead, said point being the S.W. corner of 55 acre tract deeded by A.W. Hines to Eunice Hines Cooper;

THENCE S. 30 E. 211.2 VRS. With the E. line of said 48 ½ acre tract to S.W. corner of said Hines Homestead;

THENCE N. 60 E. 1450 VRS. To S.E. corner of Hines Homestead;

THENCE N. 30 W. 217.2 VRS. To S.E. corner to Eunice Hines Cooper 55 acre tract;

THENCE S 59-13 W. 1450 VRS. to PLACE OF BEGINNING, AND CONTAINING 55 ACRES OF LAND.

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

Date: September 7, 2021

Time: The sale shall begin no earlier than 11:00 a.m. or not later than three hours thereafter. The sale shall be completed by no later than 4:00 p.m.

Place: On the front steps of the Navarro County Courthouse at 300 W. 3<sup>rd</sup> Avenue, Corsicana, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court.

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 refilled 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. The Property will be sold "AS IS." There will be no warranty relating to title, possession, quiet enjoyment, or the like.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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 the deed of trust executed by DAVID KUCHERERA. The deed of trust is dated July 23, 2020, and is recorded in the Official Public Records of Real Property of the County Clerk of Navarro County, Texas, under Document No. 2020-00006553.

5. 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 the promissory note dated July 23, 2020, in the principal amount of \$137,000.00, executed by David Kucherera payable to the order of GBT Investments, LLC (hereinafter referred to as "the Note"), which is secured by the Deed of Trust dated July 23, 2020, recorded under Document No. 2020-00006553, in the Official Public Records of Real Property of the County Clerk of Navarro County, Texas (hereinafter referred to as "the Deed of Trust"), said Note and Deed of Trust lien being transferred to Bay Area Home Financing, LLC by Assignment of Note and Liens dated effective December 14, 2020, recorded under Document No. 2021-00000146 of the Official Public Records of Real Property of the County Clerk of Navarro County, Texas. Bay Area Home Financing, LLC is the current owner and holder of the obligations and is the beneficiary under the Deed of Trust transferred as described herein.


As of August 4, 2021, there is owed \$143,974.15 on the note plus attorney's fees and collection costs as of August 4, 2021 in the amount of \$854.94. The per diem interest rate after August 4, 2021 is \$37.88.

Questions concerning the sale may be directed to the undersigned: SCOTT T. CITEK, 3730 Kirby Drive, Suite 650, Houston, Texas 77098, (713) 228-2481.

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. Robert LaMont, Sheryl LaMont, Harriett Fletcher, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard, and/or Mollie McCoslin whose address is 4600 Fuller Avenue, Suite 400, Irving, Texas 75038, are also designated as Trustees and, they may also conduct this sale as requested by the beneficiary. Notice is given that before the sale, the beneficiary may appoint another person substitute trustee to conduct the sale.

7. **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.**

DATED: August 4, 2021.



---

SCOTT T. CITEK, Trustee  
3730 Kirby Drive, Suite 650  
Houston, Texas 77098  
Telephone: (713) 228-2481  
FAX: (713) 651-1044  
Email: scitek@lammsmith.com