

and
Posted

FILED FOR RECORD
February 6th 25
AT 1:30 O'CLOCK P.M.
MARGO NOBLE, COUNTY CLERK
SAN AUGUSTINE COUNTY
SAN AUGUSTINE, TEXAS
BY Haley Johnson
DEPUTY

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 9, 2021
Grantors: Daniel Wayne Fenley and Lady Marion Fenley
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 424, Page 406, of the Official Public Records of San Augustine 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 San Augustine County, Texas, being more particularly described in the Deed of Trust and 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: **Tuesday, March 4, 2025**
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: San Augustine County Courthouse in San Augustine, Texas, at the following location:

In the area of such Courthouse designated by the San Augustine County Commissioners' Court as the area where foreclosure sales

shall take place, or, if no such area has been designated, then at the Northeast Corner of the Courthouse Square (The Stripling Pavilion) on the Courthouse lawn of the courthouse of said county located at 100 W. Columbia Street, San Augustine, Texas 75972.

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.

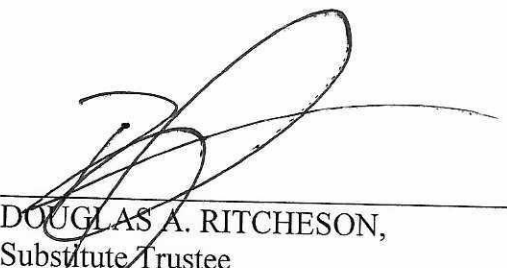
5. Type of Sale. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Daniel Wayne Fenley and Lady Marion Fenley. The deed of trust is dated April 9, 2021, and is recorded in the office of the County Clerk of San Augustine County, Texas, in Volume 424, Page 406 of the Official Public Records of San Augustine 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 9, 2021 promissory note in the original principal amount of \$78,400.00, executed by Daniel Wayne Fenley and Lady Marion Fenley, 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: Drake Hale, telephone (318) 238-6884, ext. 1525.

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: January 31, 2025.



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 20.000 acre tract situated in the Albert J. Kellogg Survey, Abstract Number 23, San Augustine County, Texas, being a portion of that certain called 518.586 acre tract described in instrument to Taylor Land Company, Inc., recorded in Volume 46, Page 74 of the Official Records of San Augustine County, Texas (O.R.S.A.C.T.). Said 20.000 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a ½ inch iron rod with cap stamped "TPS 100834-00" set in the apparent common line of said Kellogg Survey and the W. Coats Survey, Abstract Number 10 in the easterly margin of the Farm to Market Road 705 (F.M. 705), for common westerly corner of said 518.586 acre tract and that certain tract shown to be owned by Douglas Webb and Grace Webb, per San Augustine County Appraisal District (S.A.C.A.D) ID Number 22180, being the northwesterly corner of the herein described 20.000 acre tract, from which a 1 inch iron pipe found for reference bear North 02° 14' 42" West 34.16 feet;

THENCE: North 86° 26' 28" East 758.14 feet, with the apparent common line of said Kellogg Survey and said Coats Survey, with the common line between said 518.586 and said Webb tract, to a 3 inch by 3 inch concrete monument found for a common corner of same, being an angle point in the northerly line of the herein described 20.000 acre tract:

THENCE: North 85° 59' 24" East, 1284.76 feet, continuing with the apparent common line of said Kellogg Survey and said Coats Survey, the common line between said 518.586 and said Webb tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for the northwesterly corner of the herein described 20.000 acre tract, from which a 3 inch by 3 inch concrete monument with 2 inch disk found for reference bears North 85° 59' 24" East, 2056.90 feet:

THENCE: South 06° 24' 54" West, 443.40 feet, severing, over and across said 518.586 acre tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set for the southeasterly corner of the herein described 20.000 acre tract:

THENCE: South 86° 12' 30" West, continuing over and across said 518.586 acre tract, to a ½ inch iron rod with cap stamped "TPS 100834-00" set in the easterly margin of Farm to Market Road 705 (F.M. 705), being the southwesterly corner of the herein described 518.586 acre tract:

THENCE: North 02° 14' 42" West, 434.73 feet with the easterly margin of said F.M. 705, to the PLACE OF BEGINNING:

CONTAINING a computed area of 20.000 acres of land within this Field Note Description.