

**Notice of Foreclosure Sale**

April 29, 2021

Deed of Trust ("Deed of Trust"):

Dated: November 21, 2017

Grantor: JARED SCOTT MICHAEL KING

Trustee: JONATHAN W. HENLEY

Lender: ROBERT LIVINGSTON

Recorded in: Volume 2164, Page 24, Official Public Records, Cooke County, Texas

Legal Description: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

Secures: Promissory Note ("Note") in the original principal amount of \$60,000.00, executed by JARED SCOTT MICHAEL KING ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, June 1, 2021

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 A.M. and not later than three hours thereafter.

Place: Steps at the East side of the Cooke County Courthouse in Gainesville, Texas.

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 ROBERT LIVINGSTON's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, ROBERT LIVINGSTON, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of ROBERT LIVINGSTON's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with ROBERT LIVINGSTON's rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If ROBERT LIVINGSTON 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 Deed of Trust and the Texas Property Code.

The Foreclosure 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 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 Deed of Trust. 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 Deed of Trust by ROBERT LIVINGSTON. 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, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

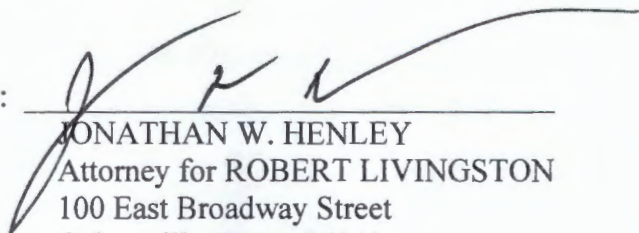
Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

**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 SUBSTITUTE 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 MORTGAGEE OR MORTGAGE SERVICER.**

ADAMS BENNETT DUNCAN & HENLEY

By: \_\_\_\_\_

  
JONATHAN W. HENLEY  
Attorney for ROBERT LIVINGSTON  
100 East Broadway Street  
Gainesville, Texas 76240  
Telephone (940) 668-2600  
Fax (940) 668-6880

## EXHIBIT "A"

### FIELD NOTES TO 1.64 ACRES IN THE T. W. WARD SURVEY ABSTRACT 1089, COOKE COUNTY, TEXAS

All that certain tract or parcel of land situated in the T. W. Ward Survey Abstract 1089, Cooke County, Texas, being a part of a called 4.7 acre tract described in a deed from E. R. Shugart and Barbara Shugart to Vicky Shugart Hamilton, et al recorded in Volume 1865, page 629 of the Cooke County Official Public Records, further being a part of a 3.29 acre tract conveyed by Vicky Shugart Hamilton, et al to Robert Livingston by deed recorded in Volume 2010, page 507 of said Public Records, and being more particularly described as follows:

BEGINNING at a found steel pin at the Southwest corner of said 3.29 acre tract, on the East right-of-way line of F. M. Road 371;

THENCE North 01 degree 10 minutes 30 seconds East, with the West line of said 3.29 acre tract, common to said East line of F. M. Road 371, a distance of 246.54 feet to a set steel pin at a point where said F. M. Road 371 ends and County Road 127 begins;

THENCE North 88 degrees 51 minutes 31 seconds East, along a fence part-way, a distance of 285.72 feet to a set steel pin on the East line of said 3.29 acre tract, common to the West line of a tract described in a deed to Steve Shugart recorded in Volume 1902, page 200 of said Public Records;

THENCE South 00 degrees 56 minutes 18 seconds West, with said common line, a distance of 253.55 feet to a found steel pin at the Southeast corner of said 3.29 acre tract, common to the Southwest corner of said Steve Shugart tract, on the North line of a tract described in a deed to D. L. and Lillian Rogers Revocable Living Trust recorded in Volume 1135, page 514 of said Public Records;

THENCE North 89 degrees 43 minutes 54 seconds West, with the South line of said 3.29 acre tract, along a fence, a distance of 286.57 feet to the point of beginning containing 1.64 acres of land.

15552S.leg

"The Company does not represent or insure the area, square footage, or acreage of the land."

Doc  
00003708

Bk  
OPR

Vol  
2415

Pg  
848

Filed for Record in:  
Cooke County  
On: May 03, 2021 at 09:51A

As a  
Recordings

Document Number: 00003708

Amount: 38.00

Receipt Number - 135095

By:  
Melissa Gann

STATE OF TEXAS COUNTY OF COOKE  
I hereby certify that this  
instrument was filed on the date  
and time stamped hereon by me and  
was duly recorded in the volume  
and page of the named records of:  
Cooke County  
as stamped hereon by me.

May 03-2021

FAN HARRISON, Cooke County Clerk  
Cooke County Clerk