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TERRI ROSS
COUNTY CLERK
2020 DEC 17 AM 11:19
UPSHUR COUNTY, TX.
BY _____ DEPUTY

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

J. Miles Darby
FREEMAN MILLS PC
2020 Bill Owens Pkwy., Ste. 200
Longview, TX 75604

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVERS LICENSE NUMBER.

Amended Notice of Foreclosure Sale

January 5, 2021

Deed of Trust

Dated:	August 15, 2018
Grantor:	Francesca Buck
Trustee:	Joshua M. Black
Lender:	John C. Osteen and Elane Osteen
Recorded as:	Instrument No. 201805917 of the Official Public Records of Upshur County, Texas.
Legal Description:	The land located in Upshur County, Texas, more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes.
Secures:	Promissory Note ("Note") in the original principal amount of Sixty Nine Thousand Nine Hundred and No/100, executed by Francesca Buck ("Borrower") and payable to the order of Lender.
Property:	The real property, improvements, and personal property described in and mortgaged in the Deed of Trust, including the real property described in the attached Exhibit A, and all rights and appurtenances thereto
Substitute Trustee:	J. Miles Darby

Substitute Trustee's Address:	2020 Bill Owens Parkway, Suite 200, Longview, Texas 75604
Foreclosure Sale:	
Date:	January 5, 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 10:00a.m. and not later than three hours thereafter.**
Place:	North entry of the Upshur County Courthouse located at 100 W. Tyler St., Gilmer, Texas 75644.
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 Lender'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, Lender, 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 Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender'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 Lender 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 Lender. 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.

J. Miles Darby, Substitute Trustee and Attorney for John C. Osteen and Elane Osteen

STATE OF TEXAS §

COUNTY OF GREGG §

This instrument was acknowledged before me on this the 15th day of December, 2020, by J. Miles Darby, as Substitute Trustee and Attorney for John C. Osteen and Elane Osteen.

KATHRYN M. DENTON
Notary Public, State of Texas
Comm. Expires 05-29-2023
Notary ID 3186858

Notary Public in and for the State of Texas