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UPSHUR COUNTY, TX
BY KT DEPUTY

NOTICE OF FORECLOSURE SALE

July 9, 2021

Deed of Trust; Security Instrument ("Deed of Trust"):

Dated:	May 1, 2019
Grantor:	Richard Earl Hohl
Trustee:	William Byron Norton
Lender:	East Texas Professional Credit Union
Recorded in:	**Instrument number 201902953** of the real property records of Upshur County, Texas
Legal Description:	Lot Nos. 73, 81 & 82 of Glenwood Acres, Phase II Subdivision, being more particularly described on the attached Exhibit "A."
Secures:	**Adjustable Rate Note** ("Note") in the original principal amount of **$115,200.00**, executed by **Vicky J. Semety** and **Richard Earl Hohl** ("Borrower") and payable to the order of Lender, and all other indebtedness of Borrower to Lender
Modifications and Renewals:	**Escrow Only Modifications** ("Modifications") allowed in May 2020, June 2020, and July 2020.
[Original] 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
Released Property:	None
Property:	The Original Property, save and except the Released Property
Assignment:	None.
Guaranty:	**The Note** [and all other indebtedness of Borrower to Lender] is guaranteed by an **Adjustable Rate Note** dated May 1, 2019, and executed by **Vicky J. Semety** and **Richard Earl Hohl** in favor of Lender
[Substitute] Trustee:	Joshua L. Swain

[Substitute] Trustee's Address:	1127 Judson Road, Suite 211, Longview, Texas 75601
Mortgage Servicer:	East Texas Professional Credit Union
Mortgage Servicer's Address:	P.O. Box 6750 Longview, TX 75608

Foreclosure Sale:

Date:	August 3, 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 and not later than three hours thereafter.**
Place:	Front door patio area of the Upshur County Courthouse, Upshur County, Texas, or in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code.
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 East Texas Professional Credit Union'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, East Texas Professional Credit Union, the owner and holder of the Note, has requested Joshua L. Swain, Trustee, to sell the Property.

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

Mortgage Servicer is representing East Texas Professional Credit Union in connection with the loan evidenced by the Note and secured by the Deed of Trust under a servicing agreement with East Texas Professional Credit Union. The address of Mortgage Servicer is set forth above.

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

If East Texas Professional Credit Union 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.

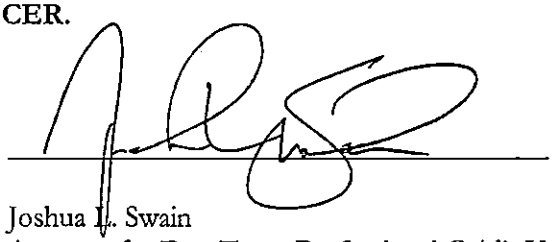
The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain 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 East Texas Professional Credit Union. 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, Joshua L. Swain 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 Joshua L. Swain, 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.



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Longview, Texas 75601
(903) 758-5543
(903) 753-6989 Facsimile

Exhibit "A"

TRACT ONE:

All that certain lot, tract or parcel of land lying and being situated in Upshur County, Texas, and being Lot No. Seventy-Three (73) of Glenwood Acres, Phase II Subdivision of Upshur County, Texas, as shown on the plat thereof recorded in Volume 4, page 521, Plat Records of Upshur County, Texas.

SECOND TRACT:

All that certain lot, tract or parcel of land being Lot No. 82 of Glenwood Acres, Phase II Subdivision of Upshur County, Texas, as shown on the plat thereof recorded in Volume 4, page 521, Plat Records of Upshur County, Texas.

TRACT THREE:

All that certain lot, tract or parcel of land being Lot No. 81 of Glenwood Acres, Phase 2 Subdivision of Upshur County, Texas, as shown on the plat thereof recorded in Volume 4, page 521, Plat Records of Upshur County, Texas, to which reference is here made.