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KIMBERLY MENKE  
COUNTY CLERK

**NOTICE OF FORECLOSURE SALE**

Notice is hereby given of a public non-judicial foreclosure sale.

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

All property (real, personal or otherwise) described in the deed of trust (as hereinafter defined as the "Deed of Trust"), together with the rights, appurtenances and improvements thereto, including, but not limited to, the real property described on **Exhibit A** attached hereto and made a part hereof. In the event any property encumbered by the Deed of Trust has been released by Lender (or its predecessor in interest, as applicable), then said released property shall be excluded from the property sold at foreclosure.

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

**Date: Tuesday, September 7, 2021**

**Time: The sale shall begin no earlier than 10:00 a.m. or no later than three hours thereafter. The sale shall be completed by no later than 1:00 p.m.**

**Place: The sale will take place at the place designated by the Colorado County Commissioner's Court.**

The Deed of Trust permits the Lender (as hereinafter defined) 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 and/or Texas Business and Commerce 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 Lender to have the bid credited 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 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 non-judicial foreclosure sale being conducted pursuant to the power of sale granted by that certain Deed of Trust (the "Deed of Trust") recorded under Instrument No. 2586, Volume 900, Page 687 in the Real Property Records of Colorado County, Texas, and executed by Ryan Dale Gallaher, a single person and Regina Marie Secor, a single person (whether one or more, the "Grantor"), for the benefit of 21<sup>st</sup> Mortgage Corporation ("Lender"), covering the property described above.

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Indebtedness") including but not limited to the unpaid principal and interest owing on: that certain Consumer Loan Note, Security Agreement and Disclosure Statement (the "Note") dated on or about July 2, 2019, executed by the Grantor and payable to the order of Lender, and all renewals, modifications and extensions of the Note. Lender is the current owner and/or holder of the Note and the Indebtedness and is the beneficiary under the Deed of Trust.


Questions concerning the sale may be directed to the undersigned or to the Lender:

21st Mortgage Corporation  
620 Market Street One Center Square  
Knoxville, TN 37902  
Phone: 800-955-0021  
Fax: 866-231-4851

6. Default and Request To Act. Default has occurred under the Deed of Trust, and Lender has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale Lender may appoint another person as substitute trustee to conduct the sale.

7. Armed Forces Notice. 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 13, 2021.

  
Richard A. McKinney, Substitute Trustee  
Higier Allen & Lautin, P.C.  
The Tower at Cityplace  
2711 N. Haskell Ave., Suite 2400  
Dallas, Texas 75204  
Telephone: (972) 716-1888  
Fax: (972) 716-1899

**\*\*\*PLEASE FAX ALL COMMUNICATIONS REGARDING THIS MATTER TO THE  
SUBSTITUTE TRUSTEE AT 972-716-1899 (FAX), NOTE THE SUBSTITUTE  
TRUSTEE'S NAME ON YOUR COVER SHEET AND CONTACT THE SUBSTITUTE  
TRUSTEE AT 972-716-1888 (PHONE) TO CONFIRM RECEIPT. PLEASE ASSUME  
YOUR FAX HAS NOT BEEN RECEIVED UNTIL YOU VERBALLY CONFIRM  
RECEIPT THEREOF WITH OUR OFFICE. THANKS IN ADVANCE FOR YOUR  
COOPERATION.\*\*\***

**EXHIBIT A**

PROPERTY DESCRIPTION

[FOLLOWS THIS COVER PAGE]

Exhibit "A"

1.565 Acre Tract

BEGINNING at a 1/2 inch iron rod set in the Southeast right of way line of Farm Road No. 109 for the Northeast corner of this tract, said iron rod being S58° 22' W, 290.47 feet and S59° 45' W, 60.18 feet from a 3/4 inch iron pipe found for the Northeast corner of said 4.09 acre tract;

THENCE S 24° 51' 25" E a distance of 265.44 feet to a 1/2 inch iron rod set in the North right of way line of a county road called Smith-Bau Road;

THENCE S 80° 05' 30" W along the North line of said county road, 18.19 feet to a 1/2 inch iron rod set for corner, said iron rod being also a corner of a 93.30 acre tract conveyed to Wilfred Reichle by deed recorded in Volume-293, Page 257, Deed Records of Colorado County, Texas;

THENCE S 89° 19' 30" W along the common boundary line of said 4.09 acre tract and the Reichle 93.30 acre tract, a distance of 542.90 feet to a 3/4 inch iron pipe found in the Southeast right of way line of Farm Road No. 109 for the Northwest corner of said 4.09 acre tract, said corner being also the Southeast corner of the James Cummins Survey, Abstract No. 13, and a corner of the James Cummins Survey, Abstract No. 12;

THENCE along the Southeast line of said Farm Road No. 109 as follows: N59° 45' E, 89.90 feet; N 52° 37' E, 200.30 feet; and N59° 45' E, 224.22 feet to place of beginning, containing 1.565 acres of land.

These descriptions was prepared from a survey made on the ground under my supervision on March 27, 1995.

STATE OF TEXAS COUNTY OF COLORADO  
I hereby certify that this instrument was FILED on the  
date and time stamped herein by me; and was duly  
RECORDED to the Volume and Page of the OFFICIAL  
RECORDS of Colorado County, Texas and stamped  
hereon by me, on

JUL 05 2019



*Kimberly Menke*  
KIMBERLY MENKE  
COUNTY CLERK COLORADO COUNTY, TEXAS

KIMBERLY MENKE  
COUNTY CLERK

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FILED FOR RECORD  
COLORADO COUNTY, TX

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