

July 31, 2023 at 2:30 o'clock p.m.
Kim Wells

CLERK, SAN SABA COUNTY, TEXAS

COPY

NOTICE OF FORECLOSURE SALE

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.

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

Being a 17.00 acre tract out of the O. D. Kirkpatrick Survey No. 1, Abstract No. 2238, located in San Saba County, Texas. Said tract is also a portion of that certain 83.68 acre parent tract described at Volume 388, Page 570 of the Official Public Records of said County, being more fully described in EXHIBIT "A" attached hereto and made a part hereof for all purposes.

The address is: 350 Hidden Hills, San Saba, Texas 7683

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded in Volume 392, Page 004, of the Official Public Records of Llano County, Texas.

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

Date: September 5, 2023

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

Place: San Saba County Courthouse in San Saba, Texas, at the following location: the North door of the Courthouse.

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. The 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 their bid immediately in cash if their bid is accepted.

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. The sale shall not cover any part of the property that has been

released of public record from the lien of 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.

Pursuant to the deed of trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (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 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

5. *Type of Sale.* The sale is a nonjudicial deed-of-trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust and security agreement executed by Lance Little and Cara Little.

The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

6. *Obligations Secured.* The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note executed by Lance Little and Cara Little, and payable to the order of Michael Alan Palermo 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, Michael Alan Palermo, at 11656 South Hwy 16, San Saba, Texas 76877.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as 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: July 25 2023.



WADE HUTTO, Trustee
P.O. Box 667
Llano, TX 78643
Telephone (325) 247-5771

CRAFT

SURVEYING & MAPPING CO. PLLC
WWW.CRAFTSURVEYING.COM
325-792-9800 - 325-372-4000
7601 GUYTON BLVD., TEXAS 76877
TEXAS LICENSE 1009908

FIELD NOTES for a 17.00 acre tract out of the O.D. Kirkpatrick Survey No. 1, Abstract No. 2238 located in San Saba County, Texas. Said tract is also a portion of that certain 83.68 acre parent tract described at Volume 338, Page 570 of the Official Public Records of said county. This survey was made for Almi Palamio in June 2022.

BEGINNING at a 1/2 inch rebar set in a southerly line of said parent tract and the called north line of a 328.26 acre tract described Volume 249, Page 581 of said Official Public Records, for the southwest corner of a 21.00 acre tract surveyed this same day and the southeast corner hereof, and from which a 1/2 inch rebar in a 1 1/2 inch fence post found for the southwest corner of said parent tract bears South 89°31'44" West a distance of 318.26 feet, South 89°37'43" West a distance of 273.78 feet, and South 88°52'16" West a distance of 77.15 feet;

THENCE with southerly lines of said parent tract and along a fence, the following 2 courses:

1. South 89°31'44" West a distance of 318.26 feet to a 120d nail found;
2. South 89°37'43" West a distance of 301.07 feet to a 1/2 inch rebar set for the southeast corner of another 17.00 acre tract surveyed this same day and the southwest corner hereof;

THENCE North 00°28'16" West, crossing said parent tract, a distance of 1135.51 feet to a 1/2 inch rebar set in a southerly line of an 80 acre tract described at Volume 332, Page 74 of said Official Public Records for the northeast corner of said 17.00 acre tract and the northwest corner hereof;

THENCE with southerly lines of said 80 acre tract and along a fence, the following 2 courses:

1. North 75°17'58" East a distance of 328.18 feet to a 2-7/8 inch pipe fence corner post found;
2. North 89°30'24" East a distance of 301.21 feet to a 1/2 inch rebar set for the northwest corner of said 21.00 acre tract and the northeast corner hereof;

THENCE South 00°28'16" East, crossing said parent tract, a distance of 1216.63 feet to the **POINT OF BEGINNING** containing 17.00 acres more or less, and as shown on certified plat herewith.

Note: Bearings, distances and acreage are grid measurements, NAD 83 U.S. TX Central Zone. 1/2" Rebar (set) bear a plastic cap marked "TXRPLS 6476"

Surveyed by:


Registered Professional Land Surveyor

6/08/2022
PROJECT TX22-1037

EXHIBIT "A"