NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Notice of Foreclosure Sale

FILED
AT 55 O'CLOCK P M
JUL 12 2024
Jennifer Newton
COUNTY CLERK, CORYELL CO., TEXAS

Date: July 7, 2024

Deed of Trust

Dated: May 5, 2017

Grantor: Leviathan Properties, LLC

Trustee: Terri Brim

Lender: Randy Brim

Recorded in: Deed of Trust recorded under Instrument Number 367781, real property records of Coryell County, Texas.

Legal Description **610 Park:** All that certain tract or parcel of land situated in Coryell County, Texas, out of the C. Cazanoba Survey, and being a part of Lot Five (5) in Block Two (2) of the Wells Addition to the City of Gatesville, Texas, described as follows:
BEGINNING at the SE corner of Lot 5, Block 2, Wells Addition to the City of Gatesville, Texas, a corner on the West line of Park Street;
THENCE North with the East line of said Lot and West line of Park Street 70 feet to a corner;
THENCE West with the North line of W. Roy Pennington Lot 93.5 feet to a corner;
THENCE South 70 feet to a corner on the South line of said Lot 5;
THENCE East with said South line 93.5 feet to the place of beginning, as surveyed on January 19, 1950 by Arvin McDonald, County Surveyor, Coryell County, Texas, and being the same land conveyed to William K. McMordie by W.R. Pennington and wife, Thelma Pennington by deed dated January 20, 1950, and recorded in Vol. 172, Pages 503-504 of the Deed Records of Coryell County, Texas.

107 Bauman: All that certain lot, tract, or parcel of land, situated in Coryell County, Texas out of the E. Norton Survey, in the City of Gatesville, and described as follows:
Beginning at the Northeast corner of that certain tract conveyed by Henry J. Knight, et ux, Lydia Colley Knight, to E. Price Bauman by deed dated September 24, 1949, recorded in Volume 170, Page 167, of the Deed Records of Coryell County, Texas.
Thence South 105 feet for a corner in the East line of said tract conveyed to E. Price Bauman, aforesaid, a corner on North line of an alley;
Thence West 65 feet for a corner;
Thence North 105 feet for a corner in the North line of said tract conveyed to E. Price Bauman, aforesaid;
Thence East 65 feet to the place of beginning.
This property now being known as Lot Number (6) in Block Number Ten (10) of the East Wood Park Addition to the City of Gatesville, Texas.

1205 College: All that certain lot, tract or parcel of land, a part of the C. Cazanoba Survey, better known and described as part of Lots Three (3) and Five (5) of Block Nine (9) of the Wells Addition to the City of Gatesville, in Coryell County, Texas having the following metes and bounds:
BEGINNING at the Southeast corner of a lot conveyed by M.W. Lowrey to Milton O. Thompson on April 3, 1923, by deed recorded in Book 100, page 372 of the Deed Records, Coryell County, Texas;
THENCE North with the East line of said Thompson lot, 80 feet to its NE corner;
THENCE East 80 feet four inches to corner in the North line of the lot conveyed to M.W. Lowrey by Tom Carlton, on Feb. 6th, 1922, by deed recorded in Book 99 on page 5 of the Deed Records, Coryell County, Texas.

THENCE South 80 feet to an iron stob driven in the ground on the inside edge of the sidewalk for SE corner of this lot;
THENCE West 80 feet four inches to the place of beginning.
And being the same property conveyed by Turk Brown and wife, Lucille Brown to M.A. Gillmore by deed of record in Volume 261, page 10, Deed Records, Coryell County, Texas.

Note Secured by Deed of Trust (Note)

Date: May 5, 2017

Makers: Leviathan Properties, LLC

Original Principal Amount: $90,000.00

Lender: Randy Brim

Foreclosure Sale:

Date of Sale of Property (first Tuesday of month): August 6, 2024

Time: The sale of the Property will be held between the hours of 1:00 P.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 1:00 P.M. and not later than three hours thereafter.

Place: 620 East Main Street, Gatesville, 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 Randy Brim, bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

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

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given that Trustee will 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, Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Trustee or 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 Randy Brim. 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, 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 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.

Terri Brim

Terri Brim, Trustee
747 Fort Graham Road
Waco, Texas 76705