

June 28, 2024

**Notice of Foreclosure Sale**

FILED FOR RECORD

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KIMBERLY WISE  
CLERK, MARION CO.

BY *[Signature]* DEPUTY

DEED OF TRUST AND SECURITY AGREEMENT ("Deed of Trust")  
Dated: May 25, 2023  
Grantor: IN 2 INNS OF TEXAS, LLC  
Trustee: C. Lynn Daughrity  
Lender: Angela Helton Herlocker, aka Angela Kay Herlocker  
Recorded in: Volume 1062 Page 305 of the real property records of Marion County, Texas

Legal Description: See Exhibit A attached

Secures: PROMISSORY NOTE ("Note") in the original principal amount of \$575,000.00, executed by IN 2 INNS OF TEXAS, LLC ("Borrower") and payable to the order of Lender

Foreclosure Sale:

Date: Tuesday, August 6, 2024

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 11:00 A.M. and not later than three hours thereafter.

Place: 114 West Austin Street, Thomas Jefferson Park, Marion County, Jefferson, Texas

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 Angela Helton Herlocker, aka Angela Kay Herlocker'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, Angela Helton Herlocker, aka Angela Kay Herlocker, 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 Angela Helton Herlocker, aka Angela Kay Herlocker's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Angela Helton Herlocker, aka Angela Kay Herlocker'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 Angela Helton Herlocker, aka Angela Kay Herlocker 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 Angela Helton Herlocker, aka Angela Kay Herlocker. 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 OR MORTGAGE SERVICER.**



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C. Lynn Daugherty  
Attorney for Mortgagee  
301 St John Street  
Jefferson, Texas 75657  
Telephone (903) 665-7408

EXHIBIT "A"

BEING 0.61 acre of land situated in the Stephen Smith Survey, Abstract 345, City of Jefferson, Marion County, Texas and being all of that certain called 0.61 acre tract as conveyed to William & Angela Herlocker and recorded in Volume 804, Page 631 of the Deed Records of said county and being all of Lots 4, 5 and 6 and part of Lot 3 and an alleyway (not open), Block 37 of Alley Addition to said city as recorded in Volume 547, Page 290 and Volume 546, Page 646 of said deed records; said 0.61 acre of land to be more particularly described by metes and bounds as follows:

BEGINNING at a ½ inch iron rod found for the Southeast corner of the above referenced Herlocker tract and Lot 6 and being at the intersection of the North right-of-way line of E. Walker Street with the East right-of-way line of Alley Street;

THENCE North 00°04'09" West with the West boundary line of said Herlocker tract and Lot 6 and the East right-of-way line of Alley Street at a distance of 50 feet passing the Northwest corner of said Lot 6 and the Southwest corner of the above referenced Lot 5 and at a distance of 100 feet passing the Northwest corner of said Lot 5 and the Southwest corner of the above referenced Lot 4 and at a distance of 150 feet passing the Northwest corner of said Lot 4 and the Southwest corner of the above referenced alleyway and at a distance of 162 feet passing the Northwest corner of said alleyway and the Southwest corner of the above referenced Lot 3 and continuing a total distance of 178.00 feet to a ½ inch iron rod found for the Northwest corner of said Herlocker tract and the Southwest corner of a called 0.18 acre tract described as Tract 2 in Volume 964, Page 619 of said deed records;

THENCE North 89°53'28" East, a distance of 150.00 feet with the North boundary line of said Herlocker tract and the South boundary line of said 0.18 acre tract to a ½ inch iron rod found for the Northeast corner of said Herlocker tract and said 0.18 acre tract and being in the East boundary line of said Lot 3 and the West line of an alleyway (not open);

THENCE South 00°04'09" East with the East boundary line of said Herlocker tract and Lot 3 and the West line of said alleyway at a distance of 16 feet passing the Southeast corner of said Lot 3 and the Northeast corner of the first mentioned alleyway and at a distance of 28 feet passing the Southeast corner of said alleyway and the Northeast corner of said Lot 4 and at a distance of 78 feet passing the Southeast corner of said Lot 4 and the Northeast corner of said Lot 5 and at a distance of 128 feet passing the

Southeast corner of said Lot 5 and the Northeast corner of said Lot 6 and continuing a total distance of 178.00 feet to a ½ inch iron rod found for the Southeast corner of said Herlocker tract and Lot 6 at the intersection of the West line of said alleyway with the North right-of-way lien of E. Walker Street;

THENCE South 89°53'28" West, a distance of 150.00 feet with the South boundary line of said Herlocker tract and Lot 6 and the North right-of-way line of E. Walker Street to the place of beginning and containing 0.61 acre of land.