



## 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:

(including any improvements): Tract 6 Cedar Hill Acres Owned by Dragoo Ranches, LLC as recorded in O.D Mullins Survey, Abstract NO. 617 in Hamilton County, Texas being part of the certain 146.39 acre tract described in deed from Carolyn S. Rubin as executrix of the estate of Norman S. Rubin to R.C. Dragoo and W.E. Reed dated October 4, 1996 and recorded in Volume 297, Page 595 of the Deed Records of Hamilton County, Texas, better Known as 455 PR 118A, Hico, Texas 76457. Lessor retains all mineral rights.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of trust recorded April 18, 2016, in Instrument No. 20160544, B: RP, V:507 P: 879 of the real property records of Hamilton County, Texas

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

Date: March 6, 2018

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 4:00 p.m.

Place: West Center Steps of the Hamilton County Courthouse or as Designated by the County Commissioners, located at 102 N. Rice, Suite 107, Hamilton, Texas 76531.

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 refiled 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 foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by James Whitlock and JoAnne Whitlock.

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 real estate lien note in the original principal amount of \$29,848.47, executed by James Whitlock and JoAnne Whitlock and payable to the order of Betty J. Dragoo, Managing Member of Dragoo Ranches, LLC. Betty J. Dragoo, Managing Member of Dragoo Ranches, LLC is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

As of February 7, 2018, there was owed \$2,176.63 of principal and interest on the note. To obtain a current payoff on the note prior to foreclosure, you should contact Hines & Maxwell, PLLC, 502 N. Ridgeway, Cleburne, Texas 76033, and said firm may be reached by phone (as of the date of this letter) at 817-357-8755.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Dragoo Ranches, LLC, P.O. Box 50, Carlton, TX 76436.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute 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: February 9, 2018.



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Mark Hines  
502 North Ridgeway  
Cleburne, Texas 76033  
Telephone (817) 357-8755  
Telecopier (817) 641-0517

# FILED and RECORDED

Instrument Number: 20180234 B: RP V: 531 P: 87

Filing and Recording Date: 02/09/2018 08:11:12 AM Recording Fee: 2.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the REAL PROPERTY RECORDS of Hamilton County, Texas.



*Kiesha Bagwell*

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Kiesha Bagwell, County Clerk  
Hamilton County, Texas

ANY PROVISION CONTAINED IN ANY DOCUMENT WHICH RESTRICTS THE SALE, RENTAL, OR USE OF THE REAL PROPERTY DESCRIBED THEREIN BECAUSE OF RACE OR COLOR IS INVALID UNDER FEDERAL LAW AND IS UNENFORCEABLE.

## 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:

(including any improvements): All that certain 9.82 acre tract of land and 5.00 acre tract of land, also known as **Tract 4 of the Cedar Hills Addition** out of the O. D. Mullins Survey, Abstract No. 617, in Hamilton County, Texas, Being part of that certain 146.39 acre tract of land described in deed from Carolyn S. Rubin as executrix of the estate of Norman L. Rubin to R. C. Dragoo and W. E. Reed dated October 4, 1996 and recorded in Volume 297, Page 595 of the Deed Records of Hamilton County, Texas and described in Exhibit "A" attached hereto.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the deed of trust recorded in Book 376, Page 584 of the official public records of Hamilton County, Texas on September 16, 2004.

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

Date: Tuesday, March 6, 2018

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 4:00 p.m.

Place: West Center Steps of the Hamilton County Courthouse or as Designated by the County Commissioners, located at 102 N. Rice, Suite 107, Hamilton, Texas 76531.

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 refiled 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 foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Christopher K. Mitchell and Carol L. (Featherly) Mitchell.

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 real estate lien note in the original principal amount of \$35,435.53, executed by Christopher K. Mitchell and Carol L. (Featherly) Mitchell and payable to the order of Betty J. Dragoo, Managing Member of Dragoo Ranches, LLC. Betty J. Dragoo, Managing Member of Dragoo Ranches, LLC is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

As of December 6, 2017 there was owed 34,578.22 of principal and interest on the note. To obtain a current payoff on the note prior to foreclosure, you should contact Hines & Maxwell, PLLC, 502 N. Ridgeway, Cleburne, Texas 76033, and said firm may be reached by phone (as of the date of this letter) at 817-357-8755.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Dragoo Ranches, LLC, P.O. Box 50, Carlton, TX 76436.

7. *Default and Request to Act.* Default has occurred under the deed of trust, and the beneficiary has requested me, as substitute 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: February 9, 2018.



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Mark Hines  
502 North Ridgeway  
Cleburne, Texas 76033  
Telephone (817) 357-8755  
Telecopier (817) 641-0517

## **EXHIBIT A**

ALL that certain 9.82 acre tract of land, being part of the O. D. Mullins Survey Abstract No. 617, in Hamilton County, Texas being part of that certain 146.39 acre tract described in deed from Carolyn S. Rubin as executrix of the estate of Norman S. Rubin to R. C. Dragoo and W. E. Reed dated October 4, 1996 and recorded in Volume 297, Page 595 of the Deed Records of Hamilton County, Texas and described as follows:

COMMENCING at an iron rod in the west right of way line of F. M. Highway No. 219, being the NE corner of the R. C. Dragoo et al 146.39 acre tract, and the SE corner of a 156.66 acre tract of land described in a deed from Cressie M. Shaw to R. C. Dragoo dated July 24, 1980 and recorded in Volume 245, Page 212 of the Deed records of Hamilton County, Texas.

THENCE S 58 deg. 48' 41" W, along the north line of said 146.39 acre tract, 1157.55' to an iron rod;

THENCE S 30 deg. 52' 08" E, 1050.00' to an iron rod set for the NW CORNER AND BEGINNING CORNER OF THE HEREINAFTER DESCRIBED TRACT;

THENCE N 59 deg. 07' 52" E, 1089.00' to an iron rod set in the west right of way line of F. M. Highway No 219 and the east line of said 146.39 acre tract for the NE corner of this tract;

THENCE S 30 deg. 52' 08" E, along the west line of F. M. Highway No. 219 and the east line of said 146.39 acre tract, 215.30' to an iron rod set at a fence corner post at the SE corner of said 146.39 acre tract, being the NE corner of a 349.7 acre tract of land described in a deed from J. E. Meisenheimer to Dan Kunkel dated March 11, 1946 and recorded in Volume 138, Page 76 of the Deed Records of Hamilton County, Texas, for the SE corner of this;

THENCE along a fence line along the south line of said 146.39 acre tract as follows;

S 52 deg. 05' 34", 426.98' to an iron rod set at a fence corner,

N 64 deg. 13' 57" W, 36.06' to an iron rod set at a fence corner,

S 14 deg. 06' 55" W, 444.03 to an iron rod set at a fence corner,

S 27 deg. 17' 27" E, 13.76' to an iron rod set at a fence corner

S 49 deg. 33' 55" W, 335.32' to an iron rod set for the SW corner of this tract;

THENCE N 30 deg. 52' 08" W, 621.03' to the place of beginning and containing 9.82 acres of land out of the O. D. Mullins Survey.



ALL that certain 5.00 acre tract of land, being part of the O. D. Mullins Survey Abstract No. 617, in Hamilton County, Texas being part of that certain 146.39 acre tract described in deed from Carolyn S. Rubin as executrix of the estate of Norman S. Rubin to R. C. Dragoo and W. E. Reed dated October 4, 1996 and recorded in Volume 297, Page 595 of the Deed Records of Hamilton County, Texas and described as follows:

COMMENCING at an iron rod in the west right of way line of F. M. Highway No. 219, being the NE corner of the R. C. Dragoo et al 146.39 acre tract, and the SE corner of a 156.66 acre tract of land described in a deed from Cressie M. Shaw to R. C. Dragoo dated July 24, 1980 and recorded in Volume 245, Page 212 of the Deed records of Hamilton County, Texas.

THENCE S 58 deg. 48' 41" W, along the north line of said 146.39 acre tract, 1157.55' to an iron rod;

THENCE S 30 deg. 52' 08" E, 850.00' to an iron rod set for the NW CORNER AND BEGINNING CORNER OF THE HEREINAFTER DESCRIBED TRACT;

THENCE N 59 deg. 07' 52" E, 1089.00' to an iron rod set in the west right of way line of F. M. Highway No 219 and the east line of said 146.39 acre tract for the NE corner of this tract;

THENCE S 30 deg. 52' 08" E, along the west line of F. M. Highway No. 219 and the east line of said 146.39 acre tract, 200.00' to an iron rod set for the SE corner of this tract;

THENCE S 59 deg. 07' 52" W, 1089.00' to an iron rod set for the SW corner of this tract;

THENCE N 30 deg. 52' 08" W, 200.00' to the place of beginning and containing 5.00 acres of land out of the O. D. Mullins Survey.

# FILED and RECORDED

Instrument Number: 20180235 B: RP V: 531 P: 91

Filing and Recording Date: 02/09/2018 08:11:12 AM Recording Fee: 2.00

I hereby certify that this instrument was FILED on the date and time stamped hereon and RECORDED in the REAL PROPERTY RECORDS of Hamilton County, Texas.



*Kiesha Bagwell*

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Kiesha Bagwell, County Clerk  
Hamilton County, Texas

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