

NOTICE OF FORECLOSURE SALE

State of Texas §

County of Aransas §

Notice is hereby given of a public foreclosure sale.

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

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES

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

Date: **May 3, 2016**

Time: The sale shall begin no earlier than **10:00 AM** and no later than three hours thereafter.

Place: **Aransas County Courthouse in Rockport, Texas**, at the following location: the area designated by the Commissioners Court of **Rockport, Aransas County, Texas**, pursuant to § 51.002 of the Texas Property Code as the place where foreclosure sales are to take place (if no such place is so designated, the sale will take place in the area where this Notice of Substitute Trustee's Sale is posted).

The deeds of trust permit the Mortgagee of Record 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 refileing may be after the date originally scheduled for this sale.

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.

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 deeds of trust permitting the Mortgagee of Record thereunder to have the bid credited to the notes up to the amount of the unpaid debt secured by the deeds 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 deeds 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 deeds of trust. The sale shall not cover any part of the property that has been released of public record from the lien of the deeds of trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit

paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

4. Type of Sale. The sale is being conducted pursuant to the power of sale granted by the Deeds of Trust executed by Hackett & Co., Inc. and Jack R Hackett and pursuant to the Judgment described in paragraph 5.
5. Obligations Secured. Deed of Trust dated **December 21, 2009**; Deed of Trust dated **December 30, 2010**; Deed of Trust dated **September 13, 2011**; Deed of Trust dated **November 5, 2015**; and recorded in the office of the County Clerk of Aransas County, Texas, in/under document numbers **2009038904, 2009038905, 2011000858, 2011029634, respectively, Official Public Records of Aransas County, Texas.** The deeds of trust secure the payment of the indebtedness and obligations therein described (collectively the "Obligations") including, but not limited to, the promissory notes in the original principal amount of **\$300,000.00, \$25,000.00, \$160,000.00, \$175,200.00, respectively, executed by Jack R Hackett, and payable to the order of Energy One Federal Credit Union.** The notes and Deeds of Trust are cross-collateralized. All as more particularly described in Judgment in the amount of \$625,586.46, dated November 5, 2015, in Cause No. A-14-0094-CV-B, styled Energy One Federal Credit Union v. Hackett & Co., Inc. and Jack R. Hackett. Said Judgment being abstracted and recorded under File No. 345462 in the Official Public Records of Aransas County, Texas.

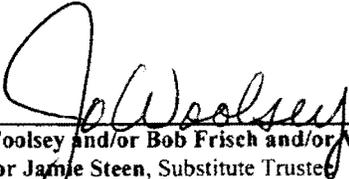
Original Mortgagee: Energy One Federal Credit Union.

**Current Mortgage of Record: Energy One Federal Credit Union whose address is:
6100 S Yale Ave, Ste 100, Tulsa, OK 74136**

6. 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 public sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.
7. **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.**

Sent by: Jeffrey B. Lewis Robertson Anschutz Veters 10333 Richmond Avenue, Suite 550 Houston, TX 77042

DATED April 11, 2016.



**Jo Woolsey and/or Bob Frisch and/or Vicki Hammonds
and/or Jamie Steen, Substitute Trustee**
c/o Robertson Anschutz Veters
10333 Richmond Avenue, Suite 550
Houston, TX 77042
Phone: 713-244-1360

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.

309748

File No. _____
County Clerk, Aransas County, Texas

Exhibit "A"

Being 7.493 acres of land out of Tract Nos. Eleven (11) and Twelve (12), Coleman-Fulton Pasture Company Subdivision of the A. Bergera and T. Kilpatrick Surveys as shown by plat of record in Volume 1, Pages 14 and 15, Plat Records of Aransas County, Texas, with said 7.493 acre tract being more particularly described by metes and bounds as follows:

BEING at a 5/8" steel rebar found in the North R.O.W. line of Texas FM Road No. 1781 and being on the common line between said Tract Nos. 11 and 12 and being the lower Southwest corner and PLACE OF BEGINNING of this survey;

THENCE North 89° 59' 52" East along and with the North R.O.W. line of Texas FM Road No. 1781, a distance of 275.55 feet to a 5/8" steel rebar found for the Southwest corner of a 0.344 acre tract described under Clerk's File No. 210799, Property Records of Aransas County, Texas, and being the lower SOUTHWEST corner of this survey;

THENCE North 00° 00' 37" East along and with the West line of said 0.344 acre tract and the Northerly extension thereof a distance of 200.15 feet to a 5/8" steel rebar found for the Northwest corner of a second 0.344 acre tract described under Clerk's File No. 192068, Property Records of Aransas County, Texas, and being an INTERIOR corner of this survey;

THENCE North 89° 54' 26" East along and with the North line of said second 0.344 acre tract a distance of 149.94 feet to a 5/8" steel rebar found in the common line between said Tract No. 12 and the West boundary of the Fleming Subdivision, according to the Map recorded in Volume 2, Page 39, Map Records of Aransas County, Texas, and being an EXTERIOR corner of this survey;

THENCE North 00° 01' 22" West along and with the West line of said Fleming Subdivision a distance of 260.06 feet to a 5/8" steel rebar found for the Southeast corner of a 1.939 acre tract described under Clerk's File No. 178890, Property Records of Aransas County, Texas and being an EXTERIOR corner of this survey;

THENCE South 89° 55' 45" West along and with the South line of said 1.939 acre tract a distance of 310.5 feet to a 5/8" steel rebar found for the Southwest corner of said 1.939 acre tract and being an INTERIOR corner of this survey;

THENCE North 00° 04' 26" West along and with the now West line of said 1.939 acre tract a distance of 265.0 feet to a 5/8" steel rebar found for the Northwest corner of said 1.939 acre tract and being the most Northerly ~~NORTHEAST~~ corner of this survey;

THENCE due West a distance of 532.29 feet to an old fence corner post found in the common line between Tract Nos. 10 and 11 of said Coleman-Fulton Pasture Company Subdivision and being the NORTHWEST corner of this survey;

THENCE due South along and with the common line between said Tract Nos. 10 and 11 a distance of 310.77 feet to a 5/8" steel rebar found for the upper SOUTHWEST corner of this survey;

THENCE due East along and with the North line of a 4.049 acre tract described under Clerk's File No. 210543, Property Records of Aransas County, Texas, a distance of 425.6 feet to a point and being an INTERIOR corner of this survey;

THENCE South 00° 00' 45" East a distance of 414.32 feet to the PLACE OF BEGINNING and containing 7.493 acres of land, more or less.

18/04

FILED FOR RECORD
AT 12:50 P.M.

INDEXED

DEC 23 2009

SCANNED

Peggy L. Friebele
PEGGY L. FRIEBELE
COUNTY CLERK, ARANSAS CO., TEXAS

Stewart Retto

345462

File No. _____
County Clerk, Aransas County, Texas

**ABSTRACT OF JUDGMENT
CAUSE NO. A-14-0094-CV-B**

**ENERGY ONE FEDERAL CREDIT UNION
VS
JACK R. HACKETT**

**IN THE DISTRICT COURT
156th JUDICIAL DISTRICT
ARANSAS COUNTY, TEXAS**

Attorney for Plaintiff or Plaintiff: JEFFRY B. LEWIS, 10333 RICHMOND AVE, STE 550, HOUSTON, TX 77042

NAME OF PLAINTIFF IN JUDGMENT: ENERGY ONE FEDERAL CREDIT UNION
ADDRESS OF PLAINTIFF: 4500 S 129TH E AVE STE 120, TULSA, OK 74134
NAME OF DEFENDANT(S) IN JUDGMENT: **HACKETT & CO., INC.**
DATE OF JUDGMENT: November 05, 2015
AMOUNT OF COSTS: \$438.00
AMOUNT OF JUDGMENT: "\$625,586.46 with postjudgment interest at the rate of five (5%) percent per annum from the date of this judgment until the judgment is satisfied."
RATE OF INTEREST: See Above
AMOUNT OF CREDITS: \$0.00
BALANCE DUE ON JUDGMENT: See Above
AMOUNT OF BALANCE DUE, IF ANY, FOR CHILD SUPPORT ARREARAGE: Unknown

BIRTH DATE OF DEFENDANT, IF AVAILABLE TO THE CLERK OF COURT: N/A
DRIVER'S LICENSE NUMBER OF DEFENDANT: N/A
SOCIAL SECURITY NUMBER OF DEFENDANT: EIN #: 800-75-5165
DEFENDANT'S ADDRESS OR DATE AND PLACE WHERE CITATION WAS SERVED:
HACKETT AND CO., INC., 151 FLEMING LANE, ROCKPORT, TX 78382

I, PAM HEARD, Clerk of the District Court of Aransas County, Texas, do hereby certify that the above and foregoing is a true and correct Abstract of Judgment rendered in said Court in the above numbered and styled cause as it appears in the Records of said Court.

WITNESS my hand and seal of said court at office in Rockport, Texas on December 07, 2015.

PAM HEARD, DISTRICT CLERK
ARANSAS COUNTY, TEXAS

BY: Jenice Pruitt, Deputy



FILED
AT 3:16 P. M.
APR 11 2016

**VALERIE K. AMASON
COUNTY CLERK, ARANSAS CO., TEXAS**

**FILED FOR RECORD IN
OFFICIAL PUBLIC RECORDS**

INDEXED

AT 10:20A M.

DEC 14 2015

SCANNED

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STATE OF TEXAS - COUNTY OF ARANSAS
I hereby certify that this instrument was FILED on the date and at the time affixed hereon by me and was duly RECORDED in the OFFICIAL PUBLIC RECORDS of ARANSAS COUNTY, TEXAS, as stamped hereon by me.



Valerie K. Amason
**VALERIE K. AMASON, COUNTY CLERK,
ARANSAS COUNTY, TEXAS**

Robertson + Anschutz
10333 Richmond Ave, Ste 550
Houston, TX 77042