

NOTICE OF FORECLOSURE SALEELIZABETH JAMES
CLERK OF COUNTY CLERK
BY:  DEPUTYProperty:

The Property to be sold is described as follows:

SEE EXHIBIT A

Security Instrument:

Deed of Trust dated May 28, 2002 and recorded on May 31, 2002 Book 2431 Page 138 as Instrument Number 2005885 in the real property records of HARRISON County, Texas, which contains a power of sale.

Sale Information:

May 07, 2024, at 10:00 AM, or not later than three hours thereafter, at the door of the easternmost entrance to the Harrison County Courthouse, or as designated by the County Commissioners Court.

Terms of Sale:

Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured:

The Deed of Trust executed by MARY J. KINNAMAN secures the repayment of a Note dated May 28, 2002 in the amount of \$63,000.00. MATRIX FINANCIAL SERVICES CORPORATION, whose address is c/o RoundPoint Mortgage Servicing LLC, 446 Wrenplace Road, Fort Mill, SC 29715, is the current mortgagee of the Deed of Trust and Note and RoundPoint Mortgage Servicing LLC is the current mortgage servicer for the mortgage. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee:

In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.



4812804

ServiceLink

Substitute Trustee(s): Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, David Ray, Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Lisa DeLong, Terri Worley, Sharon St. Pierre, Harriett Fletcher, Dustin George

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.

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.



Miller, George & Suggs, PLLC
Tracy Midkiff, Attorney at Law
Jonathan Andring, Attorney at Law
Rachel Son, Attorney at Law
6080 Tennyson Parkway, Suite 100
Plano, TX 75024



Substitute Trustee(s): Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, David Ray, Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Lisa DeLong, Terri Worley, Sharon St. Pierre, Harriett Fletcher, Dustin George
c/o Miller, George & Suggs, PLLC
6080 Tennyson Parkway, Suite 100
Plano, TX 75024

Certificate of Posting

I, Sheryl LaMont, declare under penalty of perjury that on the 21st day of March, 2024, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of HARRISON County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

Sheryl LaMont, March 21, 2024

Exhibit "A"
Legal Description

All that certain lot, tract or parcel of land situated in Harrison County, Texas, about 11 miles West of the Courthouse in the City of Marshall, being 2.588 acres of land, a part of the JUAN CURBELLA SURVEY, A-138, and being a part of that certain 236.416 acre tract described in deed from William Shuford, et ux, to Benchmark Properties, L.C., and recorded in Volume 1700, Page 273 of the Harrison County Official Public Records, said 2.588 acres being known as Lot 21 of the Sandalwood Subdivision, Phase II, an unrecorded subdivision, and being more particularly described as follows:

Beginning at a 1/2" iron rod with surveyors cap found for corner at the Northeast corner of the herein described tract and the Northwest corner of that certain 2.605 acre tract known as Lot 20 of said Sandalwood Subdivision, Phase II, and being on the South line of that certain called 8.10 acre tract described in deed to Jack Phillips, et ux, and recorded in Volume 891, Page 352 of the Harrison County Deed Records, said iron rod bears North 89°39'31" West - 91.93 feet from a 1/2" iron rod found at an interior corner of said 236.416 acre tract and the Southeast corner of said called 8.10 acre tract;

Thence South 01°22'01" East, with the West line of said Lot 20, 566.21 feet to a 1/2" iron rod with surveyors cap found for corner at the Southwest corner of said Lot 20, and being on the North margin of Cross Creek Road, a 60 foot wide road right of way;

Thence North 88°32'29" West, with said North margin, 200.00 feet to a 1/2" iron rod with surveyors cap found for corner at the Southeast corner of that certain 2.570 acre tract known as Lot 22 of said Sandalwood Subdivision, Phase II;

Thence North 01°22'01" West, with the East line of said Lot 22, 562.31 feet to a 1/2" iron rod with surveyors cap found for corner at the Northeast corner of said Lot 22, and being on the South line of said called 8.10 acre tract;

Thence South 89°39'31" East, with the South line of said called 8.10 acre tract, 199.85 feet to the place of beginning and containing 2.588 acres of land, more or less.

TOGETHER WITH THE FOLLOWING DESCRIBED, NON-EXCLUSIVE ACCESS EASEMENT FOR INGRESS AND EGRESS, TO-WIT:

All that certain lot, tract or parcel of land situated in Harrison County, Texas, about 11 miles Southeast of the Courthouse in the City of Marshall, being 2.900 acres of land, more or less, a part of the J. BLAIR SURVEY, A-74, and being a part of that certain 236.416 acre tract described in deed from William Shuford, et ux, to Benchmark Properties, L.C., recorded in Volume 1700, Page 273 of the Harrison County Official Public Records, said 2.900 acres being a 60 foot road right of way (known as Cross Creek Road) through the Sandalwood Subdivision, an unrecorded subdivision, and being more particularly described as follows:

Beginning at a 1/2" iron rod set for corner on the North line of said 236.416 acre tract, same being the South right of way line of Interstate Highway 20, being the Northeast corner of Lot 4 of said Sandalwood Subdivision, said rod bears North 62° 12' 43" East 500.00 feet from a 1/2" iron rod at the Northernmost Northwest corner of said 236.416 acre tract:

THENCE North 62° 12' 43" East with said North line and said South Right of way line of Interstate 20, 61.34 feet to a 1/2" iron rod set for corner on same;

THENCE South 39° 47' 17" East 137.25 feet to a 1/2" iron rod set for corner;

THENCE along a curve to the left, having a radius of 106.13 feet, an arc length of 62.05 feet, and a chord bearing and distance of South 56° 32' 17" East 61.17 feet to a 1/2" iron rod set for corner at end of said curve;

THENCE South 73° 17' 18" East 220.39 feet to a 1/2" iron rod set for corner;

THENCE along a curve to the right, having a radius of 530.00 feet, an arc length of 424.00 feet, and a chord bearing and distance of South 50° 22' 12" East 412.78 feet to a 1/2" iron rod set for corner at end of said curve;

THENCE along a curve to the left, having a radius of 300.00 feet, an arc length of 429.35 feet, and a chord bearing and distance of South 68° 27' 06" East 393.64 feet to a 1/2" iron rod set for corner at the end of said curve;

THENCE North 70° 32' 54" East 79.14 feet to a 1/2" iron rod set for corner;

THENCE along a curve to the right, having a radius of 822.52 feet, an arc length 206.48 feet, and a chord bearing and distance of North 77° 44' 23" East 205.94 feet to a 1/2" iron rod set for corner at the end of said curve;

THENCE North 84° 55' 53" East 212.54 feet to a 1/2" iron rod set for corner;

THENCE along a curve to the left, having a radius of 1153.97 feet, an arc length of 291.39 feet, and a chord bearing and distance of North 77° 41' 51" East 290.62 feet to a 1/2" iron rod set for corner on the East line of said subdivision;

THENCE South 19° 32' 11" East, with the East line of said subdivision, 60.00 feet to a 1/2" iron rod set for corner on same;

THENCE along a curve to the right, having a radius of 1213.97 feet, an arc length of 306.54 feet, and a chord bearing and distance of South 77° 41' 51" West 305.73 feet to a 1/2" iron rod set for corner at the end of said curve;

THENCE South 84° 55' 53" West 212.54 feet to 1/2" iron rod set for corner;

THENCE along a curve to the left, having a radius of 762.52 feet, an arc length of 191.42 feet, and a chord bearing and distance of South 77° 44' 23" West 190.92 feet to a 1/2" iron rod set for corner at the end of said curve;

THENCE South 70° 32' 54" West 79.14 feet to a 1/2" iron rod set for corner;

THENCE along a curve to the right, having a radius of 360.00 feet, an arc length of 515.22 feet, and a chord bearing and distance of North 68° 27' 06" West 472.36 feet to a 1/2" iron rod set for corner at the end of said curve;

THENCE along a curve to the left, having a radius of 470.00 feet, an arc length of 376.00 feet, and a chord bearing and distance of North 50° 22' 12" West 366.05 feet to a 1/2" iron rod set for corner at the end of said curve;

THENCE North 73° 17' 17" West 220.39 feet to a 1/2" iron rod set for corner;

THENCE along a curve to the right, having a radius of 166.13 feet, an arc length of 97.13 feet, and a chord bearing and distance of North 56° 32' 17" West 95.76 feet to a 1/2" iron rod set for corner at the end of said curve;

THENCE North 39° 47' 17" West 150.00 feet to the place of beginning and containing 2.900 acres of land, more or less.

TOGETHER WITH THE FOLLOWING DESCRIBED, NON-EXCLUSIVE ACCESS EASEMENT FOR INGRESS AND EGRESS, TO-WIT:

All that certain lot, tract, or parcel of land situated in Harrison County, Texas, about 11 miles West of the Courthouse in the City of Marshall, being 3.533 acres of land, more or less, a part of the J. BLAIR SURVEY, A-74, the JUAN CURBELLA SURVEY, A-138, and the E. M. WILDER SURVEY, A-774, and being a part of that certain 236.416 acre tract described in deed from William Shuford, et ux, to Benchmark Properties, L.C., recorded in Volume 1700, Page 273 of the Harrison County Official Public Records, said 3.533 acres being a 60 foot road right of way (known as Cross Creek Road), being an extension of said road from Sandalwood Subdivision, Phase I, through Sandalwood Subdivision, Phase II, an unrecorded subdivision of said surveys and being more particularly described as follows:

Beginning at a 1/2" iron rod set for corner at the Northwest corner of Lot 1 of Phase II of said Sandalwood Subdivision and a Northeast corner of the residue of said 236.416 acre tract, same being on the East margin of a proposed 60 foot wide road, and on the South margin of the herein described 60 foot right of way, said rod bears South 82° 25' 48" West 481.62 feet from a 1-1/2" iron pipe found for corner at an inner ell corner of said 236.416 acre tract, same being the Northwest corner of that certain 725.89 acre tract described in deed as "Tract A" to Gwendolyn Dickens Hunt, and recorded in Volume 900, Page 280 of the Harrison County Deed Records;

Thence South 74° 46' 18" West, with a North line of the residue of said 236.416 acre tract and the South margin of the herein described 60 foot road right of way, 60.17 feet to a 1/2" iron rod set for corner at the Northeast corner of Lot 24 on the East line of said Sandalwood Subdivision, Phase I, same being the Westernmost Southwest corner of said Sandalwood Subdivision, Phase II;

Thence North 19° 31' 06" West, with the West line of said Sandalwood Subdivision, Phase II and the East line of said Sandalwood Subdivision, Phase I, crossing said Cross Creek Road, 60.17 feet to a 1/2" iron rod set for corner on the North margin of said road at the Southeast corner of Lot 25 of said Phase I, and the Southwest corner of Lot 29 of said Phase II;

Thence North 74° 46' 18" East 196.06 feet to a 1/2" iron rod with surveyor's cap set for corner at a point of curvature;

Thence along a curve to the left, having a radius of 149.06 feet, an arc length of 51.94 feet, and a chord bearing

and distance of North 64° 47' 19" East 51.68 feet, to a 1/2" iron rod with surveyor's cap set for corner at the end said curve;

Thence North 54° 48' 20" East 224.82 feet to a 1/2" iron rod with surveyor's cap set for corner at a point of curvature;

Thence along a curve to the right, having a radius of 267.89 feet, an arc length of 171.37 feet, and a chord bearing and distance of North 73° 07' 56" East 168.47 feet to a 1/2" iron rod with surveyor's cap set for corner at the end of said curve;

Thence South 88° 32' 29" East 1748.54 feet to a 1/2" iron rod with surveyor's cap set for corner at a point of curvature for a cul-de-sac;

Thence along a curve to the right, having a radius of 60.00 feet, an arc length of 314.16 feet, and a chord bearing and distance of South 01° 27' 31" West 60.00 feet, crossing said road, to a 1/2" iron rod with surveyor's cap set for corner;

Thence North 88° 32' 29" West 1748.54 feet to a 1/2" iron rod with surveyor's cap set for corner at a point of curvature;

Thence along a curve to the left, having a radius of 207.89 feet, an arc length of 132.99 feet, and a chord bearing and distance of South 73° 07' 56" West 130.74 feet to a 1/2" iron rod with surveyor's cap set for corner at the end of said curve;

Thence South 54° 48' 20" West 224.82 feet to a 1/2" iron rod with surveyor's cap set for corner at a point of curvature;

Thence along a curve to the right, having a radius of 209.06 feet, an arc length of 72.85 feet, and a chord bearing and distance of South 64° 47' 19" West 72.48 feet to a 1/2" iron rod with surveyor's cap set for corner;

Thence South 74° 46' 18" West 131.39 feet to the place of beginning and containing 3.533 acres of land, more or less.

STATE OF TEXAS COUNTY OF HARRISON

I hereby certify that this instrument was
filed on the date and time stamped herein by me
and was duly recorded in the volume and page
of the named records of:

Harrison County

as stamped herein by me.

May 31, 2002

MISSY OLM, County Clerk

Harrison County

FILED FOR RECORD

2024 MAR 14 PM 12:36

3971 STATE HWY 154
MARSHALL, TX 75670

ELIZABETH J. JAINES 00000010084812
CO. CLERK, HARRISON CO.

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE by MA DEPUTY

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. **Date, Time, and Place of Sale.**

Date: May 07, 2024

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: IMMEDIATELY OUTSIDE THE EASTERNMOST ENTRANCE TO THE HARRISON COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated June 14, 2018 and recorded in Document DOCUMENT NO. 2018-000006495 real property records of HARRISON County, Texas, with MEGAN L. COLE, grantor(s) and WELLS FARGO BANK, N.A., mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by MEGAN L. COLE, securing the payment of the indebtednesses in the original principal amount of \$88,270.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. WELLS FARGO BANK, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. WELLS FARGO BANK, N.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o WELLS FARGO BANK, N.A.
3476 STATEVIEW BLVD.
FORT MILL, SC 29715



NTSS00000010084812

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.

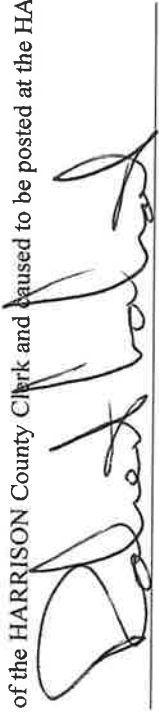
The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, PATRICK ZWIERS, DARLA BOETTCHER, DANA KAMIN, LISA BRUNO, ANGIE USELTON, TONYA WASHINGTON, MERYL OLSEN, MISTY MCMILLAN, TIFFINEY BRUTON, AUCTION.COM, DAVID RAY, ROBERT LAMONT, SHERYL LAMONT, RONNIE HUBBARD, SHARON ST. PIERRE, ALLAN JOHNSTON, TERRI WORLEY OR LISA DELONG whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Israel Saucedo

Certificate of Posting

My name is Robert LaMont, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on March 14, 2024 I filed at the office of the HARRISON County Clerk and caused to be posted at the HARRISON County courthouse this notice of sale.



Declarants Name: Robert LaMont

Date: March 14, 2024

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HARRISON

EXHIBIT "A"

ALL THAT CERTAIN TRACT OR PARCEL CONTAINING 4.002 ACRES OF LAND IN THE HENRY MORGAN SURVEY, A-441, HARRISON COUNTY, TEXAS, BEING ALL OF A TRACT WHICH WAS CALLED 4.1 ACRES AND CONVEYED FROM L.T. TAYLOR, ET UX, TO R.G. CHRISTMAS, ET UX, BY AN INSTRUMENT OF RECORD IN VOLUME 610, PAGE 424, HARRISON COUNTY DEED RECORDS (HCDR), SAID 4.002 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, BASING BEARINGS ON THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, TO WIT:

BEGINNING AT A 1" IRON PIPE FOUND WITH CRIMP TOP FOR NORTHWEST CORNER, BEING THE NORTHWEST CORNER OF SAID 4.1 ACRE TRACT AND SOUTHWEST CORNER OF A TRACT WHICH WAS CALLED 1.09 ACRES AND CONVEYED FROM LENNIE NAOMI TALLEY TO JOSEPH CHARLES TALLEY, BY AN INSTRUMENT OF RECORD IN CLERKS FILE #2013-000005548, HARRISON COUNTY OFFICIAL PUBLIC RECORD (HCOPR), LYING IN THE EAST LINE OF RAY JONES ROAD;

THENCE DEPARTING RAY JONES ROAD, N 88°06'07" E, 643.13 FEET ALONG THE COMMON LINE OF SAID 4.1 ACRE TRACT, SAID 1.09 ACRE TRACT AND THE RESIDUE OF A 5 ACRE TRACT WHICH WAS CONVEYED FROM D.C.R. LOCKHART TO J.M. WILSON, BY AN INSTRUMENT OF RECORD IN VOLUME 156, PAGE 100, HCDR, TO A 2 1/2" METAL FENCE CORNER POST FOUND FOR NORTHEAST CORNER, BEING THE NORTHEAST CORNER OF SAID 4.1 ACRE TRACT AND SOUTHEAST CORNER OF SAID 5 ACRE TRACT, LYING IN THE WEST RIGHT OF WAY (R-O-W) LINE OF STATE HIGHWAY 154 (SH 154);

THENCE S 34°37'48" E, 92.42 FEET ALONG THE COMMON LINE OF SAID 4.1 ACRE TRACT AND SH 154 TO A TYPE I TXDOT CONCRETE RIGHT OF WAY MONUMENT FOUND FOR BEGINNING OF A CURVE;

THENCE 599.66 FEET ALONG SAID COMMON LINE AND THE ARC OF A CURVE TO THE LEFT, (DELTA= 23°10'39", RADIUS=1,482.39 FEET, CHORD= S46°13'08" E, 595.58 FEET), TO A 5/8" IRON ROD SET FOR NORTHEAST CORNER AND END OF CURVE, BEING THE NORTHEAST CORNER OF SAID 4.1 ACRE TRACT, LYING IN THE WEST LINE OF RAY JONES ROAD;

THENCE DEPARTING SH 154, S09°03'11"W, 50.39 FEET ALONG THE COMMON LINE OF SAID 4.1 ACRE TRACT AND RAY JONES ROAD TO A 5/8" IRON ROD SET FOR SOUTHEAST CORNER, BEING THE SOUTHEAST CORNER OF SAID 4.1 ACRE TRACT;

THENCE N 65°11'15"W, 1,231.02 FEET CONTINUING ALONG SAID COMMON LINE TO THE PLACE OF BEGINNING, CONTAINING 4.002 ACRES OF LAND, MORE OR LESS.

Notice of Substitute Trustee's Sale

FILED FOR RECORD

Notice Concerning Military Duty: 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. Tex. Prop. Code § 51.002(i)

BY:  DEPUTY

Deed of Trust Date: October 29, 2010	Original Mortgagor/Grantor: JERRY D. SMALLWOOD AND CONNIE ALSUP
Original Beneficiary / Mortgage: EAST TEXAS PROFESSIONAL CREDIT UNION., ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgage: U.S. BANK NATIONAL ASSOCIATION
Recorded in: Volume: N/A Page: N/A	Property County: HARRISON
Instrument No: 2010-000014285	Mortgage Servicer's Address: 2800 Tamarack Rd Owensboro, KY 42301

* The mortgage servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

Secures: Note in the original principal amount of \$144,000.00, executed by JERRY D. SMALLWOOD and payable to the order of Lender.

Property Address/Mailing Address: 116 ROSEBUD DRIVE, MARSHALL, TX 75672

Legal Description of Property to be Sold: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, SITUATED IN HARRISON COUNTY, TEXAS, WITHIN THE CORPORATE LIMITS OF THE CITY OF SCOTTSVILLE, BEING A PART OF THE HIRAM BLOSSOM SURVEY, A-1, AND BEING LOT FIVE (5) IN BLOCK NINE (9) OF THE SUGAR CREEK ESTATES, SECTION I, ACCORDING TO THE MAP OF PLAT SAID SECTION I, RECORDED IN CABINET A, SLIDE 86, PLAT RECORDS OF HARRISON COUNTY, TEXAS.

BEING THE SAME PROPERTY CONVEYED FROM STANLEHY L. KUNKEL TO DONNA KUNKEL BY WARRANTY DEED DATED JULY 31, 2007, RECORDED IN VOLUME 3699, PAGE 82 OF THE OFFICIAL PUBLIC OF HARRISON COUNTY, TEXAS. .

Date of Sale: May 07, 2024

Earliest time Sale will begin: 10:00 AM

Place of sale of Property: Harrison County Courthouse, 200 West Houston, Marshall, TX 75670 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

Appointment of Substitute Trustee: Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *U.S. BANK NATIONAL ASSOCIATION*, the owner and holder of the Note, has requested Ramiro Cuevas, Aurora Campos, Jonathan



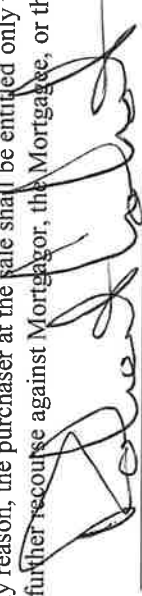
Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Conrad Wallace, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, Auction.com, David Ray, Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Lisa DeLong, Terri Worley, Sharon St. Pierre whose address is 1 MAUCHLY IRVINE, CA 92618 OR Robert LaMont, Sheryl LaMont, Ronnie Hubbard, Sharon St. Pierre, Harriett Fletcher, Terri Worley or Lisa DeLong, whose address is 14800 LANDMARK BLVD., SUITE 850, DALLAS, TX 75254, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

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 *U.S. BANK NATIONAL ASSOCIATION* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

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, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Conrad Wallace, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, Auction.com, David Ray, Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Lisa DeLong, Terri Worley, Sharon St. Pierre whose address is 1 MAUCHLY IRVINE, CA 92618 OR Robert LaMont, Sheryl LaMont, Ronnie Hubbard, Sharon St. Pierre, Harriett Fletcher, Terri Worley or Lisa DeLong, whose address is 14800 LANDMARK BLVD., SUITE 850, DALLAS, TX 75254, 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 Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Conrad Wallace, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, Auction.com, David Ray, Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Lisa DeLong, Terri Worley, Sharon St. Pierre whose address is 1 MAUCHLY IRVINE, CA 92618 OR Robert LaMont, Sheryl LaMont, Ronnie Hubbard, Sharon St. Pierre, Harriett Fletcher, Terri Worley or Lisa DeLong, whose address is 14800 LANDMARK BLVD., SUITE 850, DALLAS, TX 75254, Trustee.

Limitation of Damages: If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the funds paid. The purchaser shall have no further recourse against Mortgagee, the Mortgagee, or the Mortgagee's attorney.



SUBSTITUTE TRUSTEE

Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Conrad Wallace, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, Auction.com, David Ray, Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Lisa DeLong, Terri Worley, Sharon St. Pierre OR Robert LaMont, Sheryl LaMont, Ronnie Hubbard, Sharon St. Pierre, Harriett Fletcher, Terri Worley or Lisa DeLong, Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,
10700 Abbott's Bridge Road, Suite 170, Duluth, Georgia
30097; PH: (470)321-7112

Posted March 28, 2024.

NOTICE OF TRUSTEE'S SALE

WHEREAS, on August 27, 2021, MICHAEL MATTHEW THOMPSON AND ARIANA LYRIC MICHELLE THOMPSON, executed a Deed of Trust/Security Instrument conveying to LINDA NAYLOR, as Trustee, the Real Estate hereinafter described, to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS BENEFICIARY, AS NOMINEE FOR USAA FEDERAL SAVINGS BANK, ITS SUCCESSORS AND ASSIGNS, in the payment of a debt therein described, said Deed of Trust/Security Instrument being recorded under County Clerk Number 2021-000010670 in the DEED OF TRUST OR REAL PROPERTY RECORDS OF HARRISON COUNTY, TEXAS; and

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness;

WHEREAS, the undersigned has been appointed Substitute Trustee in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust/Security Instrument; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **TUESDAY, MAY 7, 2024** between ten o'clock AM and four o'clock PM and beginning not earlier than 10:00 AM or not later than three hours thereafter, I will sell said Real Estate at Harrison County Courthouse, 200 West Houston, Marshall, TX 75670 in **HARRISON COUNTY, TEXAS** to the highest bidder for cash. The sale will be conducted in the area of the Courthouse designated by the Commissioners' Court, of said county, pursuant to Section §51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this notice was posted.

Said Real Estate is described as follows: LOT, TRACT OR PARCEL OF LAND SITUATED IN HARRISON COUNTY, TEXAS, A PART OF THE W.C. CRAWFORD SURVEY AND WITHIN THE CORPORATE LIMITS OF THE CITY OF HALLSVILLE, TEXAS AND BEING THE SOUTH ONE-HALF (1/2) OF LOT NINETY (90) TO SAID CITY AS PER PLAT OF SAID CITY OF HALLSVILLE RECORDED IN VOLUME 21, PAGE 644 OF THE DEED RECORDS OF HARRISON COUNTY, TEXAS, REFERRED TO FOR FURTHER DESCRIPTION.

Property Address: 402 S GREEN ST, HALLSVILLE, TX 75650
Mortgage Servicer: NATIONSTAR
Noteholder: NATIONSTAR MORTGAGE LLC
8950 CYPRESS WATERS BLVD., COPPELL, TX 75019

The Mortgage Servicer is authorized to represent the Noteholder by virtue of a servicing agreement with the Noteholder. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

ACTIVE MILITARY SERVICE NOTICE

Assert and protect your rights as a member of the armed forces of the United States. If you 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.



Harriett Fletcher, Sheryl LaMont, **Robert LaMont**, Sharon St. Pierre, Meghan Byrne, David Sims, Allan Johnston, Ronnie Hubbard, Marinosci Law Group PC

WITNESS MY HAND this 4th. day of April, 2024.

FILED FOR RECORD
2024 APR -4 AM 11:45
CLERK OF DISTRICT CLERK
COUNTY OF HARRISON CO
BY: *ms* DEPUTY

Substitute Trustee Address:
Marinosci Law Group, P.C.
16415 Addison Road, Suite 725
Addison, TX 75001
(972) 331-2300

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S 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.

DEED OF TRUST INFORMATION:

Date: 01/23/2009
Grantor(s): WESLEY R SHERIFF, AN UNMARRIED PERSON
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR CENTURY 21 (R) MORTGAGE (SM), ITS SUCCESSORS AND ASSIGNS
Original Principal: \$106,600.00
Recording Information: Book 4103 Page 277 Instrument 9001721
Property County: Harrison
Property: (See Attached Exhibit "A")
Reported Address: 332 FOREST HILLS DRIVE, HALLSVILLE, TX 75650

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: NewRez LLC d/b/a Shellpoint Mortgage Servicing
Mortgage Servicer: Shellpoint Mortgage Servicing
Current Beneficiary: NewRez LLC d/b/a Shellpoint Mortgage Servicing
Mortgage Servicer Address: 75 Beattie Place, Suite 300, Greenville, SC 29601

SALE INFORMATION:

Date of Sale: Tuesday, the 7th day of May, 2024
Time of Sale: 10:00 AM or within three hours thereafter.
Place of Sale: INSIDE THE HARRISON COUNTY COURTHOUSE, FIRST FLOOR, BETWEEN THE EASTERN FRONT DOOR OF SAID COURTHOUSE AND THE INTERIOR BULLETIN BOARD USED FOR POSTING FORECLOSURE NOTICES AND OTHER PUBLICATIONS in Harrison County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Harrison County Commissioner's Court, at the area most recently designated by the Harrison County Commissioner's Court.

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Tonya Washington, Monica Henderson, Meryl Olsen, Misty McMillan, Tiffany Bruton, Auction.com, David Ray, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees:

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Tonya Washington, Monica Henderson, Meryl Olsen, Misty McMillan, Tiffany Bruton, Auction.com, David Ray, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.

FILED FOR RECORD
2024 APR -4 AM 11:46
CLERK OF COURTS
HARRISON COUNTY TEXAS
BY: *Cms* DEPUTY

4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Substitute Trustee(s): Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Dana Karmin, Lisa Bruno, Angie Uselton, Tonya Washington, Monica Henderson, Meryl Olsen, Misty McMillan, Tiffiney Bruton, Auction.com, David Ray, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 350, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 350, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

Certificate of Posting

I am Robert LaMont whose address is 14841 Dallas Parkway, Suite 350, Dallas, TX 75254. I declare under penalty of perjury that on April 4, 2024 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Harrison County Clerk and caused it to be posted at the location directed by the Harrison County Commissioners Court.

By: 

Robert LaMont, April 4, 2024

Exhibit "A"

ALL CERTAIN LOT, TRACT OR PARCEL OF LAND, SITUATED IN HARRISON COUNTY, TEXAS, WITHIN THE CORPORATE LIMITS OF THE CITY OF HALLSVILLE; BEING A PART OF THE W.C. CRAWFORD SURVEY, A-146; BEING ALL OF LOT NO. FORTY-SIX (46), OF THE FOREST HILLS ADDITION, ACCORDING TO THE MAP OR PLAT OF SAID ADDITION RECORDED IN CABINET A, SLIDE 166, PLAT RECORDS, HARRISON COUNTY, TEXAS.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 350, Dallas, TX 75254

NOTICE OF SUBSTITUTE TRUSTEE SALE

Deed of Trust Date: 4/5/2019	Grantor(s)/Mortgagor(s): JOHNNY W. ADAIR HILIA MARRIED MAN AND RAYMA ADAIR, HIS WIFE
Original Beneficiary/Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR GUILD MORTGAGE COMPANY, A CALIFORNIA CORPORATION, ITS SUCCESSORS AND ASSIGNS	Current Beneficiary/Mortgagee: 4/11/21 Guild Mortgage Company LLC ELIZABETH J. JAMES CO. HILIA WARRISON CO
Recorded in: Volume: N/A Page: N/A Instrument No: 2019-000003768	Property County: <i>pad</i> DEPUTY HARRISON
Mortgage Servicer: Guild Mortgage Company LLC is representing the Current Beneficiary/Mortgagee under a servicing agreement with the Current Beneficiary/Mortgagee.	Mortgage Servicer's Address: 5887 Copley Drive, San Diego, CA 92111
Date of Sale: 5/7/2024	Earliest Time Sale Will Begin: 10:00 AM
Place of Sale of Property: Harrison County Courthouse, 200 West Houston, Marshall, TX 75670 OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.	

Legal Description: LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

In accordance with TEX. PROP. CODE §51.0076 and the Deed of Trust referenced above, the undersigned as attorney for Mortgagee or Mortgage Servicer does hereby remove the original Trustee and all successor substitute trustees and appoints in their stead, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boetcher, Dana Kamin, Lisa Bruno, Angie Uselton, Conrad Wallace, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffney Bruton, Auction.com, David Ray, Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Lisa DeLong, Terri Worley, Sharon St. Pierre, Harriett Fletcher, Terri Worley or Lisa DeLong, Cole Patton, Myra Homayoun, Thuy Frazier, McCarthy & Holthus, LLP, as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original Trustee under there said Deed of Trust; and, further, does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

The Property will be sold "AS IS," without any express or implied warranties, except as to warranties of title, and at the purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Substitute Trustee reserves the right to set further reasonable conditions for conducting the public auction. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

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.

NOTICE PURSUANT TO TEX. PROP. CODE § 51.002(i): ASSERT AND PROTECT YOUR RIGHTS AS MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE ARE SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL 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.

Dated: 3/19/2024

Thuy Frazier, Attorney
McCarthy & Holthus, LLP
1255 West 15th Street, Suite 1060
Plano, TX 75075
Attorneys for Guild Mortgage Company LLC

Dated: March 21, 2024

Sheryl LaMont

Printed Name:

Substitute Trustee
c/o Auction.com
1255 West 15th Street, Suite 1060
Plano, TX 75075

MH File Number: TX-22-93860-POS

Loan Type: FHA

EXHIBIT "A"

BEING 0.60 ACRE OF LAND SITUATED IN THE A. JENKINS SURVEY, ABSTRACT 364, HARRISON COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN CALLED 0.604 ACRE TRACT AS CONVEYED TO BRANDON ORAM AND RECORDED IN 2013-00008898 OF THE OFFICIAL PUBLIC RECORDS OF SAID COUNTY; SAID 0.60 ACRE OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGINNING AT A 1/2 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF THE ABOVE REFERENCED ORAM TRACT AND THE SOUTHWEST CORNER OF A CALLED 0.6047 ACRE TRACT AS RECORDED IN VOLUME 364A, PAGE 230 OF SAID PUBLIC RECORDS AND BEING IN THE EAST RIGHT-OF-WAY LINE OF FM HIGHWAY 450; THENCE NORTH 89 DEGREES 23 MINUTES 35 SECONDS EAST, A DISTANCE OF 186.22 FEET WITH THE NORTH BOUNDARY LINE OF SAID ORAM TRACT AND THE SOUTH BOUNDARY LINE OF SAID 0.6047 ACRE TRACT TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID ORAM TRACT AND THE SOUTHEAST CORNER OF SAID 0.6047 ACRE TRACT IN THE WEST BOUNDARY LINE OF THE RESIDUE OF A CALLED 15 1/2 ACRE TRACT AS RECORDED IN VOLUME 639, PAGE 625 OF THE DEED RECORDS OF SAID COUNTY; THENCE SOUTH 01 DEGREES 45 MINUTES 41 SECONDS WEST, A DISTANCE OF 142.34 FEET WITH THE EAST BOUNDARY LINE OF SAID ORAM TRACT AND THE WEST BOUNDARY LINE OF SAID RESIDUE TRACT TO A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID ORAM TRACT AND THE NORTHEAST CORNER OF A CALLED 0.6044 ACRE TRACT AS RECORDED IN 2014-00002837 OF SAID PUBLIC RECORDS; THENCE SOUTH 89 DEGREES 23 MINUTES 36 SECONDS WEST, A DISTANCE OF 183.81 FEET WITH THE SOUTH BOUNDARY LINE OF SAID ORAM TRACT AND THE NORTH BOUNDARY LINE OF SAID 0.6044 ACRE TRACT TO A 1/2 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF SAID ORAM TRACT AND THE NORTHWEST CORNER OF SAID 0.6044 ACRE TRACT IN THE EAST RIGHT-OF-WAY LINE OF FM HIGHWAY 450; THENCE NORTH 00 DEGREES 47 MINUTES 26 SECONDS EAST, A DISTANCE OF 142.26 FEET WITH THE WEST BOUNDARY LINE OF SAID ORAM TRACT AND THE EAST RIGHT-OF-WAY LINE OF FM HIGHWAY 450 TO THE PLACE OF BEGINNING AND CONTAINING 0.60

ACRE OF LAND

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

THE STATE OF TEXAS
COUNTY OF HARRISON

§
§ KNOW ALL MEN BY THESE PRESENTS
§

FILED FOR RECORD
2024 APR 12 PM 2:40
ELIZABETH JAMES
CO. CLERK HARRISON CO
BY JB DEPUTY

Date: April 11, 2024

Deed of Trust

Dated: March 1, 2010
Grantor: Robert E. Robinson
Trustee: Bruce Abraham
Beneficiary: Edward L. Hoffman and Kathleen L. Hoffman
County Where Property is Located: Harrison County
Recorded As: Doc. No. 2010-000003037, Official Public Records of Harrison County, Texas.
Property: All that certain 1.196 acres of land situated in the Bethany Rogers Survey, A-20, Harrison County, Texas, as described on the attached Exhibit "A".

DATE OF SALE OF PROPERTY (First Tuesday of the Month, Between 1:00 PM and 4:00 PM): May 7, 2024

Place of Sale of Property (Including County): At the Harrison County Courthouse, Marshall, Texas, at the place designated by the Commissioners of said County, the designation having been recorded in the office of the County Clerk of said County, which designation is adopted in this Notice by this reference.

WHEREAS, Robert E. Robinson (the "Grantor"), executed Deed of Trust dated March 1, 2010, and recorded on March 10, 2010, in the Official Public Records of Harrison County, Texas, (the "Records") as Document Number 2010-000003037 (together with all extensions, modifications, and renewals, if any, collectively referred to hereinafter as the "Deed of Trust");

WHEREAS, the Grantor, pursuant to the Deed of Trust, conveyed to Bruce Abraham (the "Original Trustee") for the benefit of Edward L. Hoffman and Kathleen L. Hoffman (the "Beneficiary"), all of the Property described, defined, and referred to in the Deed of Trust;

WHEREAS, the Deed of Trust secures payment of that certain Promissory Note dated March 1, 2010, executed by the Grantor, as the Maker, and payable to the order of Edward L. Hoffman and Kathleen L. Hoffman (the "Beneficiary"), in the original principal sum of ONE

HUNDRED SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$175,000.00) (together with all extensions, modifications, and renewals, if any, collectively referred to as the "Note");

WHEREAS, the Beneficiary is the current legal owner and holder of the indebtedness secured by the Deed of Trust (the "Indebtedness") and Beneficiary, as the holder of the Indebtedness, may appoint in writing a substitute or successor trustee succeeding to all rights and responsibilities conferred upon the Original Trustee in the Deed of Trust and by applicable law;

WHEREAS, Grantor has defaulted in the performance of its obligations under the Deed of Trust, notice has been given to Grantor by certified mail, return receipt requested, stating that Grantor is in default, and Grantor has failed to cure such default(s);

WHEREAS, acceleration of maturity and demand have been made upon Grantor for payment of the Indebtedness, and/or have been waived, and/or have occurred;

WHEREAS, the proceeds of the Note were used for commercial purposes, and the Property was not to be used by the debtor for residential purposes;

WHEREAS, the Deed of Trust named Bruce Abraham, as Trustee of the Deed of Trust;

WHEREAS, the Beneficiary desires to appoint the undersigned, Dean A. Searle, as Substitute Trustee of the Deed of Trust;

WHEREAS, the Note secured by the Deed of Trust ("the Note") and Deed of Trust are in default and the entire unpaid balance of the Note is due and payable, and Beneficiary intends to enforce the power of sale set forth in the Deed of Trust; and

WHEREAS, the Beneficiary has directed the Substitute Trustee to enforce the power of sale under the Deed of Trust for the purpose of collecting the indebtedness secured under it, after the giving of at least 21 consecutive days' notice and recording the Notice in the Harrison County Clerk's Office giving the time, place, and terms of said sale, and description of the property to be sold, pursuant to the Deed of Trust and the laws of the State of Texas;

NOW, THEREFORE, I, Dean A. Searle, Substitute Trustee, at the request of the Beneficiary, hereby give notice, after due posting as required by the Deed of Trust and the Texas Property Code, that I will, or a Substitute Trustee will, after due posting and filing of this Notice, and after having given written notice of at least 21 consecutive days by certified mail, return receipt requested, to each debtor obligated to pay the Note and indebtedness secured by the Deed of Trust, at the last-known address of each such debtor, according to the records of Beneficiary, as required by the Deed of Trust and the laws of the State of Texas, sell the Property at public auction to the

highest bidder or bidders for cash at the Harrison County Courthouse, Marshall, Harrison County, Texas, the area that has been designated as the general area where foreclosure sales are conducted pursuant to the order of the Commissioner's Court which has been recorded in the office of the County Clerk of Harrison County, Texas, the sale to begin no earlier than 1:00 PM and no later than three (3) hours after such time, on the first Tuesday of May, 2024.

Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the property is sold. Payment in cash shall be made no later than 4:00 PM at the office of the Trustee, Dean A. Searle, 305 West Rusk Street, Marshall, Texas 75670, on the day of the sale, unless the purchaser and the Trustee reach some other agreement.

The Trustee reserves the right to postpone the sale for any reason without prior written notice. The Trustee reserves the right to reject any bid for any reason within his sole discretion. The Trustee reserves the right to accept back-up bids, which may replace the prevailing bid in the event a purchaser fails to timely make payment under the terms of this Notice and the Texas Property Code. The Trustee further reserves the right to set additional reasonable conditions for conducting the foreclosure sale, and any such additional conditions shall be announced by the Trustee prior to the start of the sale.

The foreclosure sale would 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 be made subject to all prior matters of record effecting the property, if any, to the extent that they remain in force and effect and have not been subordinated in the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matter, if any.

THE SALE OF THE PROPERTY IS "AS IS" AND "WHERE IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE TRUSTEE OR ANY DULY APPOINTED SUBSTITUTE TRUSTEE OR HOLDERS OF SAID INDEBTEDNESS, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. NEITHER THE BENEFICIARY NOR THE TRUSTEE OR SUBSTITUTE TRUSTEE MAKES ANY REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE COMPLIANCE WITH LAWS, RULES, AGREEMENTS, OR

SPECIFICATIONS, NOR WITH RESPECT TO CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER(S). PROSPECTIVE BIDDERS ARE ADVISED TO CONDUCT AN INDEPENDENT INVESTIGATION OF THE NATURE AND PHYSICAL CONDITION OF THE PROPERTY.

ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES OF AMERICA. 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.

WITNESS BY HAND this 11th day of April, 2024.

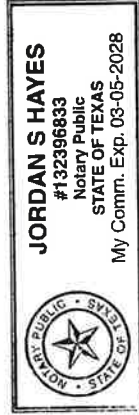



Dean A. Searle, Substitute Trustee

THE STATE OF TEXAS
COUNTY OF HARRISON

§
§
§

This instrument was acknowledged before me on the 11th day of April, 2024, by Dean A. Searle, Substitute Trustee.





NOTARY PUBLIC, State of Texas
My Commission Expires: 3.5.2028
Jordan S. Hayes
Typed or Printed Name of Notary

Exhibit "A"

All that certain 1.196 acres of land situated in the Anthony Rogers Survey (A-20), Harrison County, Texas, same being out of and a part of that certain 2.38 acre tract described in a deed to Edward L. Hoffman as recorded in Vol. 899, page 729 of the Harrison County Deed Records and being more particularly described by metes and bounds as follows:

BEGINNING at $5/8$ " iron pin found at the northwest corner of said 2.38 acre tract, said point being on the south margin of the Airport Road, a county road;

THENCE: S $32^{\circ} 04'$ E, along and with the west boundary line of said 2.38 acre tract and an old fence row, for a distance of 218.32' to a $5/8$ " iron pin found at the southwest corner of said tract;

THENCE: N $74^{\circ} 12'$ E, along and with the south boundary line of said 2.38 acre tract, for a distance of 217.22' to a point;

THENCE: N $13^{\circ} 48'$ W for a distance of 207.30' to a point on the south margin of said Airport Road, same being the north boundary line of said 2.38 acre tract, said point being S $76^{\circ} 12'$ W a distance of 232.0' from a $2\frac{1}{2}$ " iron pipe found at the northeast corner of said 2.38 acre tract;

THENCE: S $76^{\circ} 12'$ W, along said south margin and said north boundary line, for a distance of 285.64' to the point of beginning, said described tract containing 1.196 acres of land,

End of Exhibit "A"