

2019 OCT 31 AM 8:38

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: SEE EXHIBIT A

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 07/31/2018 and recorded in Document 2018002575 real property records of Shelby County, Texas.

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

Date: 12/03/2019

Time: 01:00 PM

Place: Shelby County, Texas, at the following location: THE AREA WITHIN A RADIUS OF 100 FEET OF THE

SOUTHEASTERN DOOR OF THE HOUSE PROVIDED FOR THE HOLDING OF THE DISTRICT COURT IN THE CITY OF CENTER, IN SHELBY COUNTY, TEXAS OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

4. *Terms of Sale.* The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee 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.

5. *Obligations Secured.* The Deed of Trust executed by JOHN MILLS AND MELISSA MILLS, provides that it secures the payment of the indebtedness in the original principal amount of \$147,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. First Guaranty Mortgage Corporation is the current mortgagee of the note and deed of trust and RUSHMORE LOAN MANAGEMENT SERVICES, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is First Guaranty Mortgage Corporation c/o RUSHMORE LOAN MANAGEMENT SERVICES, LLC, 15480 Laguna Cyn Road, Suite 100, IRVINE, CA 92618 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Substitute Trustee(s) Appointed to Conduct Sale.* In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint ROBERT LAMONT, SHERYL LAMONT, ALLAN JOHNSTON, SHARON ST. PIERRE, HARRIETT FLETCHER OR RONNIE HUBBARD, Substitute Trustee to act under and by virtue of said Deed of Trust.

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.


Mackie Wolf Zientz & Mann, P.C.

Brandon Wolf, Attorney at Law

L. Keller Mackie, Attorney at Law

Lori Liane Long, Attorney at Law

Chelsea Schneider, Attorney at Law

Ester Gonzales, Attorney at Law

Parkway Office Center, Suite 900

14160 North Dallas Parkway

Dallas, TX 75254


ROBERT LAMONT, SHERYL LAMONT, ALLAN JOHNSTON,
SHARON ST. PIERRE, HARRIETT FLETCHER OR RONNIE
HUBBARD

c/o AVT Title Services, LLC
5177 Richmond Avenue Suite 1230
Houston, TX 77056

I am _____ Certificate of Posting
whose address is c/o AVT Title Services, LLC, 1101 Ridge Rd., Suite 222, Rockwall,
TX 75087. I declare under penalty of perjury that on _____ I filed this Notice of Foreclosure Sale at the office of the
Shelby County Clerk and caused it to be posted at the location directed by the Shelby County Commissioners Court.



EXHIBIT A

Being 1.7250 acres of land situated in the Eli B. Dysart Survey, Abstract 167, Shelby County, Texas, and being the same called 1.747 acre tract described in a Warranty Deed with Vendor's Lien from Dornie C. Daw to David B. Detar and wife, Wanda I. Detar, dated April 27, 2001, and recorded in Volume 911, Page 456, in the Official Public Records of Shelby County, Texas, said 1.7250 acres being more particularly described by metes and bounds as follows:

Beginning at the North corner of said Detar called 1.747 acre tract and being the East corner of a called 1.69-acre tract described in a Warranty Deed with Vendor's Lien from Warren Lee Pearson and wife, Wanda H. Pearson, to James R. Faulkner and wife, Anita N. Askew Faulkner, dated October 31, 2000, and recorded in Volume 899, Page 667, in the Official Public Records of Shelby County, Texas, also being in the centerline of Farm-to-Market Road 2694 (based on 100-foot right-of-way) and in a curve to the left, from which a 1/2-inch iron rod found for witness bears S 50°19'49" W, 49.39 feet;

THENCE in a Southeasterly direction with said centerline of Farm-to-Market Road 2694 as the Northeasterly line of the Detar called 1.747 acre tract, along said curve to the left having a radius of 1,432.39 feet, an arc length of 151.90 feet, a central angle of 06°04'33", and a chord bearing S 52°03'48" E, and distance of 151.83 feet to the East corner of said Detar called 1.747 acre tract and being the North corner of a called 0.927 of an acre tract described in a Warranty Deed from N. O. Thomas, Jr., to Joe M. Lawson et.ux., Carolyn S. Lawson, dated February 14, 1978, and recorded in Volume 541, Page 849, in the Deed Records of Shelby County, Texas, from which a 3/4-inch iron pipe found for witness bears S 49°59'35" W, 50.11 feet;

THENCE S 49°59'35" W, with the Northwesterly line of said Lawson called 0.927 of an acre tract, a distance of 264.27 feet to a 1/2-inch iron pipe found at between a chain link fence corner post and a wooden fence corner post at the West corner of said Lawson called 0.927 of an acre tract and being the North corner of a called 1.201 acre tract described in a Warranty Deed with Vendor's Lien from Kelly Ruth Koonce Lout Parker and husband, Donald G. Parker, to Henry H. Stephens and wife, Lisa B. Stephens, dated March 31, 1988, and recorded in Volume 686, Page 635, in the Deed Records of Shelby County, Texas;

THENCE S 50°27'17" W, with the Northwesterly line of said Stephens called 1.201 acre tract, a distance of 123.50 feet to a 3/4-inch iron pipe found at a wood fence corner post for the West corner of said Stephens called 1.201 acre tract and being the North corner of a called 1.071 acre tract described in a Warranty Deed with Vendor's Lien from Lindsey Margaret Willard Hockenberry and husband, Aaron Hockenberry, Thomas S. Nemeec and wife, Sheryl Nemeec, to William K. Jackson and wife, Lauren B. Jackson, dated July 6, 2016, and recorded under Document No. 2016002016, in the Official Public Records of Shelby County, Texas;

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THENCE S 50°15'57" W, with the Northwesterly line of said Jackson called 1.071 acre tract, a distance of 127.82 feet to a 1/2-inch iron pipe found at a chain link fence corner post for the West corner of said Jackson called 1.071 acre tract and the South corner of the Detar called 1.747 acre tract, and being in the apparent Southwesterly line of said Dysart Survey and the apparent Northeastly line of the James English Survey, Abstract 186, Shelby County, Texas;

THENCE N 44°05'39" W, with the Southwesterly line of said Detar called 1.747 acre tract (called N 44°20'50" W), a distance of 12.25 feet (called 11.63 feet) to a 3/4-inch iron pipe found;

THENCE N 43°22'23" W, continuing with the said Southwesterly line of the Detar called 1.747 acre tract (called N 44°03'18" W), a distance of 137.79 feet (called 138.59 feet) to a 3/4-inch iron pipe found for the West corner of said Detar called 1.747 acre tract and being the South corner of the Faulkner called 1.69 acre tract;

THENCE N 50°19'49" E, with the Northwesterly line of said Detar called 1.747 acre tract (basis of bearing orientation) and with the Southeasterly line of said Faulkner called 1.69 acre tract, a distance of 492.85 feet (called 494.14 feet) to the POINT of BEGINNING and containing 1.7250 acres of land within these calls, of which 0.174 of an acre lies within the right-of-way line of Farm-to-Market Road 2694.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Jennifer L. Fountain



Jennifer L. Fountain, County Clerk
Shelby County, Texas

August 01, 2018 02:41:03 PM

FEE: \$98.00 EPARKER 2018002575
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