

2023-020FC

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE. 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 on 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 military service to the sender of this notice immediately.**

FILED FOR RECORD  
SHELBY COUNTY, TEXAS  
DEC 12 PM 12:23  
CHRISTOPHER L. FOUNTAIN  
COUNTY CLERK  
MWF DEPUTY

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, by Deed of Trust dated December 7, 2015, Eugene W. Haley III a/k/a Eugene Haley and Paula Haley conveyed to Tim Williams, as Trustee, the property situated in Shelby County, Texas, to wit:

Property: See Exhibit "A" attached hereto, together with a Lexington manufactured home; Serial Numbers LH0115W9187A and LH0115W9187B, together with all furnishings, equipment, appliances, and accessories included at the time of purchase.

The Deed of Trust was recorded on December 8, 2015, under Document Number 2015004135 in the Official Public Records of Shelby County, Texas (hereinafter "Deed of Trust") and secures that certain Consumer Loan Note, Security Agreement and Disclosure Statement executed on or about December 7, 2015 by Eugene W. Haley III a/k/a Eugene Haley (hereinafter the "Note"); and

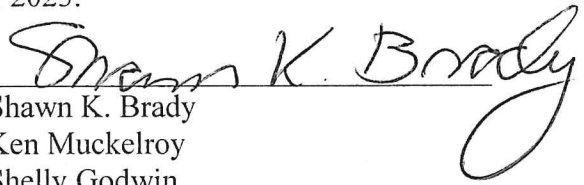
**WHEREAS**, the undersigned is the Substitute Trustee as appointed in the aforesaid Deed of Trust by a substitution, said appointment being in the manner authorized by the Deed of Trust; and

**WHEREAS**, default has occurred under the terms of the Note secured by the Deed of Trust, and the indebtedness evidenced therein is now wholly due, the owner and holder of said

indebtedness has requested the undersigned Substitute Trustee to sell the Property to satisfy same.

**NOW, THEREFORE,** notice is hereby given that on Tuesday, the 2<sup>nd</sup> day of January, 2024, the Property will be sold at auction at the earliest of 10:00 a.m. or no later than three (3) hours after that time at the area designated at the Shelby County Courthouse, 200 San Augustine Street, Center, Texas 75935, or as designated by the County Commissioner's Office, or in the area designated by the Commissioner's Court, to the highest bidder for cash. The Trustee's sale will occur between the earliest time to begin the sale as specified above, and 1:00 p.m.

Witness my hand this the 8<sup>th</sup> day of December 2023.

  
Shawn K. Brady  
Ken Muckelroy  
Shelly Godwin  
Stacy Rogers, any to act,  
Substitute Trustee

BRADY LAW FIRM, PLLC  
6136 Frisco Square Blvd., Suite 400  
Frisco, Texas 75034  
(469) 287-5484 Telephone

**GRANTEE'S MAILING ADDRESS:**

21<sup>st</sup> Mortgage Corporation  
620 Market Street  
One Centre Square  
Knoxville, Tennessee 37902

# EXHIBIT A

Being 5.530 acres of land situated in the E. E. Coney Survey, Abstract 143, and the P. H. Cassidy Survey, Abstract 1040, Shelby County, Texas, and being part of the remainder of the called 19.597 acre tract described in a Warranty Deed from Texas State Bank of Joaquin, Texas, to Jimmy Velt Warr and wife, Sarah Elizabeth Warr, dated August 12, 1988, and recorded in Volume 690, Page 837, in the Deed Records of Shelby County, Texas, said 5.530 acres being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod with plastic cap set for the Northwest corner of said called 19.597 acre tract and being the Northeast corner of a called 8.56 acre tract referenced in a Warranty Deed with vendor's Lien from Patsy Ruth Chandler and Larry Wayne Chandler to Jerry Lynn Sowell and wife, Penny Sowell, dated March 23, 1990, and recorded in Volume 706, Page 578, in the Real Property Records of Shelby County, Texas, and being the Northwest corner of a called 0.88 of an acre 30-foot Easement described in a General Warranty Deed from Jimmy Velt Warr and Sarah Elizabeth Warr to Larry Weaver and Pam Weaver, dated July 2, 2003, and recorded in Volume 970, Page 107, in the Official Public Records of Shelby County, Texas, and also being the Northwest corner of a called 0.70 of an acre 30-foot access and utility easement described in a Correction Warranty Deed from Jimmy Velt Warr and wife, Sarah Elizabeth Warr, to Larry Weaver, dated February 3, 2010, and recorded under Document No. 2010003008, in the Official Public Records of Shelby County, Texas, and being in the South right-of-way line of State Highway 7 (right-of-way width varies) and in a curve to the right;

THENCE in a Northeasterly direction with said South right-of-way line of State Highway 7 as the Westerly North line of said called 19.597 acre tract, along said curve to the right having a radius of 2,789.89 feet, a central angle of  $01^{\circ}46'30''$ , an arc length of 86.43 feet, and a chord bearing  $N 60^{\circ}56'28'' E$ , and distance of 86.42 feet to a 1/2-inch iron rod with plastic cap set for corner, from which a 1/2-inch iron rod found for the Northerly Northeast corner of said called 19.597 acre tract bears  $N 62^{\circ}20'31'' E$ , 50.00 feet;

THENCE  $S 27^{\circ}15'18'' E$ , into said called 19.597 acre tract, a distance of 504.37 feet to a 1/2-inch iron rod with plastic cap set for corner;

THENCE  $S 05^{\circ}07'18'' E$ , a distance of 616.92 feet to a 1/2-inch iron rod with plastic cap set for the Easterly Northeast corner of said called 0.88 of an acre 30-foot Easement, and being the Northerly Northeast corner of a called 9.31 acre tract described in said Correction Warranty Deed from Jimmy Velt Warr and wife, Sarah Elizabeth Warr, to Larry Weaver, dated February 3, 2010, and recorded under Document No. 2010003008, in the Official Public Records of Shelby County, Texas, and being the Northwest corner of a called 1.00 acre tract described in said General Warranty Deed from Jimmy Velt Warr and Sarah Elizabeth Warr to Larry Weaver and Pam Weaver, dated July 2, 2003, and recorded in Volume 970, Page 107, in the Official Public Records of Shelby County, Texas, and being  $N 87^{\circ}14'33'' W$ , 208.97 feet from a 1/2-inch iron rod with plastic cap set for the Northeast corner of said called 1.00 acre tract in the East line of said called 19.597 acre tract;

THENCE  $N 87^{\circ}14'33'' W$ , with the Westerly North line of said called 9.31 acre tract and the North line of said called 0.88 of an acre 30-foot Easement, a distance of 271.58 feet to a 1/2-inch iron rod found for the Northwest corner of said called 9.31 acre tract and the Southwest corner of said called 0.70 of an acre 30-foot access and utility easement and in the East line of said Sowell called 8.56 acre tract, and in the West line of said called 19.597 acre tract;

THENCE  $N 05^{\circ}07'18'' W$ , with said West line of the called 19.597 acre tract (called  $N 08^{\circ}10'52'' W$ ) and with the West line of said called 0.70 of an acre 30-access and utility easement, and with said East line of the called 8.56 acre tract, a distance of 1,011.83 feet to the POINT of BEGINNING and containing 5.530 acres of land within these calls.

EH  
RJ