

18-0013 FC

Notice of Foreclosure Sale

June 11, 2018

FILED FOR RECORD
SHELBY COUNTY, TEXAS

Deed of Trust ("Deed of Trust"):

2018 JUN 11 PM 12 07

Dated: May 12, 2010

JENNIFER L. FOUNTAIN
COUNTY CLERK

Grantor: Stacy Rogers

BY _____ DEPUTY

Trustee: Michael Gary Orlando

Lender: Vanderbilt Mortgage and Finance, Inc.

Recorded in: Instrument No. 2010006095 of the real property records of **Shelby County, Texas**

Legal Description: See Exhibit A

In addition to manufactured home more particularly described by Serial No. CSS011237TXAB

Secures: Promissory Note ("Note") in the original principal amount of \$81,292.30, executed by Stacy Rogers ("Borrower") and payable to the order of Lender

Substitute Trustee: Craig C. Lesok, Sheryl LaMont, Robert LaMont, David Sims, Harriett Fletcher, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard

Substitute Trustee's Address: 226 Bailey Ave, Ste 101, Fort Worth, TX, 76107

Foreclosure Sale:

Date: Tuesday, July 3, 2018

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 1:00 P.M. and not later than three hours thereafter.

Place: On the steps in the area within 100 feet of the southeastern front door of the Shelby County Courthouse provided for the holding of District Court, or if the preceding area is no longer the designated



area, then the area most recently designated by the County Commissioner's Court

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 Vanderbilt Mortgage and Finance, Inc.'s bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Vanderbilt Mortgage and Finance, Inc., the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Vanderbilt Mortgage and Finance, Inc.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Vanderbilt Mortgage and Finance, Inc.'s rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Vanderbilt Mortgage and Finance, Inc. passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Vanderbilt Mortgage and Finance, Inc. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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, Substitute 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 Substitute Trustee.

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.

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.

/s/ Craig C. Lesok

Craig C. Lesok
Attorney for Mortgagee

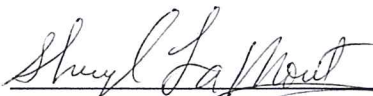
 6-12-18
Craig C. Lesok, Sheryl LaMont, Robert LaMont,
David Sims, Harriett Fletcher, Allan Johnston,
Sharon St. Pierre, Ronnie Hubbard
226 Bailey Ave, Ste 101
Fort Worth, TX 76107
Telephone (817) 882-9991
Telecopier (817) 882-9993

EXHIBIT "A"

Property Description

BEING 0.50 acre of land, more or less, a part of the L.W. HANCOCK SURVEY, A-357, Shelby County, Texas, and being described in Warranty Deed from Ralph Thrift, Individually and as Trustee, to Velmarie Rogers dated March 1, 2002, recorded in Vol. 933, Page 822, Official Public Records, Shelby County, Texas, and being described by metes and bounds as follows to-wit:

BEGINNING at a 2 inch iron pipe found in the North margin of CR 4020 at the SWC of the residue of a called 22.6 acre tract, being called a 7.36 acre tract described in Warranty Deed with Vendor's Lien from James H. Milford, et al, to Kenneth W. Ramsey and wife, Judy Ramsey dated April 17, 1997, recorded in Vol. 817, Page 716, Official Public Records, Shelby County, Texas;

THENCE with the North margin of CR 4020 N. 48 deg. 30 min. 00 sec. E. 100.00 ft. (bearing basis) to a 1/2 inch rebar set at the SWC of said 1.24 acre tract for the point of beginning of the herein described 0.50 acre tract, from which a 5 inch iron fence post bears S. 41deg. 30 min. E. 0.50 ft.;

THENCE with the WBL of said 1.24 acre tract, N. 41 deg. 30 min. 00 sec. W. 300.00 ft. to a 1/2 inch rebar set for corner at the NWC of said 1.24 acre tract;

THENCE with the NBL of said 1.24 acre tract, N. 48 deg. 30 min. 00 sec. E. 98.66 ft. to a 1/2 inch iron rebar set for corner at the NWC of another 0.50. acre tract this date severed from said 1.24 acre tract referred to as Tract 2;

THENCE with the WBL of said Tract 2, S. 41 deg. 30 min. 00 sec. E. 195.30 ft. to a 1/2 inch rebar set for corner at the most westerly SWC of said Tract 2;

THENCE S 48 deg. 30 min. 00 sec. W. 74.66 ft. to a 1/2 inch rebar set for corner;

THENCE S. 41 deg. 30 min. 00 sec. E. 104.70 ft. to a 1/2 inch rebar set for corner in the North margin of CR 4020;

THENCE with the North margin of CR 4020 S. 48 deg. 30 min. 00 sec. W. 24.00 ft. to the point of beginning, containing 0.50 acre of land, more or less.