

FILED FOR RECORD

2022 AUG 27 AM 10:45

CLERK OF DISTRICT COURT

100000008899585

421 FM 751  
WILLS POINT, TX 75169

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NOTICE OF [SUBSTITUTE] 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.

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

Date: October 06, 2020

Time: The sale will begin at 1:00 PM or not later than three hours after that time.

Place: THE STEPS OF THE NORTH ENTRANCE TO THE VAN ZANDT 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 February 03, 2006 and recorded in Document VOLUME 2115, PAGE 5; AS AFFECTED BY CLERK'S FILE NO. 2020-005890 real property records of VAN ZANDT County, Texas, with WILLIAM D BROOKS, III AND PAULA SHELLTON-BROOKS, grantor(s) and HIBERNIA NATIONAL BANK, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by WILLIAM D BROOKS, III AND PAULA SHELLTON-BROOKS, securing the payment of the indebtedness in the original principal amount of \$70,099.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. UMB BANK, NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS LEGAL TITLE TRUSTEE FOR LVS TITLE TRUST 2018-1 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 Mortgage 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. RUSHMORE LOAN MANAGEMENT SERVICES, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o RUSHMORE LOAN MANAGEMENT SERVICES, LLC  
15480 LAGUNA CANYON RD.  
SUITE 100  
IRVINE, CA 92618



**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 JUDITH A. FRAPIER, PAUL BARRETT, MICHAEL HARRISON, ROBERT FORSTER, JEFFREY FLEMING, OR LAUREN CHRISTOFFEL whose address is c/o BARRETT DAFIN FRAPIER 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.

*IR* *SR*

Israel Saucedo

Certificate of Posting

My name is Michelle Pongel, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 8-27-20 I filed at the office of the VAN ZANDT County Clerk and caused to be posted at the VAN ZANDT County courthouse this notice of sale.

Declarant Name: Michelle Pongel

Date: 8-27-20

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VAN ZANDT

**EXHIBIT "A"**

BEING A 0.6712 ACRE TRACT OF LAND SITUATED IN THE J. B. MCCOWN SURVEY, A-527, OF VAN ZANDT COUNTY, TEXAS, AND BEING A PART OF A CALLED 20 ACRE TRACT DESCRIBED IN DEED TO EARL M. PETTIT, ET UX LAPHEIRA PETTIT AS RECORDED IN VOLUME 919, PAGE 373, OF THE VAN ZANDT COUNTY DEED RECORDS; SAID 0.6712 ACRE TRACT BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND ON THE SOUTH LINE OF SAID 20 ACRE TRACT AND BEING EAST 54.6 FEET FROM THE SOUTHWEST CORNER OF SAID 20 ACRE TRACT AND BEING ON THE EAST SIDE OF FM 751:

THENCE NORTH 28 DEGREES 20 MINUTES 06 SECONDS WEST ALONG SAID HIGHWAY 75.85 FEET TO A 3/8 INCH IRON ROD SET FOR A CORNER;

THENCE NORTH 68 DEGREES 08 MINUTES 39 SECONDS EAST 229.25 FEET TO A CROSSTIE POST FOR A CORNER;

THENCE S 31 DEGREES 44 MINUTES 28 SECONDS EAST ALONG A FENCE 178.86 FEET TO A FENCE CORNER ON THE SOUTH LINE OF SAID 20 ACRE TRACT;

THENCE WEST ALONG SAID SOUTH LINE 270.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.6712 ACRES OF LAND;

BEING THE SAME LAND IN DEED DATED JULY 25, 1994 FROM LOUIS ALBERT RUSHING AND VELMA T. RUSHING TO SUE R. GRAMMER RECORDED IN VOLUME 1320, PAGE 179, DEED RECORDS OF VAN ZANDT COUNTY, TEXAS.