

FILED FOR RECORD  
IN MY OFFICE

AT 11:29 O'CLOCK a M

23-03455

1608 COUNTY RD 164, LONG BRANCH, TX 75669

NOV 30 2023

**NOTICE OF FORECLOSURE SALE AND  
APPOINTMENT OF SUBSTITUTE TRUSTEE**

BOBBIE DAVIS  
COUNTY CLERK, PANOLA COUNTY, TEXAS

BY J. McDonald DEPUTY

Property:

The Property to be sold is described as follows:

See Exhibit "A"

Security Instrument:

Deed of Trust dated April 12, 2019 and recorded on April 12, 2019 at Book 2020 and Page 43 Instrument Number 216228 in the real property records of PANOLA County, Texas, which contains a power of sale.

Sale Information:

February 6, 2024, at 10:00 AM, or not later than three hours thereafter, at the steps located on the east side of the Panola 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 JACOB DRIVER secures the repayment of a Note dated April 12, 2019 in the amount of \$191,919.00. PENNYMAC LOAN SERVICES, LLC, whose address is c/o PennyMac Loan Services, LLC, P.O. Box 30597, Los Angeles, CA 90030, is the current mortgagee of the Deed of Trust and Note and PennyMac Loan Services, LLC is the current mortgage servicer for the mortgagee. 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.

**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.**

*Sicki Company*

De Cubas & Lewis, P.C.  
Nicki Company , Attorney at Law  
1999 N University Drive, Suite 204  
Coral Springs, FL 33071

Sheryl LaMont

Substitute Trustee(s) Sheryl LaMont, Robert LaMont,  
Ronnie Hubbard, Sharon St. Pierre, Allan Johnston,  
Ramiro Cuevas, Aurora Campos, Jonathan Harrison,  
Shawn Schiller, Patrick Zwiers, Darla Boettcher, Dana  
Kamin, Lisa Bruno, Terri Worley, Ramiro Cuevas,  
Meryl Olsen, Harriett Fletcher, Lisa DeLong, Carol  
Hampton, Jeffrey Hampton and Auction.com  
employees included but not limited to those listed  
herein.

c/o De Cubas & Lewis, P.C.  
1999 N University Drive, Suite 204  
Coral Springs, FL 33071

Certificate of Posting

I, Sheryl LaMont, declare under penalty of perjury that on the 30th day of  
November, 2023, I filed and posted this Notice of Foreclosure Sale in accordance with the  
requirements of PANOLA County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

Sheryl LaMont, November 30, 2023

Roy L. Lemley  
Registered Professional Land Surveyor No.3677  
2510 Ramblewood, Henderson, Texas 75652  
Office: 903-657-9314 Cell: 903-722-4149  
Email: roy@roylemleysurveyor.com

Field Notes for  
Jacob Driver  
7.80 Acres

#### GENERAL DESCRIPTION

All that certain tract or parcel of land being a part of the Elizabeth White Survey, A-699, Panola County, Texas, being 7.80 acres by this survey and being all of a called 5.15 acre tract (found to contain 4.929 acres by this survey) conveyed from Harold R. Akin to Janice Lynn Pleasant (Gift Deed Vol.774, Pg.745 DRPCT) and all of a called 2.869 acres tract (found to contain 2.871 acres by this survey) conveyed from Tommie Melton Akin to Janice Lynn Pleasant (WD Vol.926, Pg.583 DRPCT) making a total acreage described here of 7.80 acres more particularly described as follows;

#### LEGAL DESCRIPTION

BEGINNING at a wagon thimble found (deed) for the Southwest corner of said 7.80 acres and said 5.15 acres.

THENCE North 02 degrees 42 minutes 46 seconds East, at 107.00 feet crossing Panola County Road 164 and continuing for a total distance of 145.09 feet to an angle iron found (deed) for corner and continuing North 12 degrees 09 minutes 24 seconds East along the East line of a called 25.78 acre tract previously referred to as Floyd Lee Akin (Vol.656, Pg.240); continuing along an existing fence line for a distance of 1190.39 feet to a 1/2" iron rod found at a fence corner for the Northwest corner of said 4.929 acres and this 7.80 acres, also being on the South line of a called 208.17 acre tract conveyed to Keith J. Keeling and wife, Lynda Keeling (Vol.1875, Pg.641).

THENCE North 87 degrees 23 minutes 16 seconds East along an existing fence line for a distance of 76.20 feet to a 1" iron pipe found (deed) at the Northeast corner of said 4.929 acres and the Northwest corner of said 2.871 acres).

THENCE North 88 degrees 38 minutes 59 seconds East along an existing fence line for a distance of 119.65 feet to a 1/2" iron rod found (deed) at the Northeast corner of said 7.80 acres and said 2.871 acres, also being the Northwest corner of a called 2.869 acre tract (Tract One) conveyed to Pete N. Commiato and Rebecca Comital (GWD Vol.1926, Pg.502).

THENCE South 06 degrees 45 minutes 25 seconds West for a distance of 1093.41 feet to an angle iron found (deed) for corner and being the Southwest corner of said Commiato called 2.869 acres and the Northwest corner of a called 1.00 acre tract conveyed to Christina Beyer (SWGD Vol.1999, Pg.144).

THENCE South 02 degrees 36 minutes 43 seconds East, at 195.30 feet pass an angle iron found at the base of a 24" Red Oak tree, continuing for a total distance of 219.80 feet to a mag nail set in Panola County Road 164 for the Southeast corner of said 7.80 acres and said 2.871 acres and being the Southwest corner of said Beyer called 1.00 acres.

THENCE South 88 degrees 32 minutes 56 seconds West for a distance of 102.50 feet to a mag nail set in said road for the Southwest corner of said 2.871 acres and the Southeast corner of said 4.929 acres; from this point a 1" iron pipe found (deed) bears North 04 degrees 23 minutes 39 seconds East a distance of 24.80 feet.

**Exhibit A**

JD

THENCE leaving said road South 88 degrees 17 minutes 25 seconds West for a distance of 232.29 feet to the place of beginning and containing 7.80 acres of land.

NOTE: Bearing Orientation based on Average RTK GPS Coordinates using the Texas State Plane Coordinate System (NAD83), North Central Zone (4202).

NOTE: See Plat Prepared of Even Date and Attached as Page 3 of 3.

Witness my hand and seal this the 26<sup>th</sup> day of March 2019.

*Roy L. Lemley*

Roy L. Lemley - Registered Professional Land Surveyor No.3677

2510 Ramblewood, Henderson, Texas 75652

Office: 903-657-9314 Cell: 903-722-4149 Email: [roy@roylemleysurveyor.com](mailto:roy@roylemleysurveyor.com)

**Exhibit A**

