

Notice of Foreclosure Sale

September 17, 2019

FILED FOR RECORD
HOPKINS COUNTY, TEXAS

2019 OCT 15 P 12:58

TRACY SMITH
COUNTY CLERK
BY *[Signature]* DEPUTY

Deed of Trust ("Deed of Trust"):

Dated: June 18, 2010
Grantor: Stella Bagley
Trustee: Michael Gary Orlando
Lender: Vanderbilt Mortgage and Finance, Inc.
Recorded in: Volume 739, Page 282 of the real property records of Hopkins County, Texas
Legal Description: See Exhibit A

In addition to manufactured home more particularly described by Serial No. CLW030509TX

Secures: Promissory Note ("Note") in the original principal amount of \$53,704.84, executed by Stella Bagley ("Borrower") and payable to the order of Lender

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

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

Foreclosure Sale:

Date: Tuesday, November 5, 2019
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: At the southwest entrance door to the first floor of the Hopkins County Courthouse, or if the preceding area is no longer the designated area, then at 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
SBOT No. 24027446



Craig C. Lesok, Harriett Fletcher, Robert LaMont,
Sheryl LaMont, Allan Johnston, Sharon St. Pierre,
Ronnie Hubbard
226 Bailey Ave, Ste 101
Fort Worth, TX 76107
Telephone (817) 882-9991
Telecopier (817) 882-9993
E-mail: craig@lesoklaw.com

10-15-19

EXHIBIT "A"

All that certain tract lot or parcel of land, a part of the Nacogdoches University Survey A-705, Hopkins County, Texas, and also being all of that certain called 1.00 acre tract of land that is described in a Deed dated April 28, 1995 from Myrtle Eugene Carr, et vir, Archie, to Stella Bagley that is recorded in Volume 203 Page 761 of the Real Property Records of Hopkins County, Texas and also being part of a called 3.728 acres (Less 1.00 acre, Tract Two) to Isabel Guerrero that is recorded in Volume 625 Page 894 that is recorded in the Official Property Records of Hopkins County, Texas, and being more completely described as follows to wit;

BEGINNING at a 1/2 Inch Iron Rod found for corner at the S.E.C. of said called 1.00 acre (Vol. 203 Pg. 761) and in the N.B.L. of a called 11.10 acres to Stella Bagley (Vol. 158 Pg. 843);

THENCE South 88 degrees 56 minutes 41 seconds West, along the S.B.L. of said called 1.00 acre (Vol. 203 Pg. 761) and said called 3.728 acres (Vol. 625 Pg. 894) at 228.00 feet pass a 1/2 Inch Iron Rod set for corner and continue for a total distance of 460.17 feet to a 1/2 Inch Iron Rod set for corner, from which a 1/2 Inch Iron Pipe found for corner at the S.W.C. of said called 3.728 acres, bears South 88 degrees 56 minutes 33 seconds West, 67.75 feet;

THENCE North 03 degrees 48 minutes 17 seconds West, across said called 3.728 acres (Vol. 625 Pg. 894) and along a Fence for a distance of 53.05 feet to a Fence Corner;

THENCE North 85 degrees 58 minutes 48 seconds East, continuing along said lines for a distance of 156.84 feet to a Fence Corner;

THENCE North 00 degrees 33 minutes 18 seconds West, continuing along said lines, at 304.88 feet pass a Fence Corner found for reference and continue for a total distance of 315.29 feet to a Point for Corner in the centerline of Private Road # 42;

THENCE North 89 degrees 28 minutes 33 seconds East, along said Private Road # 42 and the N.B.L. of said called 3.728 acres (Vol. 625 Pg. 894) for a distance of 98.25 feet to a Point for Corner in said Private Road # 42, from which an Axle (fnd) bears North 03 degrees 39 minutes 13 seconds West, 21.61 feet;

THENCE South 03 degrees 39 minutes 13 seconds East, along the E.B.L. of said called 3.728 acres (Vol. 625 Pg. 894) at 20.00 feet pass a 1/2 Inch Iron Rod set for reference and continue for a total distance of 178.57 feet to a 1 Inch Flat Iron found for corner at an Ell corner of said called 3.728 acres (Vol. 625 Pg. 894) and in the N.B.L. of said called 1.00 acre (Vol. 203 Pg. 761);

THENCE South 89 degrees 25 minutes 45 seconds East, along the N.B.L. of said called 1.00 acre (Vol. 203 Pg. 761) for a distance of 200.87 feet to a 1 Inch Flat Iron found for corner at the N.E.C. of said called 1.00 acre (Vol. 203 Pg. 761);

THENCE South 00 degrees 05 minutes 05 seconds West, along the E.B.L. of said called 1.00 acre (Vol. 203 Pg. 761) for a distance of 191.42 feet to the place of beginning containing 2.0054 acres, more or less.