

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

Notice is hereby given that a public sale at auction of the Property (as that term is defined and described below) will be held at the date, time and place specified in this notice.

Certain Terms and Information

Date of Sale: Tuesday, August 2, 2022

Time of Sale: The earliest time at which the sale shall occur is 1:00 o'clock p.m, Woodville, Texas time. The sale shall begin at that time or not later than three hours after that time.

Place of Sale: Under the stair of the North entrance of the Tyler County Courthouse, 100 West Bluff, Woodville, Tyler County, Texas.

Information Regarding the Texas Home Equity Lien That Is the Subject of this Sale:

Name of Document: Texas Home Equity Security Instrument

Date: October 23, 2015

Grantor: JAMES MUNSON AND CLELA RENE MIZE MUNSON

Lender (Beneficiary): THE FIRST NATIONAL BANK OF LIVINGSTON

Substitute Trustee: BRANDON WIGENT

Recording Information: Volume 1135, beginning at Page 476 et seq of the Official Records of Tyler County, Texas.

Property Description: The real property described by metes and bounds upon Exhibit "A" attached hereto and made a part hereof by reference to the same extent as if it had been set forth herein verbatim, together with the single-family dwelling and its related facilities and improvements situated thereon, as well as all appurtenances and other rights that are described in the Texas Home Equity Security Instrument.

NO. _____ TIME 3:00 pm

JUL 05 2022

WONDER GREGORY, COUNTY CLERK
TYLER COUNTY, TEXAS

By *James Brown*

Indebtedness Secured:

Name of Document: Texas Home Equity Note
Date: October 23, 2015
Face Amount: FIFTY-SIX THOUSAND ONE HUNDRED DOLLARS (\$56,100.00)
Maker: JAMES MUNSON and CLELA RENE MIZE MUNSON
Lender: THE FIRST NATIONAL BANK OF LIVINGSTON

Current Owner and Holder of the Note:

THE FIRST NATIONAL BANK OF LIVINGSTON

Military Duty Notice

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 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.

Postponement Rights

The Texas Home Equity Security Instrument permits the Lender to postpone, withdraw or reschedule the sale for another day. In that case, the Trustee, or, if appropriate, the Substitute Trustee, under the Texas Home Equity Security Instrument need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing

requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

Terms of Sale

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Texas Home Equity Security Instrument permitting the Lender thereunder to have the bid credited to the Promissory Note up to the amount of the unpaid debt secured by the Texas Home Equity Security Instrument at the time of sale.

Those desiring to purchase the Property will need to demonstrate his, her, its or their ability to pay cash on the day the Property is sold.

The sale will be made expressly subject to any liens, security interests, encumbrances and other title matters set forth in the Texas Home Equity Security Instrument, so prospective bidders are reminded that by law the sale will necessarily be made subject to all liens, security interests, encumbrances and other prior matters of record affecting the Property, if any, to the extent that they remain in full force and effect and have not been subordinated to the Texas Home Equity Security Instrument.

The sale shall not cover any of the Property that has been previously released of public record from the lien of the Texas Home Equity Security Instrument.

Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Texas Home Equity Security Instrument, the Current Owner and Holder of the Note has the right to direct the Trustee or, if appropriate, the Substitute Trustee, to sell the Property in one or more parcels and/or to sell all or only part of the Property.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold in its "as is, and where is" condition, without any express or implied warranties, except as to the warranties of title (if any)

provided for under the Texas Home Equity Security Instrument. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075 of the Texas Property Code, the Trustee, or if appropriate, Substitute Trustee, reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the Trustee or if appropriate, Substitute Trustee.

Type of Sale

The sale is a nonjudicial deed-of-trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Texas Home Equity Security Instrument executed by Grantor.

The real property and personal property encumbered by the Texas Home Equity Security Instrument will be sold at the sale in accordance with the provisions of the Texas Home Equity Security Instrument and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

Default in Indebtedness Secured

Default has occurred in the payment of the Indebtedness Secured by the Texas Home Equity Security Instrument and in the performance of the covenants, agreements and conditions set forth in the Texas Home Equity Security Instrument. The maturity of the Indebtedness Secured by the Texas Home Equity Security Instrument has been accelerated and such Indebtedness Secured is now wholly due and payable.

Request to Act and Conduct Sale

The Current Owner and Holder of the Indebtedness Secured has requested that I, as Substitute Trustee under the Texas Home Equity Security Instrument, sell the Property, the proceeds of such sale to be applied in accordance with the provisions of the Texas Home Equity Security Instrument.

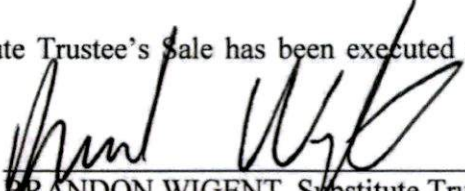
Notice and Time of Sale

Therefore, at the date, time and place set forth above, the undersigned, as Substitute Trustee, will sell the Property to the highest bidder for cash pursuant to the provisions of this Notice as well as pursuant to the terms of the Texas Home Equity Security Instrument. The sale will be subject to the right of rescission contained in Section 51.016 of the Texas Property Code.

Questions concerning the sale may be directed to the Lender, THE FIRST NATIONAL BANK OF LIVINGSTON, at 2121 Highway 190 West, Livingston, Texas, 77351.

Notice is also given that before the sale the Lender may appoint another person as Substitute Trustee to conduct the sale.

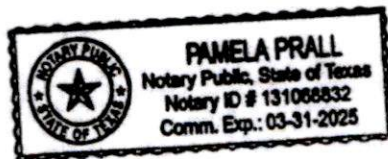
5 IN WITNESS WHEREOF, this Notice of Substitute Trustee's Sale has been executed on this day of July, 2022.


BRANDON WIGENT, Substitute Trustee

THE STATE OF TEXAS

COUNTY OF POLK

This instrument was acknowledged before me on this 5th day of July, 2022, by BRANDON WIGENT, Substitute Trustee, who acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.




Notary Public, State of Texas

COUNTY CLERK'S MEMO:
PORTIONS OF THIS DOCUMENT NOT LEGIBLE
AND/OR REPRODUCIBLE WHEN RECEIVED,
BUT RECORDED AT CUSTOMER'S REQUEST.

**METES AND BOUNDS DESCRIPTION
4.875 ACRES (212,373 SQUARE FEET)**

Being 4.875 acres (212,373 square feet) of land situated in the Gavino Aranjó Survey, Abstract No. 3, Tyler County, Texas, and being all of that certain called 4.875 acre tract of land conveyed to the Secretary of Housing and Urban Development by instrument recorded in Volume 1087, Page 260 of the Official Public Records of Tyler County; said 4.875 acres (212,373 square feet) of land being more particularly described by metes and bounds as follows (all bearings are referenced to the monumented southeast and southwest corners of said 4.875 acre tract recorded in Volume 1087, Page 260 of the Official Public Records of Tyler County):

BEGINNING at a 5/8 inch iron rod with cap set for a corner in the north line of that certain residue of a 15 acre tract of land, called Parcel One, Second Tract, and conveyed to Mary Kathryn Platt David by instrument recorded in Volume 1330, Page 863 of the Official Public Records of Tyler County, same being the northwest corner of said Secretary of Housing and Urban Development 4.875 acre tract, and being the northwest corner of the herein described tract of land and also being in the south right-of-way line of U.S. Highway 287, varying in width;

THENCE S84°48'00"E 421.95 feet to a Texas Department of Transportation (TXDOT) concrete right-of-way marker found for an angle point in the south right-of-way line of said U.S. Highway 287 and being an angle point in the north line of this tract;

THENCE N87°04'12"E 44.17 feet, with the south right-of-way line of said U.S. Highway 287, to a 5/8 inch iron rod with cap set for the northeast corner of this tract and being a corner in the north line of said Mary Kathryn Platt David residue tract;

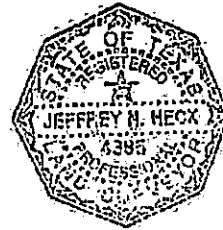
THENCE S01°23'08"W 455.29 feet to a 1 inch iron pipe found for an interior corner of said Mary Kathryn Platt David residue tract and being the southeast corner of this tract and from which another 1 inch pipe bears S53°29'W 5.20 feet;

THENCE N84°36'52"W 483.04 feet to a 1 inch iron pipe found for an interior corner of said Mary Kathryn Platt David residue tract and being the southwest corner of this tract;

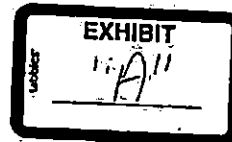
THENCE N03°32'29"E 446.66 feet to the **PLACE OF BEGINNING** and containing 4.875 acres (212,373 square feet) of land.

The area stated in acres is compatible with the allowable precision of closure for this survey. The area stated in square feet is a calculated value only. This metes and bounds description accompanies a plat of survey prepared by Give'm Heck, Inc. under Job No. 857-001B, dated April 10, 2014. All 5/8 inch iron rods with caps set by this survey are marked "J. Heck - RPLS 4385).

Jeffrey N. Heck
Registered Professional Land Surveyor
Texas Registration No. 4385



Give'm Heck, Inc.
P.O. Box 78 Hillister, TX 77624-0078
(409) 331-0065
Job No. 857-001B April 10, 2014



FILED FOR RECORD
AT 3:30 O'CLOCK P M
ON THE 29 DAY OF Oct
A.D. 2015
Vol. 1135 Page 476
In the Official Public Records

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.



STATE OF TEXAS } OFFICIAL PUBLIC RECORD
COUNTY OF TYLER }

I hereby certify that this instrument was FILED on the date and at the time stamped herein by me and was duly RECORDED in the Volume and Page of the named RECORDS of Tyler County, Texas, as stamped herein by me.

Donece Gregory
COUNTY CLERK, TYLER COUNTY, TEXAS
BY *Donna L. Luvens*
DEPUTY

Donna Gregory
COUNTY CLERK
TYLER COUNTY, TEXAS