

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE UNDER TEXAS HOME
EQUITY DEED OF TRUST**

STATE OF TEXAS '

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF LAMAR '

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.

WHEREAS, by Deed of Trust dated the **8th** day of **June, 2018**, **Christina Burns**, hereinafter referred to as "Borrower", conveyed to **Casi Burchinal**, as Trustee, the following described property situated in **Lamar County, Texas**, to-wit:

ALL THAT LOT, TRACT, OR PARCEL OF LAND SITUATED IN LAMAR COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED ON THE ATTACHED EXHIBIT "A";

(herein referred to as "the property"), to secure that one certain promissory note therein described in the original principal sum of **\$189,600.00**, executed by said Borrower and payable to **Lamar National Bank**, (which note is hereby referred to as "note"), said Deed of Trust being of record under **Instrument No. 153849-2018**, of the **Lamar County Official Public Records**, (herein referred to as "Deed of Trust"); and

WHEREAS, default has occurred under the terms of said Deed of Trust and the indebtedness secured thereby is now wholly due, and **Lamar National Bank**, the owner and holder of said indebtedness, has requested the undersigned to sell the property to satisfy same; and

WHEREAS, an Order to Proceed with Sale was issued by the 6th District Court of Lamar County, Texas on the 13th day of January, 2020, a true and correct copy of which is attached hereto as Exhibit "B".

WHEREAS, the undersigned has been appointed Substitute Trustee in the manner authorized by the Deed of Trust.

NOW, THEREFORE, notice is given that on **Tuesday, the 4th day of February, 2020**, I will sell said property at the County Courthouse in **Lamar County, Texas**, to the highest bidder, for cash. **10:00 o'clock a.m.** is the earliest time on said date at which the sale may occur and the sale will begin at that time or not later than three hours after that time. I will sell said property at the area designated by the Commissioners Court of said County for such sale, to-wit: **the East Foyer, just inside what is now called the first floor East entrance to the Lamar County Courthouse, 119 North Main Street, Paris, Lamar County, Texas**

RECEIVED BY
LAMAR COUNTY CLERKS OFFICE
ON THIS THE 13th DAY OF Jan, 2020

WITNESS MY HAND this 13th day of January, 2020.



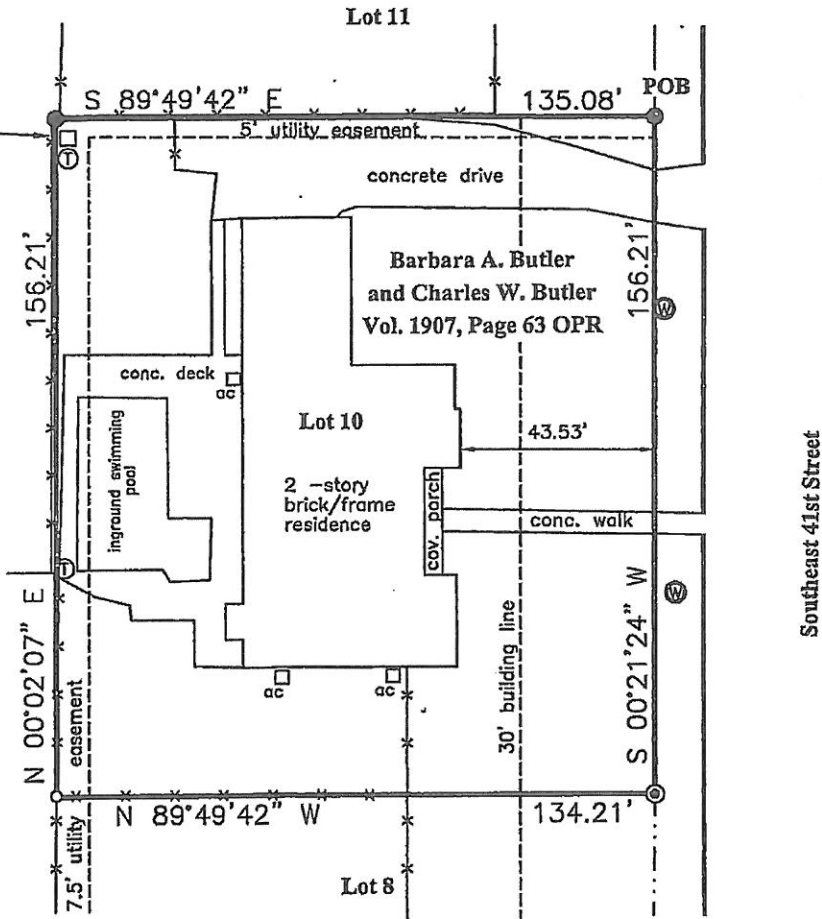
Don Biard, Substitute Trustee
38 1st NW, Paris, Texas 75460
(903) 785-1606

Part of the Joseph Leach Survey #524

Morningside Estates No.5
 Env. 221-D Plat Records
 Lot 10 - Block K

860 Southeast 41st St.
 Paris, Texas

Block K



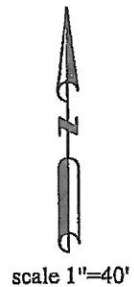
Hayden Foster

Hayden Foster RPLS #5699

12/02/13
 date

- = 1/2" capped iron pin found
- ⊙ = 5/8" iron pin found
- ⊕ = 1/2" iron pin found
- ⊗ = 3/8" iron pin found
- = iron pipe found
- ⊖ = bois d'arc post found
- ⊙ = post found
- ⊗ = conc. highway marker found
- ⊕ = 3/8" capped iron pin (HF 5699) set

- - - = survey line
- - - - = easement/building line
- - - - = overhead power line
- x - = fence
- ⊕ = water meter
- ⊗ = gas meter
- ⊙ = telephone pedestal
- ⊖ = fire hydrant
- ⊕ = elec. trans. pedestal
- POB = point of beginning



I, Hayden Foster, Registered Professional Land Surveyor, No. 5699 do hereby certify that the plat and accompanying field notes represents an on the ground survey made under my direct supervision. Research of recorded documents was made only for the purpose of determining the boundary of this property and the adjoining parcels. Record documents other than those shown on this survey may exist and encumber this property. There doesn't appear to be any encroachments other than those shown hereon. The tract does not appear to be in a flood zone according to the Flood Insurance Rate Map # 48277C0320C for Lamar County, Texas. Reference Bearing = the East boundary line of lot 10 and depicted as South 0°21'24" West. Controlling Monuments are at the terminus of the Reference Bearing. Field notes provided with this survey. Foster Land Surveying Firm #10010700.

Field Notes – Lot 10

Situated within the limits of the City of Paris, in the County of Lamar, State of Texas, a part of the Joseph Leach Survey #524 and being Lot 10 in Block K of the Morningside Estates No. 5 recorded in Envelope 221-D of the Plat Records of said County and State, said Lot 10 being conveyed to Barbara A. Butler and husband, Charles W. Butler by deed recorded in Vol. 1907, Page 63 of the Official Public Records of said County and State.

Beginning at a ½" capped iron pin found at the Northeast corner of lot 10 and the Southeast corner of lot 11 and being in the West boundary line of Southeast 41st Street.

Thence South 0°21'24" West along the West boundary line of said street a distance of 156.21' to a 3/8" iron pin found at the Southeast corner of lot 10 and the Northeast corner of lot 8;

Thence North 89°49'42" West a distance of 134.21' to a fence intersection found at the Southwest corner of lot 10 and the Northwest corner of lot 8;

Thence North 0°02'07" East a distance of 156.21' to a ½" capped iron pin found at the Northwest corner of lot 10 and the Southwest corner of lot 11;

Thence South 89°49'42" East a distance of 135.08' to the point of beginning.

I, Hayden Foster, Registered Professional Land Surveyor, No. 5699 do hereby certify that the plat and accompanying field notes represents an on the ground survey made under my direct supervision. Research of recorded documents was made only for the purpose of determining the boundary of this property and the adjoining parcels. Record documents other than those shown on this survey may exist and encumber this property. There doesn't appear to be any encroachments other than those shown hereon. The tract does not appear to be in a flood zone according to the Flood Insurance Rate Map # 48277C0320C for Lamar County, Texas. Reference Bearing = the East boundary line of lot 10 and depicted as South 0°21'24" West. Controlling Monuments are at the terminus of the Reference Bearing. Plat is provided with this survey.
Foster Land Surveying Firm #10010700. File #: 131204

Hayden Foster Hayden Foster date 12/02/13

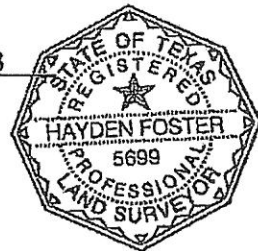


Exhibit A

CAUSE NO. 89043

In Re: Order for Foreclosure Concerning §
860 41st SE, Paris, Texas 75462 Under
Tex. R. Civ. P. 736

IN THE DISTRICT COURT

Petitioner:

§
§
§
§
§
§
§
§

LAMAR COUNTY, TEXAS

LAMAR NATIONAL BANK

Respondent:

CHRISTINA BURNS

6TH JUDICIAL DISTRICT

Default Order

1. On this day, the Court considered Petitioner's motion for a default order granting its application for an expedited order under Rule 736. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.
2. The name and last known address of each Respondent subject to this order is Christina Burns, 860 41st SE, Paris, Texas 75462. Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on file with the court for at least ten days.
3. The property that is the subject of this foreclosure proceeding is commonly known as 860 41st SE, Paris, Texas 75462 with the following legal description:

See Exhibit "A" attached hereto
4. The lien to be foreclosed is indexed or recorded as Instrument No. 153849-2018, Lamar County Official Public Records.
5. The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting declaration. Those facts are adopted by the court and incorporated by

EXHIBIT B

reference in this order.

6. Based on the declaration of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. § 3901 et seq.
7. Therefore, the Court grants Petitioner's motion for a default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the lien sought to be foreclosed.
8. This order is not subject, to a motion for rehearing, a new trial, a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

SIGNED this 13th day of January, 2020.

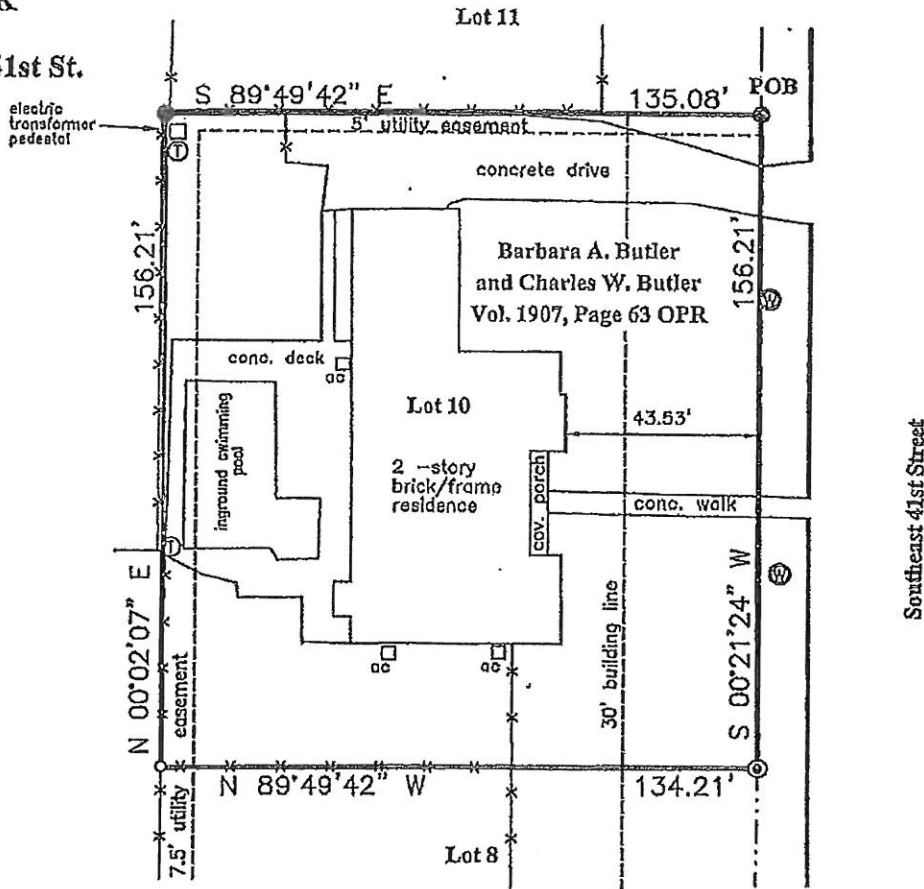


JUDGE PRESIDING

Morningside Estates No.5
 Env. 221-D Plat Records
 Lot 10 - Block K

860 Southeast 41st St.
 Paris, Texas

Block K



Hayden Foster

Hayden Foster RPLS #5699

12/02/13

date

Southeast 41st Street

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scale 1"=40'

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Foster Land Surveying 17325 FM 197 Arthur City, TX 75411
(903) 739-9166 fx (903) 783-9159

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Hayden Foster

Hayden Foster

date 12/02/13



Exhibit A