

**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 **28th** day of **September, 2020**, **Brenda Kay Preston**, hereinafter referred to as "Borrower", conveyed to **Carl T. Cecil**, as Trustee, the following described property situated in **Lamar County, Texas**, to-wit:

SEE THE ATTACHED EXHIBIT "A", INCORPORATED HEREIN BY REFERENCE FOR ALL NECESSARY PURPOSES;

(herein referred to as "the property"), to secure that one certain promissory note therein described in the original principal sum of **\$60,000.00**, executed by said Borrower and payable to **Liberty National Bank in Paris**, (which note is hereby referred to as "note"), said Deed of Trust being of record as **Instrument No. 175155-2020** 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 **Liberty National Bank in Paris**, the owner and holder of said indebtedness, has requested the undersigned to sell the property to satisfy same; and

WHEREAS, an Order was issued by the District Court of Lamar County, Texas on the 8th day of November, 2024 allowing for the foreclosure of the above described lien, a true and correct copy of which is attached hereto as Exhibit "B".

NOW, THEREFORE, notice is given that on **Tuesday, the 3rd day of December, 2024**, 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 12 DAY OF NOV. 2024.

WITNESS MY HAND this 11th day of November, 2024.



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

A part of the I. Davis Survey within the corporate limits of the City of Paris, described by metes and bounds as follows;

BEGINNING at a stake in the NBL of Van Zant Street at a point 47 feet East from its intersection with the EBL of 10th Street N.E., formerly Bennett Street, this beginning point also being the SEC of a lot once owned by F. Townsend and by him conveyed to L. Townsend by deed recorded in the deed records of Lamar County, Texas;

THENCE East with the NBL of Van Zant Street, 55 feet, more or less, a stake at the SWC of the lot conveyed by F. Townsend at ux to Julia Cooper on October 15, 1915, of record in Book 155, Page 610, Lamar County Deed Records;

THENCE North 90 feet, a stake;

THENCE West 55 feet, more or less, a stake, the NEC of the above mentioned F. Townsend lot conveyed to L. Townsend;

THENCE South 90 feet to the place of beginning.

EXHIBIT "A"

CAUSE NO. 92778

In Re: Order for Foreclosure Concerning	§	IN THE DISTRICT COURT
951 Van Zandt Street, Paris, TX 75460		
Under Tex. R. Civ. P. 736		
	§	
Petitioner:	§	
	§	LAMAR COUNTY, TEXAS
LIBERTY NATIONAL BANK IN PARIS	§	
	§	
Respondent:	§	
	§	
BRENDA KAY PRESTON	§	62nd JUDICIAL DISTRICT

Final Judgment Granting an Expedited Order Under Rule 736 on a Home Equity Loan

1. On this day, the Court considered Petitioner's request for an order granting its application for an expedited order under Rule 736. Petitioner appeared in person and was represented by counsel, Don Biard. Respondent appeared in person and was not represented by counsel. The parties have agreed to the entry of the following order. Accordingly, the court finds as follows:
2. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1. The name and last known address of each Respondent subject to this order is Brenda Kay Preston, 951 Van Zandt Street, Paris, Texas, 75460. Respondent was properly served with citation. The return of service for Respondent has been on file with the court for at least ten days. Respondent filed a response to the citation and a hearing was conducted on the same in which the parties reached agreement upon the entry of this order.
3. The property that is the subject of this foreclosure proceeding is commonly known as 951 Van Zandt Street, Paris, TX 75460 with the following legal description:

EXHIBIT B

See Exhibit "A" attached hereto

4. The lien to be foreclosed is indexed or recorded as Instrument No. 175155-2020, 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 reference in this order.
6. 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 an order of foreclosure under Texas Rules of Civil Procedure 736.6 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 _____ day of November, 2024.

11/8/2024



JUDGE PRESIDING

EXHIBIT B

A part of the L. Davis Survey within the corporate limits of the City of Dallas, described by metes and bounds as follows:

BEGINNING at a stake in the NW^{1/4} of Van Zant Street at a point 47 feet East from the intersection with the NW^{1/4} of 10th Street N.E., formerly Bannett Street, this beginning point also being the SW^{1/4} of a lot once owned by F. Townsend and by him conveyed to L. Townsend by deed recorded in the deed records of Tarrant County, Texas;

THENCE East with the NW^{1/4} of Van Zant Street, 33 feet, more or less, a stake at the SW^{1/4} of the lot conveyed by F. Townsend, et ux to Julia Cooper on October 15, 1913, of record in Book 135, Page 610, Tarrant County Deed Records;

THENCE North 90 feet, a stake;

THENCE West 33 feet, more or less, a stake, the NW^{1/4} of the above mentioned F. Townsend lot conveyed to L. Townsend;

THENCE South 90 feet to the place of beginning.

EXHIBIT "A"

EXHIBIT B