

FILED FOR RECORD  
2024 NOV -7 PM 1:10

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**HARDIN County**  
**Deed of Trust Dated:** September 11, 2018  
**Amount:** \$240,562.00  
**Grantor(s):** HAROLD BATTLE III and LANNAH CHERIE KEMP  
**Original Mortgagee:** MAGNOLIA BANK, INC, A KENTUCKY CHARTERED BANK  
**Current Mortgagee:** SERVBANK, SB  
**Mortgagee Address:** SERVBANK, SB, 3201 ORCHARD ROAD, OSWEGO, IL 60543  
**Recording Information:** Document No. 2018-88600  
**Legal Description:** SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES

CONNIE BECTON  
COUNTY CLERK  
HARDIN COUNTY, TEXAS  
BY: *[Signature]*

WHEREAS HAROLD BATTLE III is deceased.

**Date of Sale:** January 7, 2025 between the hours of 11:00 AM and 2:00 PM.  
**Earliest Time Sale Will Begin:** 11:00 AM

**Place of Sale:** The foreclosure sale will be conducted at public venue in the area designated by the HARDIN County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

REID RUPLE OR KATHLEEN ADKINS, EVAN PRESS, TOMMY JACKSON, RON HARMON, KEATA SMITH, MARGIE ALLEN, ANGIE BROOKS, TIFFANY BEGGS, CARY CORENBLUM, KYLE BARCLAY, KRISTOPHER HOLUB, AMY OIAN, MATTHEW HANSEN, JAMI HUTTON, JAMI GRADY, CHRISTIAN BROOKS, MICHAEL KOLAK, CRYSTAL KOZA, ALEENA LITTON, AARTI PATEL, DANA DENNEN, CINDY DENNEN, AARON CRAWFORD, STEPHANIE HERNANDEZ OR JOSHUA SANDERS have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust. The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

**NOTICE IS FURTHER GIVEN** that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. **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.**

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.

*[Signature]*  
Anthony Adam Garcia, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, SUITE 2800  
Houston, Texas 77002  
Reference: 2022-000453

*[Signature]*  
Printed Name: Margie Allen  
c/o Auction.com, LLC  
1 Mauchly  
Irvine, California 92618

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EXHIBIT "A"

Legal Description: 9.619 Acre Tract or Parcel of Land  
Samuel Rogers Survey, Abstract No. 430  
Hardin County, Texas

BEING a 9.619 acre tract or parcel of land situated in the Samuel Rogers Survey, Abstract No. 430, Hardin County, Texas and being out of and part of that certain called 15 acre tract of land as described in a "Warranty Deed" from Murrell K. Davis to William H. Gant as recorded in Volume 434, Page 191, Deed Records, Hardin County, Texas and being all of that certain called 9.632 acre tract of land as described in Volume 7, Page 42, Field Note Records, Hardin County, Texas, said 9.619 acre tract being more particularly described as follows:

*NOTE: All bearings are referenced to the North line of the said 9.632 acre tract as NORTH 89°45'41" EAST as recorded in the above referenced Volume 7, Page 42, Field Note Records, Hardin County, Texas.*

BEGINNING at an axle found for the Northeast corner of the tract herein described, said corner also being the Northeast corner of the said 15 acre Gant tract and an interior ell corner of the remainder of that certain called 20.12 acre tract of land as described in a "Warranty Deed" from Jasper Eugene Gore to William Alvis Gore as recorded in Volume 988, Page 627, Official Public Records, Hardin County, Texas;

THENCE SOUTH 00°03'05" EAST, along and with the boundary between the tract herein described and the remainder of the said 20.12 acre Gore tract, passing at a distance of 687.13 feet the most Northerly corner of that certain tract called triangular tract of land as described in a "Cash Warranty Deed" from Willie Joyce Gandy to Tine Turner as recorded in Book 1660, Page 235, Official Public Records, Hardin County, Texas and the most Westerly corner of that certain called 1.0 acre tract land as described in an "Assumption Deed" from Allen Hodge and wife, Mary Jane Hodge and Ronnie Chessher and wife, Paula Chessher to Tine Turner as recorded in Volume 820, Page 190, Deed Records, Hardin County, Texas, and continuing along and with the boundary between the tract herein described and the said Turner triangular tract, for a distance of 945.21 feet to a 2" iron pipe found for corner, said corner being the Southwest corner of the said Turner triangular tract and in the North right-of-way F.M. Highway 1003 and said corner being the beginning of a curve turning to the right having a radius of 1860.10 feet and being subtended by a chord bearing SOUTH 58°06'26" WEST having a chord length of 111.03 feet;

THENCE SOUTHWESTERLY, along and with the North right-of-way line of F.M. Highway 1003 and the said curve, for an arc length of 111.05 feet to a 5/8" iron rod with a cap stamped "M.W. Whiteley & Associates" set for corner;

THENCE SOUTH 59°21'20" WEST, continuing along and with the North right-of-way line of F.M. Highway 1003, for a distance of 348.05 feet to a 2" iron pipe found for corner, said corner being the Southeast corner of that certain called 5 acre tract of land as described in a "Warranty Deed" from Ernest R. Bodmer and Frances Bodmer to Nancy Williams as recorded in Volume 878, Page 312, Official Public Records, Hardin County, Texas, the same being the West 5 acres of the said William H. Gant 15 acres as conveyed to Yvonne Gant in Cause No. 13,560 in the District Court of Hardin County, Texas;

THENCE NORTH 00°03'03" WEST, along and with the boundary between the tract herein described and the said 5 acre Williams tract, for a distance of 1179.63 feet to a 1 1/2" iron pipe found for corner, said corner being the Northeast corner of the said 5 acre Williams tract and in the most Northerly South line of the remainder of the said 20.12 acre Gore tract;

THENCE NORTH 89°45'41" EAST, along and with the boundary between the tract herein described and the remainder of the said 20.12 acre Gore tract, for a distance of 393.92 feet to the POINT OF BEGINNING and containing 9.619 Acres, more or less.

STATE OF TEXAS

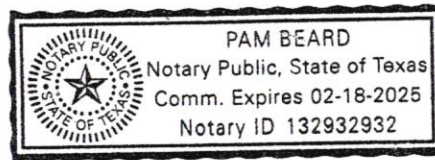
COUNTY OF HARDIN

Before me, the undersigned authority, on this 7<sup>th</sup> day of November 2024 personally appeared Margie Allen, known to me to be the person(s) whose name is/~~are~~ subscribed to the foregoing instrument, and acknowledged to me that ~~he~~/she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

*Pam Beard*

NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:  
Hughes, Watters & Askanase, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2022-000453



2024-148459  
CONNIE BECTON  
COUNTY CLERK  
2024 Nov 07 at 01:13 PM  
HARDIN COUNTY, TEXAS  
By: EF, DEPUTY