

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**DATE:** 1/13/2020

**NOTE:** The Promissory Note described as follows:

Date: May 2, 2011  
Maker: Christopher Voss  
Lender: Resource One Credit Union  
Original Principal Amount: \$139,750.00

FILED FOR RECORD  
HOPKINS COUNTY, TEXAS  
2020 JAN 13 P 2:17  
BY TRACY SMITH  
COUNTY CLERK  
DEPUTY

**DEED OF TRUST:** The Deed of Trust described as follows:

Date: May 2, 2011  
Borrower: Christopher Voss  
Trustee: Jim Brisendine  
Lender: Resource One Credit Union  
Recorded: on May 23, 2011 in Volume 770, Page 740 in the real property records of Hopkins County, Texas

**DEED OF TRUST TO SECURE ASSUMPTION:** The Deed of Trust to Secure Assumption of the Promissory Note described as follows:

Date: December 11, 2018  
Grantor: Hoang Voss a/k/a Hoang Do  
Lender: Resource Once Credit Union  
Original Principal Amount: \$139,750.00  
Beneficiary: Christopher Voss  
Recorded: on April 22, 2019 under instrument number 1784 and clerk number 20191784 in the real property records of Hopkins County, Texas

**PROPERTY:** The real property or its address is commonly known as 218 CR 1194 Yantis, Texas 75497. Legal description attached hereto as Exhibit "A" and made a part hereof.

**SUBSTITUTE TRUSTEE:**

Marc J. Fratter  
101 East Park Blvd.  
Suite 355  
Plano, Texas 75074  
(214) 471-3434

**DATE AND TIME OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:**

02/04/2020, the first Tuesday of the month, to commence at 1p.m., or within three (3) hours after that time.

**PLACE OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:**

The southwest entrance door to the first floor of the Hopkins County Courthouse in Sulphur Springs, Texas, or as designated by the County Commissioners.

## NOTICE

Assert and protect your rights as a member of the armed forces of the United States. If you 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 MARC J. FRATTER 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 MORGAGEE OR MORTGAGE SERVICER.**


## RECITALS

Default has occurred in the payment of the Note and/or in the performance of the obligations under the Deed of Trust that secures your assumption of the Note. Because of this default, Beneficiary, the original obligor of the Note and the Deed of Trust lien under Texas Property Code section 51.002, has requested that Substitute Trustee sell the Property according to the terms of the Deed of Trust and applicable law.

The Deed of Trust to secure assumption may encumber both real and personal property. Formal notice is now given of Beneficiary's election to proceed against and sell both the real and any personal property described in the Deed of Trust, consistent with Beneficiary's rights and remedies under the Deed of Trust and both the under Texas Property Code section 51.002 and Texas Business and Commerce Code section 9.604(a).

Therefore, notice is given that on the Date and Time of Substitute Trustee's Sale of Property and at the Place of Substitute Trustee's Sale of Property, Substitute Trustee will sell the Property by public sale to the highest bidder for cash or acceptable certified funds, according to the Deed of Trust to secure assumption and applicable law. The sale and conveyance of the Property will be subject to all matters of record applicable to the Property that are superior to the Deed of Trust to secure assumption and to any permitted exceptions to title described in the Deed of Trust to secure assumption. Substitute Trustee has not made and will not make any covenants, representations, or warranties about the Property other than providing the successful bidder at the sale with a deed to the Property containing any warranties of title required by the Deed of Trust. The Property will be sold AS IS, WHERE IS, AND WITH ALL FAULTS.

EXECUTED as of January 13<sup>th</sup>, 2020.

  
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Marc J. Fratter, Substitute Trustee

**AFTER RECORDING RETURN TO:**

Douglas W. Brady  
Brady & Brady, PLLC  
6440 N. Central Expressway, Suite 610  
Dallas, Texas 75206

**EXHIBIT "A"**

**ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE TOMAS LEE SURVEY, ABSTRACT NO. 551, BEING THE SAME TRACT OF LAND CONVEYED TO SAM J. AND HARRIET FANNING, RECORDED IN VOLUME 425, PAGE 541, OFFICIAL PUBLIC RECORDS, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING AT A ½ INCH IRON ROD FOUND FOR CORNER, THE SOUTHEAST CORNER OF HEREIN DESCRIBED FANNING TRACT AND THE SOUTHWEST CORNER OF A CALLED 15.35 ACRE TRACT CONVEYED TO SABINE RIVER AUTHORITY, RECORDED IN VOLUME 399, PAGE 161, HOPKINS COUNTY DEED RECORDS, SAID POINT BEING THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO MARK AND LISA CAUTO, RECORDED IN VOLUME 507, PAGE 727, OFFICIAL PUBLIC RECORDS, HOPKINS COUNTY, TEXAS;**

**THENCE SOUTH 88 DEGREES 05 MINUTES 50 SECONDS WEST ALONG THE NORTH LINE OF SAID CAUTO TRACT MERGING INTO A GRAVEL ROAD WITHIN THE LIMITS OF COUNTRY ROAD NO. 1194 AND CONTINUING ALONG THE NORTH LINE OF A TRACT OF LAND CONVEYED TO MARK AND LISA CAUTO, RECORDED IN VOLUME 526, PAGE 477, OFFICIAL PUBLIC RECORDS, HOPKINS COUNTY, TEXAS, A TOTAL DISTANCE OF 1,405.65 FEET TO A ½ INCH IRON ROD FOUND FOR CORNER, THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO SHIRLEY WATER SUPPLY CORPORATION, RECORDED IN VOLUME 263, PAGE 181, DEED RECORDS, HOPKINS COUNTY, TEXAS:**

**THENCE NORTH 00 DEGREES 04 MINUTES 35 SECONDS WEST ALONG THE EAST LINE OF SAID SHIRLEY TRACT A DISTANCE OF 144.31 FEET TO A ½ INCH IRON ROD FOUND FOR CORNER, THE NORTHEAST CORNER OF SAID SHIRLEY TRACT;**

**THENCE SOUTH 89 DEGREES 54 MINUTES 55 SECONDS WEST ALONG THE NORTH LINE OF SAID SHIRLEY TRACT A DISTANCE OF 100.01 FEET TO A ½ INCH IRON ROD FOUND FOR CORNER, THE NORTHWEST CORNER OF SAID SHIRLEY TRACT;**

**THENCE SOUTH 00 DEGREES 01 MINUTES 45 SECONDS EAST ALONG THE WEST LINE OF SAID SHIRLEY TRACT A DISTANCE OF 144.25 FEET TO THE SOUTHWEST CORNER OF SAID SHIRLEY TRACT AND THE NORTH LINE OF SAID CAUTO TRACT, SAID POINT BEING WITHIN THE LIMITS OF SAID COUNTY ROAD NO. 1194;**

THENCE NORTH 89 DEGREES 57 MINUTES 59 SECONDS WEST WITHIN SAID COUNTY ROAD AND THE NORTH LINE OF SAID CAUTO TRACT A DISTANCE OF 108.90 FEET TO A 60-D NAIL FOUND FOR CORNER, THE SOUTHWEST CORNER OF HEREIN DESCRIBED FANNING TRACT AND THE NORTHWEST CORNER OF SAID CAUTO TRACT, SAID POINT BEING THE SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO JESSE O. DOUGLAS, RECORDED IN VOLUME 512, PAGE 625, OFFICIAL PUBLIC RECORDS, HOPKINS COUNTY, TEXAS;

THENCE NORTH ALONG THE EAST LINE OF SAID DOUGLAS TRACT AND WITHIN THE LIMITS OF COUNTY ROAD NO. 1195 A DISTANCE OF 205.52 FEET TO A 60-D NAIL FOUND FOR CORNER, THE NORTHWEST CORNER OF HEREIN DESCRIBED FANNING TRACT AND THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO PERRY J. COSSETTE, RECORDED IN VOLUME 200, PAGE 795, DEED RECORDS, HOPKINS COUNTY, TEXAS;

THENCE NORTH 88 DEGREES 20 MINUTES 32 SECONDS EAST ALONG THE SOUTH LINE OF SAID COSSETTE TRACT PASSING A ½ INCH IRON ROD FOUND FOR WITNESS STAMPED "BEASLEY" AT 20.0 FEET AND CONTINUING FOR A TOTAL DISTANCE OF 1,535.56 FEET TO A SABINE RIVER AUTHORITY T-IRON FOUND FOR CORNER, THE NORTHEAST CORNER OF HEREIN DESCRIBED FANNING TRACT AND THE SOUTHEAST CORNER SAID COSSETTE TRACT, SAID POINT BEING IN THE SOUTHWEST LINE OF SAID SABINE RIVER AUTHORITY TRACT;

THENCE SOUTH 21 DEGREES 53 MINUTES 54 SECONDS EAST ALONG THE SOUTHWEST LINE OF SAID SRA TRACT A DISTANCE OF 188.17 FEET TO A SABINE RIVER AUTHORITY T-IRON FOUND FOR ANGLE POINT;

THENCE SOUTH 17 DEGREES 05 MINUTES 25 SECONDS EAST ALONG SAID SOUTHWEST LINE A DISTANCE OF 29.96 FEET TO THE PLACE OF BEGINNING AND CONTAINING 314,239.260 SQUARE FEET OR 7.214 ACRES OF LAND.