

**Notice of Foreclosure Sale**

November 25, 2020

FILED FOR RECORD  
HOPKINS COUNTY, TEXAS

2020 DEC 14 P 1:37

TRACY SMITH  
COUNTY CLERK

BY \_\_\_\_\_ DEPUTY

Deed of Trust ("Deed of Trust"):

Dated: July 18, 2003

Grantor: Gerardo Pulgarin and Maria Pulgarin

Trustee: Kevin T. Clayton

Lender: Vanderbilt Mortgage and Finance, Inc.

Recorded in: Volume 0447, Page 0789 of the real property records of Hopkins County, Texas

Legal Description: See Exhibit A

In addition to manufactured home described as follows: Make: CMH, Model: Pinehurst, Serial No. CSS004731TXAB

Secures: Promissory Note ("Note") in the original principal amount of \$82,124.62, executed by Gerardo Pulgarin and Maria Pulgarin ("Borrower") and payable to the order of Lender

Substitute Trustees: Craig C. Lesok, Harriett Fletcher, Robert LaMont, Sheryl LaMont, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard

Substitute Trustee's Address: 226 Bailey Ave, Ste 101, Fort Worth, TX, 76107

Foreclosure Sale:

Date: Tuesday, January 5, 2021

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 1:00 P.M. and not later than three hours thereafter.

Place: At the southwest entrance door to the first floor of the Hopkins County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court



Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Vanderbilt Mortgage and Finance, Inc.'s bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Vanderbilt Mortgage and Finance, Inc., the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Vanderbilt Mortgage and Finance, Inc.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Vanderbilt Mortgage and Finance, Inc.'s rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Vanderbilt Mortgage and Finance, Inc. passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Vanderbilt Mortgage and Finance, Inc. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

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

**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.

**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.**

/s/ Craig C. Lesok

Craig C. Lesok  
Attorney for Mortgagee  
SBOT No. 24027446



Craig C. Lesok, Harriett Fletcher, Robert LaMont,  
Sheryl LaMont, Allan Johnston, Sharon St. Pierre,  
Ronnie Hubbard  
226 Bailey Ave, Ste 101  
Fort Worth, TX 76107  
Telephone (817) 882-9991  
Telecopier (817) 882-9993  
E-mail: craig@lesoklaw.com

12-14-2020

**EXHIBIT "A"**

All that certain tract or parcel of land situated in the Dolores Padillo Survey, Abstract No. 735, Hopkins County, Texas; being all of that certain 26.955 acre tract described in Deed to Gerardo Pulgarin and wife, Maria, dated 1999, recorded in Volume 316, Page 731, Real Property Records of said County; and being more particularly described as follows:

**BEGINNING** at a 1/2 inch iron rod found on the Southeast corner of said 26.955 acre tract, being on the Northeast corner of an 81 acre tract described in Deed to Yvonne King, recorded in Volume 282, Page 525 of said Records, and being on the centerline of County Road No. 1445;

**THENCE** N 89 deg. 46' 34" W along the fenced South line of said 26.955 acre tract and the North line of said 81 acre tract, at 20.00 feet passing a capped 1/2 inch iron rod marked "SWANNER" set on the West right-of-way line of said County Road, and at a total distance of 2198.46 feet to a 1/2 inch iron rod marked "Cooper found on the Southwest corner of said 26.955 acre tract;

**THENCE** N 0 deg. 14' 08" E along the West line of said 26.955 acre tract - 543.39 feet to a 1/2 inch iron rod marked "Cooper" found on the Northwest corner of said 26.955 acre tract and on the Southwest corner of a 26.931 acre tract described in Deed to Javier Vega, recorded in Volume 316, Page 743 of said Records;

**THENCE** S 89 deg. 18' 32" E along the fenced North line of said 26.955 acre tract and the South line of said 26.931 acre tract, at 2176.18 feet passing a capped 1/2 inch iron rod marked "SWANNER" set on said right-of-way line, and at a total distance of 2196.18 feet to a 1/2 inch iron rod marked "Cooper" found on the Northeast corner of said 26.955 acre tract and on the Southeast corner of said 26.931 acre tract;

**THENCE** S 0 deg 01' 14" E along said centerline - 525.49 feet to the PLACE OF BEGINNING containing 26.958 acres, more or less.