

FILED FOR RECORD
HOPKINS COUNTY, TEXAS

2018 MAR -1 P 2:15

DEBBIE SHIRLEY
COUNTY CLERK

BY _____ DEPUTY

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

HOPKINS County

Deed of Trust Dated: December 28, 2005

Amount: \$28,000.00

Grantor(s): ROSA C MILLER

Original Mortgagee: CLAY MORGAN JOHNSON

Current Mortgagee: M & T BANK

Mortgage Address: M & T BANK, P. O. Box 1364, Buffalo, NY 14240-1364

Recording Information: Document No. 20063329

Legal Description: SEE EXHIBIT A

WHEREAS ROSA C MILLER is deceased.

Date of Sale: April 3, 2018 between the hours of 10:00 AM and 1:00 PM.

Earliest Time Sale Will Begin: 10:00 AM

Place of Sale: The foreclosure sale will be conducted at public venue in the area designated by the HOPKINS 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.

HARRIETT FLETCHER OR ROBERT LAMONT, SHERYL LAMONT, DAVID SIMS, SHARON ST. PIERRE, AURORA CAMPOS, RAMIRO CUEVAS, PATRICK ZWIERS, KRISTOPHER HOLUB, RONNIE HUBBARD, SHANNAH WALKER, AL DAVIS, KEVIN MCCARTHY, MURPHY HOWLE, BEATRICE CARRILLO, SHANNAH HOWLE, JON MURPHY HOWLE, ALLAN JOHNSTON, SUE SPASIC OR ZORAN W. SPASIC 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.


RACHEL U. DONNELLY, ATTORNEY AT LAW

HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, SUITE 2800
Houston, Texas 77002
Reference: 2016-015426



HARRIETT FLETCHER OR ROBERT LAMONT, SHERYL LAMONT, DAVID SIMS, SHARON ST. PIERRE, AURORA CAMPOS, RAMIRO CUEVAS, PATRICK ZWIERS, KRISTOPHER HOLUB, RONNIE HUBBARD, SHANNAH WALKER, AL DAVIS, KEVIN MCCARTHY, MURPHY HOWLE, BEATRICE CARRILLO, SHANNAH HOWLE, JON MURPHY HOWLE, ALLAN JOHNSTON, SUE SPASIC OR ZORAN W. SPASIC
c/o Tejas Trustee Services
14800 Landmark Blvd, Suite 850
Addison, TX 75254

EXHIBIT A

ALL THAT CERTAIN lot, tract or parcel of land being known as Lot 4 Sterling Addition, M. A. Bowlin Survey, A-39, City of Sulphur Springs, Hopkins County, Texas. Plat of said addition being recorded in plat Book 5, page 108, Plat Records, Hopkins County, Texas and being a part of the same tract of land from D.A. Heil to Price Homes, Inc., as recorded in vol. 417, page 725, Deed Records, Hopkins County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod being this SEC, also being SWC of Lot 3, said corner being located on the North ROW line of Beckham Street, 179.02 feet West along the North ROW line of Beckham Street from the intersection of the West ROW line of Ardis Street;

THENCE due West along the North ROW line of Beckham Street, a distance of 59.67 feet to the SWC, also being the SEC of Lot 5 being marked by 1/2" iron rod;

THENCE North 02 deg. 39' 39" East along this WBL, also being the EBL of Lot 5, a distance of 142.14 feet to this NWC, also being the NEC of Lot 5 and being located on the NBL of Sterling Addition;

THENCE North 87 deg. 51' 05" East along this NBL, a distance of 59.82 feet to this NEC, also being NWC of Lot 3, being marked by 1/2" iron rod;

THENCE South 02 deg. 39' 39" West along this EBL, also being the WBL of Lot 3, a distance of 144.39 feet to the POINT OF BEGINNING.

BEING the Third Tract described in a deed dated December 30, 1996 recorded in Vol. 250, page 598, Real Property Records, Hopkins County, Texas

AFFIDAVIT OF POSTING/FILING NOTICE OF SALE
STATE OF TEXAS

COUNTY OF HOPKINS

The undersigned, having knowledge of the matters hereinafter set forth, after being duly sworn, deposes and states under oath, as follows:

On behalf of the holder of the indebtedness secured by a Deed of Trust, dated December 28, 2005, executed by ROSA CEDILLO MILLER to COY JOHNSON, Trustee(s) and recorded in the office of the County Clerk in Document No. 20063329, HOPKINS County, Texas; at least twenty-one (21) days preceding the date of the sale made by Substitute Trustee on April 3, 2018 between the hours of 10:00 AM and 1:00 PM;

(i) Written notice of the proposed sale, designating the County in which the property securing the above Deed of Trust will be sold, was posted (Notice of Sale) at the courthouse door of each County in which the property securing the above Deed of Trust is located, or as otherwise designated by the County Commissioners; and

(ii) A copy of said Notice of Sale was filed in the office of the County Clerk of the County in which the sale was made.

~~HARRIETT FLETCHER OR ROBERT LAMONT, SHERYL LAMONT, DAVID SIMS, SHARON ST. PIERRE, AURORA CAMPOS, RAMIRO CUEVAS, PATRICK ZWIERS, KRISTOPHER HOLUB, RONNIE HUBBARD, SHANNAH WALKER, AL DAVIS, KEVIN MCCARTHY, MURPHY HOWLE, BEATRICE CARRILLO, SHANNAH HOWLE, JON MURPHY HOWLE, ALLAN JOHNSTON, SUE SPASIC OR ZORAN W. SPASIC~~
Substitute Trustee

STATE OF TEXAS

COUNTY OF HOPKINS

This instrument was acknowledged before me on this 1 day of March, 2018, by Shannah Howle.

Donna L. Goins

NOTARY PUBLIC, STATE OF TEXAS

My Commission expires: _____

