

2018 OCT -4 A 10: 29

DEBBIE SHIRLEY
COUNTY CLERK

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

HOPKINS County
Deed of Trust Dated: December 22, 2006
Amount: \$58,500.00
Grantor(s): MARK BENNETT and TARA BENNETT

Original Mortgagee: ROBERT A. SCHULTZ AND WIFE, JODI L. SCHULTZ
Current Mortgagee: M & T BANK

BY _____ DEPUTY

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

Recording Information: Document No. 20071066

Legal Description: SEE EXHIBIT "A" ATTACHED HERETO.

Date of Sale: November 6, 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, RONNIE HUBBARD, MURPHY HOWLE, SHANNAH HOWLE, JON MURPHY HOWLE, SUE SPASIC, ZORAN W. SPASIC, DANA KAMIN OR ALLAN JOHNSTON 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.


Aaron Espinoza, Attorney at Law

HUGHES, WATTERS & ASKANASE, L.L.P.
1201 Louisiana, SUITE 2800
Houston, Texas 77002
Reference: 2018-002319



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

Exhibit "A"

BEGINNING at a 1/2" rebar found at the Northeast corner of said 0.425 acre tract and the Southeast corner of a tract conveyed to Betty J. Russell and Charles L. Russell (Volume 272, Page 612, R.F.R.) and being on the West margin of Church Street;

THENCE South 10° 53' 24" West along said West margin - 65.75 feet to a 1/2" iron pipe found at the Southeast corner of said 0.425 acre tract and the Northeast corner of a tract conveyed to Tommy Henry, et ux (Volume 280, Page 845, R.F.R.);

THENCE North 33° 22' 47" West with the South line of said 0.425 acre tract and the North line of said Henry tract - 144.63 feet to a 1/2" rebar found for angle corner;

THENCE North 88° 49' 48" West continuing along the South line of said 0.425 acre tract - 61.03 feet to a 1/2" iron pipe found at the Northwest corner of said Henry tract;

THENCE South 11° 29' 56" West - 11.94 feet to a 3/4" iron pipe found at an EIL corner of said 0.425 acre tract;

THENCE North 88° 57' 23" West with the South line of said 0.425 acre tract and along an existing Northern line of the D.E. Bommer tract (Volume 328, Page 559) - 125.00 feet to a 1/2" rebar found at the Southwest corner of said 0.425 acre tract;

THENCE North 08° 02' 35" East - 56.33 feet to a 1/2" rebar found in the existing East line of a tract as described in Deed of Trust to Paul B. Antrim (Volume 140, Page 770) at the Northwest corner of said 0.425 acre tract and the Southwest corner of said Russell tract;

THENCE North 89° 00' 33" East along the North line of said 0.425 acre tract and the South line of said Russell tract - 127.76 feet to a 1/2" iron pipe found at an EIL corner of said 0.425 acre tract;

THENCE North 11° 12' 54" East - 9.09 feet to a 1/2" rebar found at an EIL corner of said 0.425 acre tract;

THENCE South 88° 50' 36" East along the common North line of said 0.425 acre tract and the South line of said Russell tract - 207.17 feet to the Point of Beginning, Containing 0.425 acres of land more or less.

FILED AND RECORDED ON
SEP 17, 2018 AT 04:43P
AS A(N) OP RECORD
CLERK NUMBER 20185009 PAGES 3
AMOUNT: 36.75
RECEIPT NUMBER 18005948
BY MHERNANDEZ

STATE OF TEXAS HOPKINS COUNTY, TEX
I hereby certify that this instrument was filed in
file number sequence on the date and time stamped
hereon by me and was duly recorded in the named
records of Hopkins County, Texas.

DEBBIE SHIRLEY, COUNTY CLERK
HOPKINS COUNTY, TEXAS

APPOINTMENT OF SUBSTITUTE TRUSTEE
2018-002319 mjs
mjs TEJAS

mail/Env