

FILED FOR RECORD

2019 MAR 11 AM 9:06

RECORDING REQUESTED BY:

SUSAN STRICKLAND  
COUNTY CLERK, VAN ZANDT CO., TX

WHEN RECORDED MAIL TO:

BY \_\_\_\_\_ DEP.

Ramiro Cuevas, Aurora Campos, Jonathan Harrison,  
Shawn Schiller, Patrick Zwiars, Darla Boettcher, Irene  
Lindsay, Dana Kamin, Lisa Bruno, Ronda Tyler, Meryl  
Olsen, Randy Daniel, Cindy Daniel, Jim O' Bryant,  
Vanessa McHaney  
c/o Malcolm Cisneros/Trustee Corps  
17100 Gillette Avenue  
Irvine, CA 92614  
(949) 252-8300

TS No TX07000002-19-1

APN R000042941 | R000042942

TO No 190619907

### NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on July 20, 2016, JEFFREY S SMITH AND DEBERAH GARRETT-SMITH, HUSBAND AND WIFE as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of SCOTT EVERETT as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. as nominee for EVERETT FINANCIAL, INC. D/B/A SUPREME LENDING, its successors and assigns, as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$274,928.00, payable to the order of Caliber Home Loans, Inc. as current Beneficiary, which Deed of Trust recorded on July 21, 2016 as Document No. 2016-006390 in Van Zandt County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

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WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed **Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiars, Darla Boettcher, Irene Lindsay, Dana Kamin, Lisa Bruno, Ronda Tyler, Meryl Olsen, Randy Daniel, Cindy Daniel, Jim O' Bryant, Vanessa McHaney** or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and **Caliber Home Loans, Inc.**, the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust.

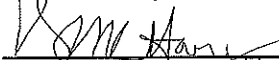
NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, May 7, 2019 at 10:00 AM**, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Van Zandt County, Texas, at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a Deed of Trust or other contract lien as follows: **Van Zandt County Courthouse, 121 E. Dallas Street, Canton, TX 75103.**

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

NOTICE IS FURTHER GIVEN, that except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition. Conveyance of the Property shall be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters and are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition, without any expressed or implied warranties, except as to the warranted.

WITNESS, my hand this 20 day of February, 2019.

  
By: Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Irene Lindsay, Dana Kamin, Lisa Bruno, Ronda Tyler, Meryl Olsen, Randy Daniel, Cindy Daniel, Jim O'Bryant, Vanessa McHaney  
Substitute Trustee(s)

**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.**

**SALE INFORMATION CAN BE OBTAINED ONLINE AT [www.Auction.com](http://www.Auction.com)  
FOR AUTOMATED SALES INFORMATION PLEASE CALL: Auction.com at 800.280.2832**

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300  
THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

**To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.**

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**EXHIBIT "A"**

ALL THAT CERTAIN LOT OR PARCEL OF LAND BEING A 4.592 ACRE TRACT BEING LOTS 121 AND 122, OF THE MID-POINT RANCHETTE ESTATES, VAN ZANDT COUNTY, TEXAS, IN GLIDES 132A & B, PLAT RECORDS OF VAN ZANDT COUNTY, TEXAS