

NOTICE OF SUBSTITUTE TRUSTEES SALE

Date: July 21, 2020

Substitute Trustees and Addresses:

R. Bryan Stone and Kevin Cazalas, whose business address is: Upton, Mickits & Heymann, L.L.P., 802 N. Carancahua, Suite 450, Corpus Christi, Texas 78401; and Randy Daniel, Cindy Daniel or Jim O'Bryant, whose business address is Tejas Trustee Services, 14800 Landmark Blvd., Suite 850, Dallas, Texas 75254

Current Mortgagee: SOUTHWEST HOMES OF SAN ANTONIO, INC.

Note: Retail Installment Contract Sales and Credit Agreement, dated September 27, 2018, in the original principal amount of \$227,269.00

Retail Installment Contract, Builder's and Mechanic's Lien (with Power of Sale) (Retail Installment Contract):

Date: September 27, 2018

Grantor: PHILIP D. LEE (ALSO KNOWN AS PHILLIP D. LEE) AND WIFE, ANGELIA LEE

Mortgagee: SOUTHWEST HOMES OF SAN ANTONIO, INC. CANTON

Recording information: Document No. 2018-009012 of the Official Public Records of Van Zandt County, Texas

Property: All that certain lot, tract or parcel of land situated in the W. TERRELL SURVEY A 861, same being part of a called 14.70 acre tract of land, known as First Tract, as found in Deed dated June 16, 1982 from H.D. SIMMONS, SR., and MATIE LAND RILEY, as found recorded in Volume 981, page 476 of the Deed Records of Van Zandt County, Texas, and being more fully described on Exhibit "A" attached hereto and made a part hereof for all purposes.

Property: The street address of the property is 1226 VZCR 3439, Wills Point, Van Zandt County, Texas 75169.

County: Van Zandt

FILED FOR RECORD
JUL 30 PM 12:34
RECORDING DEPARTMENT
VAN ZANDT COUNTY, TEXAS

Date of Sale (first Tuesday of month): September 1, 2020

Time of Sale: 10:00 A.M.

Place of Sale: The steps of the North entrance to the Van Zandt County Courthouse or as designated by the County Commissioner's office.

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.

Notice is given that on the Date of Sale, the undersigned will offer the Property for sale at public auction at the place of sale, to the highest bidder for cash, "AS IS." The Retail Installment Contract may encumber both real and personal property, Formal notice is hereby given of Mortgagee's election to proceed against and sell both the real property and any personal property described in the Retail Installment Contract in accordance with Mortgagee's rights and remedies under the Retail Installment Contract and section 9.604 (a) of the Texas Business and Commerce Code. **THERE WILL BE NO WARRANTY RELATING TO TITLE, POSSESSION, QUIET ENJOYMENT, OR THE LIKE FOR THE PROPERTY IN THIS DISPOSITION.**

If the Mortgagee 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 Retail Installment Contract and the Texas Property Code.

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 Retail Installment Contract. 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, the undersigned 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 the undersigned.



R. BRYAN STONE, a Substitute Trustee

EXHIBIT "A"

All that certain lot, tract or parcel of land situated in the W. TERRELL SURVEY A-861, same being part of a called 14.70 acre tract of land, known as First Tract, as found in Deed dated June 16, 1982 from H.D. SIMMONS, SR., and MATTIE LAND RILEY, as found recorded in Volume 981, Page 476 of the Deed Records of Van Zandt County, Texas, and being more fully described as follows:

BEGINNING at a 1/2" I.R. set in the present North R.O.W. of U.S. Interstate Hwy. #20 for the Southwest corner of this; the same being South 89 deg. 42 min. 32 sec. East 540.57 feet from the Southeast corner of the L.D. Pearson Survey A-655, and the Southwest corner of said 14.70 acre tract of land.

THENCE: North 1 deg. 58 min. 57 sec. East 402.73 feet to a 1/2" I.R. set for the Northwest corner of this;

THENCE: North 89 deg. 59 min. 35 sec. East 187.43 feet to a 1/2" I.R. set in the R.O.W. of a community paved road for the Northeast corner of this;

THENCE: South 3 deg. 00 min. 15 sec. West 403.98 feet along the West R.O.W. of said community paved road to a 1/2" I.R. set in the present occupied North R.O.W. of said Interstate Hwy. #20 for the Southeast corner of this;

THENCE: North 89 deg. 42 min. 32 sec. West 180.19 feet along the present occupied R.O.W. of said Interstate Hwy. #20 to the PLACE OF BEGINNING, CONTAINING 1.70 acres of land, more or less.

Being the land in Sheriff's Deed (Bill of Sale) dated March 8, 2017 from Dale Corbett, Sheriff to Philip Lee, recorded in Document No. 2017-002203, Official Public Records of Van Zandt County, Texas.