

DEC 21 2023

23-161338

Notice of Substitute Trustee's Sale

SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX
BY _____ DEP

Notice Concerning Military Duty: **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. Tex. Prop. Code § 51.002(i)**

Deed of Trust Date: June 25, 2015	Original Mortgagor/Grantor: RUSTY ABNEY
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR NATIONS LENDING CORPORATION., ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: LAKEVIEW LOAN SERVICING, LLC
Recorded in: Volume: N/A Page: N/A Instrument No: 2015-005468	Property County: VAN ZANDT
Mortgage Servicer: LoanCare, LLC	Mortgage Servicer's Address: 3637 Sentara Way, Virginia Beach, Virginia 23452

* The mortgage servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

Secures:Note in the original principal amount of \$134,518.00, executed by RUSTY ABNEY and payable to the order of Lender.

Property Address/Mailing Address: 160 VZ COUNTY ROAD 4114, CANTON, TX 75103

Legal Description of Property to be Sold: BEING 2.91 ACRES OF LAND SITUATED THE LUCAS CHIRINO SURVEY, A-125, VAN ZANDT COUNTY, TEXAS, BEING A PART OF LOT NO. 5 AND A PART OF LOT NO. 6, BLOCK NO. 1, OF MARTINS MILLS ESTATES, ACCORDING TO THE MAP OR PLAT OF SAME RECORDED IN GLIDE 44B OF THE PLAT RECORDS OF VAN ZANDT COUNTY, TEXAS, AND BEING A PART OF THAT CERTAIN CALLED 3.42 ACRE TRACT DESCRIBED IN A GENERAL WARRANTY DEED, DATED MARCH 29, 2006, FROM JAMES KOBELIA AND WIFE, JUANITA KOBELIA TO JAMES R. KOBELIA AND LAVETA W. KOBELIA, RECORDED IN VOLUME 2124, PAGE 257 OF THE REAL RECORDS OF VAN ZANDT COUNTY, TEXAS. SAID 2.91 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER AT THE MOST NORTHERLY EAST CORNER OF THE ABOVE REFERENCED 3.42 ACRE TRACT, AT THE NORTH CORNER OF THAT CERTAIN CALLED 1.16 ACRE TRACT DESCRIBED IN A GENERAL WARRANTY DEED FROM JAMES R. KOBELIA AND SPOUSE, JUANITA KOBELIA TO PATRICK J. ROSS AND SPOUSE, GLENNA M. HILLIS-ROSS, RECORDED IN VOLUME 1512, PAGE 170 OF THE REAL RECORDS OF VAN ZANDT COUNTY, TEXAS, IN THE NORTHEAST LINE OF LOT 6, BLOCK 1, OF MARTINS MILLS ESTATES (GLIDE 44B, P.R.V.Z.C.T.), IN THE SOUTHWEST LINE OF LOT 2, BLOCK 2, OF MARTINS MILLS ESTATES, ACCORDING TO THE REPLAT OF SAME RECORDED IN GLIDE 260A OF THE PLAT RECORDS OF VAN ZANDT COUNTY, TEXAS, IN THE ROADWAY OF COUNTY ROAD NO. 4114, AND BEING LOCATED NORTH 44 DEG. 50 MIN. 42 SEC. WEST, A DISTANCE OF 107.16 FEET FROM A P. K. NAIL (FOUND) MARKING THE EAST CORNER OF SAID LOT 6, BLOCK 1;

THENCE: SOUTH 54 DEG. 36 MIN. 09 SEC. WEST, WITH THE UPPER SOUTHEAST LINE OF SAID 3.42 ACRE TRACT AND WITH THE UPPER NORTHWEST LINE OF SAID 1.16 FEET, AT 15.52 FEET PASSING



A 1/2 INCH IRON ROD (FOUND) FOR REFERENCE ,CONTINUING IN ALL A TOTAL DISTANCE OF 221.23 FEET TO A 1/2 INCH IRON ROD (FOUND) FOR CORNER AT AN INTERIOR ELL CORNER OF SAID 3.42 ACRE TRACT AND AT AN EXTERIOR ELL CORNER OF SAID 1.15 ACRE TRACT;

THENCE: SOUTH 36 DEG, 54 MIN. 55 SEC. EAST, WITH THE LOWER NORTHEAST LINE OF SAID 3.42 ACRE TRACT AND WITH THE UPPER SOUTHWEST LINE OF SAID 1.16 ACRE TRACT, A DISTANCE OF 38.47 FEET TO A 1/2 INCH IRON ROD (FOUND) FOR CORNER AT AN INTERIOR ELL CORNER OF SAID 1.16 ACRE TRACT;

THENCE: SOUTH 42 DEG. 05 MIN. 47 SEC. WEST, OVER AND ACROSS SAID 3.42 ACRE TRACT AND WITH THE LOWER NORTHWEST LINE OF SAID 1.16 ACRE TRACT, A DISTANCE OF 60.86 FEET TO A 1/2 INCH IRON ROD (FOUND) FOR CORNER AT AN ANGLE CORNER OF SAID 1.16 ACRE TRACT;

THENCE: SOUTH 42 DEG. 05 MIN. 03 SEC. WEST, OVER AND ACROSS SAID 3.42 ACRE TRACT AND WITH THE LOWER NORTHWEST LINE OF SAID 1.16 ACRE TRACT, A DISTANCE OF 138.76 FEET TO A 1/2 INCH IRON ROD (FOUND) FAR CORNER AT AN ANGLE CORNER OF SAID 1.16 ACRE TRACT;

THENCE: SOUTH 52 DEG. 06 MIN. 03 SEC. WEST, OVER AND ACROSS SAID 3.42 ACRE TRACT AND WITH THE LOWER NORTHWEST LINE SAID 1.16 ACRE TRACT, A DISTANCE OF 138.76 FEET TO A 1.2 INCH IRON ROD (FOUND) FOR CORNER AT THE MOST SOUTHERLY WEST CORNER OF SAID 1.16 ACRE TRACT, IN THE SOHTWEST LINE OF SAID 3.42 ACRE TRACT, AND BEING LOCATED IN THE SOUTHWEST LINE OF LOT 5, BLOCK 1, OF MARTINS MILLS ESTATES;

THENCE: NORTH 44 DEG, 53 MIN, 37 SEC. WEST, WITH THE SOUTHWEST LINE OF SAID 3.42 ACRE TRACT AND WITH THE SOUTHWEST LINE OF SAID 3.42 ACRE TRACT AND WITH THE SOUTHWEST LINE OF LOT 5, BLOCK 1, OF MARTINS MILLS ESTATES, A DISTANCE OF 297.98 FEET TO A 1/2 INCH IRON ROD (FOUND) FOR CORNER AT THE WEST CORNER OF SAID 3.42 ACRE TRACT AND BEING LOCATED AT THE SOUTH CORNER OF THAT CERTAIN CALLED 1.02 ACRE TRACT DESCRIBED IN A GENERAL WARRANTY DEED WITH VENDOR'S LIEN FROM KIRK D. KNIFFEN AND WIFE, TIFFANY A KNIFFEN TO CRAIG M. VIGIL AND WIFE, TAMMY L. VIGIL, RECORDED IN VOLUME 1586, PAGE 431 OF THE REAL RECORDS OF VAN ZANDT COUNTY, TEXAS;

THENCE: NORTH 45 DEG. 04 MIN. 25 SEC. EAST, WITH THE NORTHWEST LINE OF SAID 3.42 ACRE TRACT AND WITH THE SOUTHEAST LINE OF SAID 1.02 ACRE TRACT, A DISTANCE OF 217.02 FEET TO A 1/2 INCH IRON ROD (FOUND) FOR CORNER AT AN ANGLE CORNER OF SAID 3.42 ACRE TRACT, AT THE EAST CORNER OF SAID 1.02 ACRE TRACT, AND BEING LOCATED AT THE SOUTH CORNER OF THAT CERTAIN CALLED 1.00 ACRE TRACT DESCRIBED IN A GENERAL WARRANTY DEED FROM CHARLES T. TERRELL AND WIFE, CYNTHIA TERRELL TO MISTY D. TERRELL, RECORDED IN DOCUMENT NO.: 2009-007204 OF THE REAL RECORDS OF VAN ZANDT COUNTY, TEXAS;

THENCE: NORTH 45 DEG. 06 MIN. 49 SEC. EAST, WITH THE NORTHWEST LINE OF SAID 3.42 ACRE TRACT AND WITH THE SOUTHEAST LINE OF SAID 1.00 ACRE TRACT, A DISTANCE OF 205.28 FEET TO A POINT FOR CORNER AT THE NORTH CORNER OF SAID 3.42 ACRE TRACT, IN THE NORTHEAST LINE OF LOT 6, BLOCK 1, OF MARTINS MILLS ESTATES (GLIDE 44B, P.R.V.Z.C.T.), IN THE SOUTHWEST LINE OF LOT 1-1, BLOCK 2, OF MARTINS MILLS ESTATES (GLIDE 260A, P.R.V.Z.C.T.), AND BEING LOCATED IN THE ROADWAY OF COUNTY ROAD NO. 4114, FROM WHICH A 1/2 INCH IRON ROD (FOUND) AND USED FOR REFERENCE BEARS SOUTH 45 DEG. 06 MIN. 49 SEC. WEST, A DISTANCE OF 16.02 FEET;

THENCE: SOUTH 44 DEG. 50 MIN. 42 SEC, EAST (BEARING BASE, PER GLIDE 260A, P.R.V.Z.C.T.), WITH THE UPPER NORTHEAST LINE OF SAID 3.42 ACRE TRACT, WITH THE NORTHEAST LINE OF LOT 6, BLOCK 1, WITH THE SOUTHWEST LINE OF LOT 1-1 AND LOT 2, BLOCK 2, OF MARTINS MILLS

ESTATES, AND ALONG THE ROADWAY OF COUNTY ROAD NO. 4114, A DISTANCE OF 310.18 FEET BACK TO THE PLACE OF BEGINNING AND CONTAINING 2.91 ACRES OF LAND.

Date of Sale: February 06, 2024

Earliest time Sale will begin: 1:00 PM

Place of sale of Property: Van Zandt County Courthouse, 121 E. Dallas Street, Canton, TX 75103 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

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.

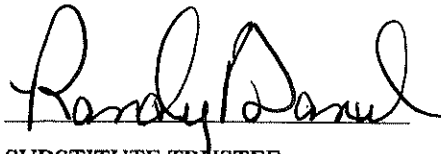
Appointment of Substitute Trustee: Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *LAKEVIEW LOAN SERVICING, LLC*, the owner and holder of the Note, has requested Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Conrad Wallace, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, Tionna Hadnot, Auction.com, David Ray, Randy Daniel, Cindy Daniel, Jim O'Bryant whose address is 1 MAUCHLY IRVINE, CA 92618 OR Randy Daniel whose address is 750 HIGHWAY 121 BYP SUITE 100 LEWISVILLE, TX 75067 OR Randy Daniel or Cindy Daniel or Jim O'Bryant whose address is 14800 LANDMARK BLVD., SUITE 850, DALLAS, TX 75254, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

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 *LAKEVIEW LOAN SERVICING, LLC* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

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, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Conrad Wallace, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, Tionna Hadnot, Auction.com, David Ray, Randy Daniel, Cindy Daniel, Jim O'Bryant whose address is 1 MAUCHLY IRVINE, CA 92618 OR Randy Daniel whose address is 750 HIGHWAY 121 BYP SUITE 100 LEWISVILLE, TX 75067 OR Randy Daniel or Cindy Daniel or Jim O'Bryant whose address is 14800 LANDMARK BLVD., SUITE 850, DALLAS, TX 75254, 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 Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Conrad Wallace, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, Tionna Hadnot, Auction.com, David Ray, Randy Daniel, Cindy Daniel, Jim O'Bryant whose address is 1 MAUCHLY IRVINE, CA 92618 OR Randy Daniel whose address is 750 HIGHWAY 121 BYP SUITE 100 LEWISVILLE, TX 75067 OR Randy Daniel or Cindy Daniel or Jim O'Bryant whose address is 14800 LANDMARK BLVD., SUITE 850, DALLAS, TX 75254, Trustee.

Limitation of Damages: 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 Mortgagor, the Mortgagee, or the Mortgagee's attorney.

A handwritten signature in black ink that reads "Randy Daniel". The signature is written in a cursive style with a horizontal line underneath the name.

SUBSTITUTE TRUSTEE

Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Conrad Wallace, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, Tionna Hadnot, Auction.com, David Ray, Randy Daniel, Cindy Daniel, Jim O'Bryant OR Randy Daniel OR Randy Daniel or Cindy Daniel or Jim O'Bryant, Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,
10700 Abbott's Bridge Road, Suite 170, Duluth, Georgia
30097; PH: (470)321-7112