

1212 BIG ROCK ST, CANTON, TX, 75103  
10565 0142

FILED FOR RECORD  
2018 OCT 15 AM 10:57  
PAM PEARMAN  
COUNTY CLERK, VAN ZANDT CO., TX  
DSP.

**APPOINTMENT OF SUBSTITUTE TRUSTEE AND  
NOTICE OF SUBSTITUTE TRUSTEE SALE**

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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

**APPOINTMENT OF  
SUBSTITUTE TRUSTEE:**

WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Aurora Campos, Jonathan Harrison, Markcos Pineda, Ramiro Cuevas, Patrick Zwiers, Kristopher Holub, Frederick Britton, Shawn Schiller, Tonya Pineda, Kelly Majn, Bob Dickerson, Randy Daniel, Jim O'Bryant, Judith A. Frappier, Roy Lovell, Jack Beckman, Michelle Schwartz, Kelly Goddard, Randy Daniel, Cindy Daniel, Travis Gray, Chris Ferguson, or Jack O'Boyle, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

**SUBSTITUTE TRUSTEE'S  
ADDRESS:**

c/o JACK O'BOYLE & ASSOCIATES, Mailing Address: P.O. Box 815369, Dallas, Texas 75381;  
Physical Address: 12300 Ford Road, Suite 212, Dallas, TX 75234.

**NOTICE OF SUBSTITUTE  
TRUSTEE SALE:**

WHEREAS, default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on November 06, 2018 between the hours of 10am - 1pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**LOCATION OF SALE:**

The place of the sale shall be: On the steps to the north entrance of the Van Zandt County Courthouse, in VAN ZANDT County, Texas or as designated by the County Commissioners.

**INSTRUMENT TO BE  
FORECLOSED:**

Deed of Trust or Contract Lien dated 04/30/2015 and recorded under Volume, Page or Clerk's File No. DOCUMENT NUMBER: 2015-003504 in the real property records of Van Zandt County Texas, with JOSHUA ROSEMOND, A MARRIED MAN AND JESSICA ROSEMOND, SIGNING PRO FORMA TO PERFECT LIEN ONLY as Grantor(s) and SFMC, LP DBA SERVICE FIRST MORTGAGE COMPANY as Original Mortgagee.

**OBLIGATIONS SECURED:**

Deed of Trust or Contract Lien executed by JOSHUA ROSEMOND, A MARRIED MAN AND JESSICA ROSEMOND, SIGNING PRO FORMA TO PERFECT LIEN ONLY securing the payment of the indebtedness in the original principal amount of \$77,569.00 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by JOSHUA ROSEMOND. SFMC, LP DBA SERVICE FIRST MORTGAGE COMPANY is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

**MORTGAGE SERVICING  
INFORMATION:**

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. SFMC, LP DBA SERVICE FIRST MORTGAGE COMPANY is acting as the Mortgage Servicer for SFMC, LP DBA SERVICE FIRST MORTGAGE COMPANY who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. SFMC, LP DBA

SERVICE FIRST MORTGAGE COMPANY, as Mortgage Servicer, is representing the Mortgagee, whose address is:

SPMC, LP DBA SERVICE FIRST MORTGAGE COMPANY  
c/o SPMC, LP DBA SERVICE FIRST MORTGAGE COMPANY  
1 CORPORATE DRIVE, SUITE 360, LAKE ZURICH, IL 60047

LEGAL DESCRIPTION OF  
PROPERTY TO BE SOLD: SEE EXHIBIT "A" (the "Property")

REPORTED PROPERTY  
ADDRESS: 1212 BIG ROCK ST, CANTON, TX 75103

TERMS OF SALE: The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

Pursuant to Section 51.009 of the Texas Property Code, the property will be sold in "AS IS, WHERE IS" condition, without any express or implied warranties, except as to the warranties of title (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 and the priority of the lien being foreclosed.

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Mortgagee and/or Mortgage Servicer thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and/or Mortgage Servicer, or its attorney(s).

The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refilled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

**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.**

Signed on the 10 day of October, 2015

Respectfully,

JACK O'BOYLE & ASSOCIATES

~~Jack O'Boyle | SBN: 15165300~~

~~jack@jackboyle.com~~

~~Travis H. Gray | SBN: 24044965~~

~~travis@jackboyle.com~~

~~Chris S. Ferguson | SBN: 24069714~~

~~chris@jackboyle.com~~

P.O. Box 815369

Dallas, Texas 75381

P: 972.247.0653 | F: 972.247.0642

ATTORNEYS FOR MORTGAGEE AND/OR ITS MORTGAGE  
SERVICER

**EXHIBIT "A"**

Being a 0.326 acre tract of land situated in the JESSE STOCKWELL SURVEY, Abstract No. 760, City of Canton, Van Zandt County, Texas, and being all of that certain tract or parcel of land as described in deed to Homes Unlimited LLC as recorded in Volume 1912, page 128, of the Real Records of Van Zandt County, Texas, said 0.326 acre tract being more particularly described as follows:

**COMMENCING** at a 1/2" iron pipe found for the Northernmost corner of a tract of land conveyed to Nelda J. Wages McCauley as recorded in Volume 1333, page 0249, of said Real Records, and being described by metes and bounds in deed to Della Wages as recorded in Volume 392, page 285, of said Deed Records, said iron pipe also being in the Southeast right of way line of Big Rock Street (a monumented 50 foot wide right of way);

**THENCE** South 42 deg. 18 min. 05 sec. West, along the Northwest line of said McCauley tract and the Southeast right of way line of Big Rock Street, a distance of 107.54 feet to the common North corner of said McCauley tract and a tract of land as described in deed to B. T. Sanders and wife, Lillie Sanders, as recorded in Volume 379, page 351, of said Deed Records;

**THENCE** South 46 deg. 30 min. 24 sec. West, along the Northwest line of said Sanders tract and continuing along the Southeast right of way line of Big Rock Street, a distance of 73.36 feet to an "X" set in concrete for the common North corner of said Sanders tract and said Homes Unlimited LLC tract, said "X" also being the POINT OF BEGINNING;

**THENCE** South 44 deg. 13 min. 29 sec. East, along the common line of said Sanders tract and said Homes Unlimited LLC tract, a distance of 208.38 feet to a point in the Northwest line of the remainder portion of a called 1.56 acre tract of land as described in deed to Danny C. Rogers or V. Kay Rogers, Trustees for the D. C. & V. K. Rogers Living Trust, dated August 5, 1997, as recorded in Volume 1439, page 0400, of said Real Records and being South 47 deg. 13 min. 52 sec. West, a distance of 71.04 feet from a 1/2 inch iron rod found for the Northernmost corner of said called 1.56 acre tract and the Easternmost corner of a said Sanders tract, said point having a fence corner post bearing South 44 deg. 13 min. 29 sec. East, a distance of 2.10 feet;

**THENCE** South 47 deg. 13 min. 52 sec. West, along the common line of said Homes Unlimited LLC tract and said called 1.56 acre tract, a distance of 68.76 feet to a point from which a fence corner post bears South 08 deg. 53 min. 59 sec. East, a distance of 2.97 feet, said point being the common South corner of said Homes Unlimited LLC tract and a tract of land as described in deed to Enrique Guerra and wife, Gloria Guerra, as recorded in Volume 1503, page 0713, of said Real Records;

**THENCE** North 43 deg. 57 min. 53 sec. West, along the common line of said Homes Unlimited LLC tract and said Guerra tract, a distance of 207.50 feet to an "X" set in concrete for the common North corner of said Homes Unlimited LLC tract and said Guerra tract and being in the Southeast right of way line of Big Rock Street;

**THENCE North 46 deg. 30 min. 24 sec. East, along the Southeast right of way line of Big Rock Street and the Northwest line of said Homes Unlimited LLC tract, a distance of 67.80 feet to the point of beginning and containing 0.326 of an acre or 14,196 square feet of land, more or less.**