

FILED FOR RECORD
2020 JAN 23 AM 9:17

NOTICE OF FORECLOSURE SALE

SUSAN STRICKLAND
CLERK, VAN ZANDT CO., TEXAS

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 OR 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.

1. *Property to Be Sold.* The property to be sold is described as follows: ALL THAT CERTAIN TRACT OR PARCEL OF LAND, BEING 16.201 ACRES SITUATED IN THE WILLIAM SHERMAN SURVEY, ABSTRACT NO. 761, VAN ZANDT COUNTY, TEXAS, BEING PART OF THAT CERTAIN CALLED 174.39 ACRE TRACT DESCRIBED IN A DEED FROM HENRY LEWIS TO DEWEY DEAN COX, DATED JANUARY 3, 1994, RECORDED IN VOLUME 1301, PAGE 213, OF THE DEED RECORDS OF VAN ZANDT COUNTY, TEXAS. SAID 16.201 ACRES BEING MORE COMPLETELY DESCRIBED AS FOLLOWS, TO-WIT:

BEARINGS BASED ON DEED CALL ALONG THE EASTERLY SOUTHEAST LINE OF THE 174.39 ACRE TRACT. CONTROLLING MONUMENTS ARE A 1-1/4 INCHES CONDUIT PIPE FOUND AT EACH END OF SAID LINE.

BEGINNING AT THE EASTERNMOST EAST CORNER OF THE ABOVE MENTIONED 174.39 ACRE TRACT, BEING THE NORTH CORNER OF THE ALBERT PROW ET UX 15 ACRE TRACT DESCRIBED IN A DEED RECORDED IN VOLUME 1117, PAGE 82, AND BEING NEAR THE CENTER OF THE OILED SURFACE OF COUNTY ROAD NO. 3103 WHICH RUNS ALONG THE NORTHEAST LINE OF THE ABOVE MENTIONED WILLIAM SHERMAN SURVEY, A 1-1/4 INCHES CONDUIT PIPE (FOUND FOR REFERENCE) BEARS SOUTH 44 DEGREES 43 MINUTES 51 SECONDS WEST. 31.96 FEET;

THENCE SOUTH 44 DEGREES 43 MINUTES 51 SECONDS WEST, WITH THE EASTERLY SOUTHEAST LINE OF THE 174.39 ACRE TRACT, GENERALLY WITH A FENCE ALONG THE NORTHWEST LINE OF THE PROW 15 ACRE TRACT, A DISTANCE OF 1723.16 FEET TO A 1-1/4 INCHES CONDUIT PIPE (FOUND) FOR THE WEST CORNER OF SAME, BEING A SOUTH CORNER OF SAID 174.39 ACRE TRACT AND BEING AT A FENCE CORNER IN THE NORTHEAST LINE OF THE ESSIE CANANT ET VIR TRACT DESCRIBED IN A DEED RECORDED IN VOLUME 722, PAGE 18;

THENCE NORTH 44 DEGREES 36 MINUTES 23 SECONDS WEST, WITH A FENCE ALONG THE NORTHEAST LINE OF SAID CANANT TRACT, A DISTANCE OF 368.90 FEET TO A 1/2" IRON ROD (FOUND) FOR THE NORTH CORNER OF SAME, BEING AN ELL CORNER OF THE ABOVE MENTIONED COX 174.39 ACRE TRACT AND BEING AT A FENCE CORNER;

THENCE NORTH 14 DEGREES 21 MINUTES 03 SECONDS EAST, A DISTANCE OF 15.40 FEET TO A 1/2 INCHES IRON ROD (FOUND) AT A FENCE CORNER.

THENCE NORTH 46 DEGREES 15 MINUTES 39 SECONDS WEST, A DISTANCE OF 15.72 FEET TO A 1/2 INCHES IRON ROD (SET) AT A FENCE CORNER;

THENCE NORTH 43 DEGREES 31 MINUTES 01 SECONDS EAST, GENERALLY WITH A FIELD FENCE, AT 1265.6 FEET PASS A FENCE CORNER, CONTINUE A TOTAL DISTANCE OF 1705.70 FEET TO THE NORTH CORNER OF THIS TRACT, BEING IN THE NORTHEAST LINE OF SAID 174.39 ACRE TRACT AND BEING NEAR THE CENTER OF THE OILED SURFACE OF SAID COUNTY ROAD NO. 3103, A 1/2 INCHES IRON ROD (SET FOR REFERENCE) BEARS SOUTH 43 DEGREES 31 MINUTES 01 SECONDS WEST, 30.0 FEET;

THENCE SOUTH 45 DEGREES 20 MINUTES 40 SECONDS EAST, WITH THE NORTHEAST LINE OF SAID 174.39 ACRE TRACT AND WITH SAID ROAD, A DISTANCE OF 428.52 FEET TO THE PLACE OF BEGINNING.

LESS AND EXCEPT:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE WILLIAMS SHERMAN SURVEY, ABSTRACT NO. 761, VAN ZANDT COUNTY, TEXAS, BEING PART OF A 16.201 ACRE TRACT OF LAND CONVEYED TO CHRISTOPHER L. AND LINDA M. LANG AS RECORDED IN VOLUME 1653, PAGE 608 OF THE DEED RECORDS OF VAN ZANDT COUNTY (D.R.V.C.T.), AND BEING MORE DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT AT THE NORTHERLY CORNER OF SAID LANG TRACT AND BEING AT THE MOST EASTERLY CORNER OF A CALLED 139.799 ACRE TRACT OF LAND CONVEYED TO DEWEY D. COX AS RECORDED IN VOLUME 365, PAGE 85 D.R.V.C.T., AND BEING IN THE CENTER LINE OF COUNTY ROAD NO. 3103, FROM WHICH A 1/2 INCH IRON ROD BEARS SOUTH 43 DEGREES 31 MINUTES 00 SECONDS WEST A DISTANCE OF 30.00 FEET;

THENCE SOUTH 45 DEGREES 20 MINUTES 40 SECONDS EAST, WITH THE NORTHEASTERLY LINE OF SAID LAND TRACT AND THE CENTER LINE OF SAID ROAD A DISTANCE OF 68.69 FEET TO A POINT FOR CORNER;

THENCE ACROSS AND THROUGH THE SAID LAND TRACT THE FOLLOWING CALLS;

SOUTH 45 DEGREES 59 MINUTES 00 SECONDS WEST, PASSING A 1/2 INCH IRON ROD SET AT A DISTANCE OF 30.4 FEET IRON ROD SET FOR CORNER;

SOUTH 44 DEGREES 20 MINUTES 35 SECONDS WEST, A DISTANCE OF 255.88 FEET TO A METAL FENCE POST FOR CORNER;

SOUTH 43 DEGREES 03 MINUTES 16 SECONDS WEST, A DISTANCE OF 273.24 FEET TO A METAL FENCE POST FOR CORNER;

SOUTH 20 DEGREES 11 MINUTES 41 SECONDS EAST, A DISTANCE OF 124.49 FEET TO A METAL FENCE POST FOR CORNER;

SOUTH 25 DEGREES 40 MINUTES 06 SECONDS WEST, A DISTANCE OF 129.32 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER;

SOUTH 39 DEGREES 51 MINUTES 01 SECONDS WEST, A DISTANCE OF 99.26 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER;

SOUTH 49 DEGREES 36 MINUTES 19 SECONDS EAST, A DISTANCE OF 193.50 FEET TO THE SOUTH EASTERLY LINE OF SAID LANG TRACT, AND BEING IN THE NORTHWESTERLY LINE OF A CALLED 13.090 ACRE TRACT OF LAND CONVEYED TO ALBERT PROW AS RECORDED IN VOLUME 1117, PAGE 82 D.R.V.C.T., A 1/2 INCH IRON ROD SET FOR CORNER;

THENCE SOUTH 44 DEGREES 43 MINUTES 51 SECONDS WEST, WITH THE SOUTHEASTERLY LINE OF SAID LAND TRACT AND THE NORTHWESTERLY LINE OF SAID PROW TRACT A DISTANCE OF 647.48 FEET TO THE SOUTHEASTERLY CORNER OF SAID LAND TRACT AND THE SOUTHWESTERLY CORNER OF SAID PROW TRACT A 1 1/4 INCHES IRON PIPE FOUND FOR CORNER; THENCE NORTH 44 DEGREES 36 MINUTES 23 SECONDS WEST, WITH THE SOUTHERLY LINE OF SAID LAND TRACT A DISTANCE OF 368.90 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE NORTH 14 DEGREES 21 MINUTES 03 SECONDS EAST, WITH THE SOUTHERLY LINE OF SAID LANG TRACT A DISTANCE OF 15.40 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE NORTH 46 DEGREES 15 MINUTES 39 SECONDS WEST, WITH THE SOUTHERLY LINE OF SAID LAND TRACT A DISTANCE OF 15.72 FEET TO THE SOUTHWESTERLY CORNER OF SAID LAND TRACT AND BEING AT THE SOUTHEASTERLY CORNER OF SAID COX TRACT A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE NORTH 43 DEGREES 31 MINUTES 00 SECONDS EAST, WITH THE NORTHWESTERLY LINE OF THE SAID LAND TRACT AND THE SOUTHEASTERLY LINE OF SAID COX TRACT A DISTANCE OF 1705.70 FEET TO THE POINT OF BEGINNING CONTAINING 8.000 ACRES OF LAND MORE OR LESS.

TRACT 2:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE WILLIAMS SHERMAN SURVEY, ABSTRACT NO. 761, VAN ZANDT COUNTY, TEXAS, BEING PART OF A 16.201 ACRE TRACT OF LAND CONVEYED TO CHRISTOPHER L. AND LINDA M. LANG AS RECORDED IN VOLUME 1653, PAGE 608 OF THE DEED RECORDS OF VAN ZANDT COUNTY (D.R.V.C.T.), AND BEING MORE DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT AT THE NORTHERLY CORNER OF SAID LANG TRACT AND BEING AT THE MOST EASTERLY CORNER OF A CALLED 139.799 ACRE TRACT OF LAND CONVEYED TO DEWEY D. COX AS RECORDED IN VOLUME 365, PAGE 85 D.R.V.C.T., AND BEING IN THE CENTER LINE OF COUNTY ROAD NO. 3103, FROM WHICH A 1/2 INCH IRON ROD BEARS SOUTH 43 DEGREES 31 MINUTES 00 SECONDS WEST A DISTANCE OF 30.00 FEET;

THENCE SOUTH 45 DEGREES 20 MINUTES 40 SECONDS EAST, WITH THE NORTHEASTERLY LINE OF SAID

LAND TRACT AND THE CENTER LINE OF SAID ROAD A DISTANCE OF 68.69 FEET TO A POINT FOR CORNER;

THENCE ACROSS AND THROUGH THE SAID LAND TRACT THE FOLLOWING CALLS;

SOUTH 45 DEGREES 59 MINUTES 00 SECONDS WEST, PASSING A 1/2 INCH IRON ROD SET AT A DISTANCE OF 30.4 FEET CONTINUING IN ALL A TOTAL DISTANCE OF 287.02 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER;

SOUTH 44 DEGREES 20 MINUTES 35 SECONDS WEST, A DISTANCE OF 255.88 FEET TO A METAL FENCE POST FOR CORNER; SOUTH 43 DEGREES 03 MINUTES 16 SECONDS WEST, A DISTANCE OF 273.24 FEET TO A METAL FENCE POST FOR CORNER; SOUTH 20 DEGREES 11 MINUTES 41 SECONDS EAST, A DISTANCE OF 124.49 FEET TO A METAL FENCE POST FOR CORNER;

SOUTH 25 DEGREES 40 MINUTES 06 SECONDS WEST, A DISTANCE OF 129.32 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER;

SOUTH 39 DEGREES 51 MINUTES 01 SECONDS WEST, A DISTANCE OF 99.26 FEET TO A 1/2 INCH IRON ROD SET FOR CORNER;

SOUTH 49 DEGREES 36 MINUTES 19 SECONDS EAST, A DISTANCE OF 193.50 FEET TO THE SOUTHEASTERLY LINE OF SAID LANG TRACT, AND BEING IN THE NORTHWESTERLY LINE OF A CALLED 13.090 ACRE TRACT OF LAND CONVEYED TO ALBERT PROW AS RECORDED IN VOLUME 1117, PAGE 82 D.R.V.C.T., A 1/2 INCH IRON ROD SET FOR CORNER;

THENCE SOUTH 44 DEGREES 43 MINUTES 51 SECONDS WEST, WITH THE SOUTHEASTERLY LINE OF SAID LANG TRACT AND THE NORTHWESTERLY LINE OF SAID PROW TRACT A DISTANCE OF 647.48 FEET TO THE SOUTHEASTERLY CORNER OF SAID LANG TRACT AND THE SOUTHWESTERLY CORNER OF SAID PROW TRACT A 1 1/4 INCH IRON PIPE FOUND FOR CORNER;

THENCE NORTH 44 DEGREES 36 MINUTES 23 SECONDS WEST, WITH THE SOUTHERLY LINE OF SAID LANG TRACT A DISTANCE OF 368.90 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE NORTH 14 DEGREES 21 MINUTES 03 SECONDS EAST, WITH THE SOUTHERLY LINE OF SAID LANG TRACT A DISTANCE OF 15.40 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE NORTH 46 DEGREES 15 MINUTES 39 SECONDS WEST, WITH THE SOUTHERLY LINE OF SAID LANG TRACT A DISTANCE OF 15.72 FEET TO THE SOUTHWESTERLY CORNER OF SAID LAND TRACT AND BEING AT THE SOUTHEASTERLY CORNER OF SAID COX TRACT A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE NORTH 43 DEGREES 31 MINUTES 00 SECONDS EAST, WITH THE NORTHWESTERLY LINE OF THE SAID LANG TRACT AND THE SOUTHEASTERLY LINE OF SAID COX TRACT A DISTANCE OF 1705.70 FEET TO THE POINT OF BEGINNING CONTAINING 8.000 ACRES OF LAND MORE OR LESS.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 04/27/2015 and recorded in Document 2015-003439 real property records of Van Zandt County, Texas. Re-filed in Document 2015-006484 real property records of Van Zandt County, Texas.

3. Date, Time, and Place of Sale. The sale is scheduled to be held at the following date, time, and place:

Date: 03/03/2020

Time: 10:00 AM

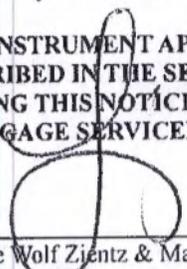
Place: Van Zandt County, Texas at the following location: THE STEPS OF THE NORTH ENTRANCE TO THE VAN ZANDT COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the deed of trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part 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 express or implied warranties, except as to the warranties of title, if any, provided for under the deed of trust.

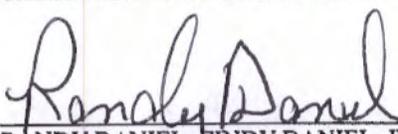
5. Obligations Secured. The Deed of Trust executed by ROBERT R. BENNETT AND KATIE A. BENNETT, provides that it secures the payment of the indebtedness in the original principal amount of \$275,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. NexBank SSB is the current mortgagee of the note and deed of trust and NEXBANK SSB is mortgage servicer. A servicing agreement between the mortgagee, whose address is NexBank SSB c/o NEXBANK SSB, 1 Corporate Dr., Ste. 360, Lake Zurich, IL 60047 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Substitute Trustee(s) Appointed to Conduct Sale.* In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint RANDY DANIEL, CINDY DANIEL, JIM, O'BRYANT, MICHAEL W. ZIENTZ, WES WEBB OR CARL NIENDORFF, Substitute Trustee to act under and by virtue of said Deed of Trust.

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.



Mackie Wolf Zientz & Mann, P.C.
Brandon Wolf, Attorney at Law
L. Keller Mackie, Attorney at Law
✓ Lori Liane Long, Attorney at Law
Chelsea Schneider, Attorney at Law
Ester Gonzales, Attorney at Law
Parkway Office Center, Suite 900
14160 North Dallas Parkway
Dallas, TX 75254



RANDY DANIEL, CINDY DANIEL, JIM, O'BRYANT,
MICHAEL W. ZIENTZ, WES WEBB OR CARL
NIENDORFF
c/o AVT Title Services, LLC
5177 Richmond Avenue Suite 1230
Houston, TX 77056

Certificate of Posting
I am _____ whose address is c/o AVT Title Services, LLC, AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on _____ I filed this Notice of Foreclosure Sale at the office of the Van Zandt County Clerk and caused it to be posted at the location directed by the Van Zandt County Commissioners Court.