

JAN 28 2025

SUSAN STRICKLAND
COUNTY CLERK VAN ZANDT COUNTY
BY _____ DEP

Notice of Foreclosure Sale

March 4, 2025

Deed of Trust ("Deed of Trust"):

Deed of Trust-

Dated: March 6, 2015

Grantor: Ashley Stinnett

Trustee: R. Paul Elliott

Lender: John Howell

Recorded in: Document No. 2015-001885 of the real property records of Van Zandt County, Texas

Secures: Promissory Note ("Note") in the original principal amount of \$84,000.00, executed by Ashley Stinnett ("Borrower") and payable to the order of Lender

Assignment: The Note and the liens and security interests of the Deed of Trust were transferred and assigned to Eric Howell ("Beneficiary") by an instrument dated August 6, 2018, recorded in 2018-006949 of the real property records of Van Zandt County, Texas

Property Description: See Exhibit "A".

Foreclosure Sale:

Date: Tuesday, March 4, 2025

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 AM and not later than three hours thereafter.

Place: North Entrance, Van Zandt County Courthouse, Canton, Texas

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 Eric Howell's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Eric Howell, the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

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

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Eric Howell 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 Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Eric Howell. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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, Substitute 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 Substitute Trustee.

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.

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.**

Paul Elliott

R. Paul Elliott

Attorney for Mortgagee

301 S. Main St.

Canton, TX 75103

Telephone (903) 567-4141

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First Tract:

All that certain lot, tract or parcel of land situated in the NACOGDOCHES SCHOOL LAND SURVEY, Abstract No. 620, Van Zandt County, Texas, being all that certain called 1.0 acre tract conveyed by Leo Phil Smith et ux to Wendell T. Monds et ux in Assumption Deed dated January 27, 1988, recorded in Volume 1137, page 36, of the Real Records of Van Zandt County, Texas, and being more completely described as follows, to-wit:

BEGINNING at a ½" iron rod found for the Northeast corner of said tract;

THENCE South 00 degrees 26 minutes 36 seconds West, a distance of 208.39 feet to a ½" iron rod set for the Southeast corner of said tract;

THENCE North 89 degrees 09 minutes 35 seconds West, a distance of 208.39 feet to a ½" iron rod set for the Southwest corner of said tract;

THENCE North 00 degrees 26 minutes 36 seconds East, a distance of 208.39 feet to a ½" iron rod set for the Northwest corner of said tract, same being the Southwest corner of an easement described in said Volume 1137, page 36;

THENCE South 89 degrees 09 minutes 35 seconds East, a distance of 208.39 feet to the place of beginning and containing 0.997 acre of land, more or less.

Second Tract:

An easement for ingress and egress and the installation and maintenance of utilities over and across the following described land:

All that certain lot, tract or parcel of land situated in the NACOGDOCHES SCHOOL LAND SURVEY, Abstract No. 620, Van Zandt County, Texas, being all that certain easement described in Assumption Deed from Leo Phil Smith et ux to Wendell T. Monds et ux, dated January 27, 1988, recorded in Volume 1137, page 36, of the Real Records of Van Zandt County, Texas, and being more completely described as follows, to-wit:

BEGINNING at a ½" iron rod set for the Southwest corner of said Easement, same being the Northwest corner of a called 1.0 acre tract described in said Volume 1137, page 36;

THENCE North 00 degrees 26 minutes 36 seconds East, a distance of 233.72 feet to the Northwest corner of said Easement in the centerline of County Road No. 1505, from which a 3/8" iron rod found bears South 00 degrees 26 minutes 36 seconds West, 21.62 feet;

THENCE North 88 degrees 26 minutes 32 seconds East with said centerline, a distance of 20.01 feet to the Northeast corner of said Easement;

THENCE South 00 degrees 26 minutes 36 seconds West, a distance of 234.55 feet to a ½" iron rod set for the Southeast corner of said Easement, in the North line of said called 1.0 acre tract;

THENCE North 89 degrees 09 minutes 35 seconds West with said North line, a distance of 20.00 feet to the place of beginning and containing 0.108 acre, more or less.

Exhibit "A"