

APR 15 2019

**NOTICE OF FORECLOSURE SALE**

Notice is hereby given of a public non-judicial foreclosure sale.

BOBBIE DAVIS  
COUNTY CLERK, PANOLA COUNTY, TEXAS  
BY G. Galena DEPUTY

1. **Property To Be Sold.** The property to be sold is described as follows:

All property (real, personal or otherwise) described in the deed of trust (as hereinafter defined as the "Deed of Trust"), together with the rights, appurtenances and improvements thereto, including, but not limited to, the real property described on **Exhibit A** attached hereto and made a part hereof. In the event any property encumbered by the Deed of Trust has been released by Lender (or its predecessor in interest, as applicable), then said released property shall be excluded from the property sold at foreclosure.

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

Date: **Tuesday, May 7, 2019.**

Time: The sale shall begin no earlier than **10:00 a.m.** or no later than three hours thereafter. The sale shall be completed by no later than **1:00 p.m.**

Place: **The sale will take place at the Panola County Courthouse at the place designated by the Panola County Commissioner's Court.**

The Deed of Trust permits the Lender (as hereinafter defined) to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust 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 refiled in accordance with the posting and filing requirements of the Texas Property Code and/or Texas Business and Commerce Code. Such reposting or refileing may be after the date originally scheduled for this sale.

3. **Terms of Sale.** 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 Lender to have the bid credited 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 cash on the day the property is sold.

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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

4. Type of Sale. The sale is a non-judicial foreclosure sale being conducted pursuant to the power of sale granted by that certain Deed of Trust (the "Deed of Trust") recorded under Instrument No. 199087, Book 1895, Page 686 in the Real Property Records of Panola County, Texas, and executed by Karmishia Marleen Matlock aka Karmishia Boykin and Louis A. Boykin Karmishia Marleen Matlock aka Karmishia Boykin and Louis A. Boykin (whether one or more, the "Grantor"), for the benefit of 21<sup>st</sup> Mortgage Corporation ("Lender"), covering the property described above.

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Indebtedness") including but not limited to the unpaid principal and interest owing on: that certain Consumer Loan Note, Security Agreement and Disclosure Statement (the "Note") dated on or about November 1, 2016, executed by the Grantor and payable to the order of Lender, and all renewals, modifications and extensions of the Note. Lender is the current owner and/or holder of the Note and the Indebtedness and is the beneficiary under the Deed of Trust.

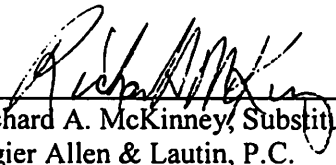
Questions concerning the sale may be directed to the undersigned or to the Lender:

21st Mortgage Corporation  
620 Market Street One Center Square  
Knoxville, TN 37902  
Phone: 800-955-0021  
Fax: 866-231-4851

6. Default and Request To Act. Default has occurred under the Deed of Trust, and Lender has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale Lender may appoint another person as substitute trustee to conduct the sale.

7. Armed Forces Notice. 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.

DATED: April 12, 2019.

  
Richard A. McKinney, Substitute Trustee  
Higier Allen & Lautin, P.C.  
The Tower at Cityplace  
2711 N. Haskell Ave., Suite 2400  
Dallas, Texas 75204  
Telephone: (972) 716-1888  
Fax: (972) 716-1899

**\*\*\*PLEASE FAX ALL COMMUNICATIONS REGARDING THIS MATTER TO THE  
SUBSTITUTE TRUSTEE AT 972-716-1899 (FAX), NOTE THE SUBSTITUTE  
TRUSTEE'S NAME ON YOUR COVER SHEET AND CONTACT THE SUBSTITUTE  
TRUSTEE AT 972-716-1888 (PHONE) TO CONFIRM RECEIPT. PLEASE ASSUME  
YOUR FAX HAS NOT BEEN RECEIVED UNTIL YOU VERBALLY CONFIRM  
RECEIPT THEREOF WITH OUR OFFICE. THANKS IN ADVANCE FOR YOUR  
COOPERATION.\*\*\***

**EXHIBIT A**

PROPERTY DESCRIPTION

[FOLLOWS THIS COVER PAGE]

**EXHIBIT "A"**

**Lot 34, Block 461-D:**

All that certain 3.125 acre lot, tract or parcel of land located in the GEORGE GOODWIN SURVEY, A-224, City of Carthage, in Panola County, Texas. Said tract being part of a called 6.25 acre tract of land conveyed from The Whitaker Family Trust to Leonard E. Jones and American Legion Post 151, recorded in Volume 1758, Page 429, Official Public Records of Panola County, Texas, (ORPOPCT). Said tract also being Lots 34-39, Topeka Street (never constructed and not claimed by City of Carthage in a letter dated 11/29/2011), and that certain tract labeled "City Park" in Cedarcrest Addition, recorded in Slide 165-B, Plat records of Panola County, Texas. Also being that certain tract called "City Park-Lake" conveyed from Fred Whitaker to City of Carthage, recorded in Volume 535, Page 289 (DROPCT). Also being the newly formed Lot 34, Block 461-D, City of Carthage, and being more particularly described as follows;

BEGINNING at a 1/2" iron rod with J. Roberts plastic cap, found for corner on the east R.O.W. of Cedarcrest Street. Said corner being the most westerly SWC of this tract, the most westerly SWC of said 6.25 acre tract, and the NWC of Lot 33 of said Addition;

THENCE N 12° 45' 13" W, with the common west line of said 6.25 acre tract, and the east R.O.W. of Cedarcrest Street, at 125.30 feet passing a 1/2" iron rod with J. Roberts plastic cap found for reference, and continuing a total distance of 176.37 feet, to a 1/2" iron rod with J. Roberts plastic cap, set for corner. Said corner being the NWC of this tract, and the SWC of the newly formed Lot 39;

THENCE N 65° 29' 51" E, across said 6.25 acre tract, and with the south line of Lot 39, 540.19 feet, to a 1/2" iron rod with J. Roberts plastic cap, set for corner. Said corner being the most northerly NEC of this tract, the SEC of Lot 39, on the northeast line of said 6.25 acre tract, and on the southwest line of a called 162.503 acre J.K. & J.B. Cain Living Trust tract described in Volume 1473, Page 25, Official Public Records of Panola County, Texas (OPROPCT);

THENCE S 54° 11' 21" E, with the common northeast line of said 6.25 acre tract, and the southwest line of said 162.503 acre tract, 94.19 feet, to a 1/2" iron rod with J. Roberts plastic cap, found for corner, from which a found 3/8" iron rod with B. Clynych plastic cap bears S 54° 11' 21" E, 7.52 feet, and a found 1/2" iron rod with D. Austin plastic cap bears N 09° 25' 40" W, 179.67 feet. Said corner being the most easterly NEC of this tract, the SEC of said 162.503 acre tract, and on the west line of a called Marion Place, Inc. tract described in Volume 1187, Page 112 (OPROPCT), and further described in Volume 1169, Page 559 (OPROPCT);

THENCE S 09° 25' 40" E, with the common east line of said 6.25 acre tract, and the west line of Marion Place tract, 256.41 feet, to a 1/2" chain link fence corner post, found for corner, Said corner being the SWC of said Marion Place tract, and the NWC of a called 2.551 acre Red Man Pipe & Supply Company tract described in Volume 896, Page 492 (DROPCT);

THENCE S 10° 20' 06" E, with the common east line of said 6.25 acre tract, and the west line of Red Man tract, 140.48 feet, to a 1/2" iron rod with J. Roberts plastic cap, found for corner. Said corner being the SEC of this tract, the SEC of said 6.25 acre tract, and the NEC of Lot 13;

THENCE S 67° 34' 36" W, with the common south line of said 6.25 acre tract, and the north line of Lot 13, then the north line of a drainage easement, 81.07 feet (called 100.00'), to a 1/2" iron rod with J. Roberts plastic cap, found for corner. Said corner being the NEC of Lot 14, the SEC of Lot 26, and the

**EXHIBIT "A" CONTINUED**

most southerly corner of Lot 27;

THENCE N 24° 30' 09" W, with the common west line of said 6.25 acre tract, and the east line of Lot 27 and Lot 28, 200.00 feet to a 1/2" iron rod with J. Roberts plastic cap, found for corner. Said corner being the most northerly corner of Lot 28 and the most easterly corner of Lot 29;

THENCE S 65° 29' 51" W, with the common south line of said 6.25 acre tract, and the north line of Lots 29-33, 440.67 feet, to the PLACE OF BEGINNING, containing 3.125 acres, more or less.