

FILED FOR RECORD
IN MY OFFICE
AT 11:00 O'CLOCK 4 M

Notice of Foreclosure Sale

May 5, 2020

MAY 11 2020

Deed of Trust ("Deed of Trust"):

BOBBIE DAVIS
COUNTY CLERK, PANOLA COUNTY, TEXAS
BY *J. McDonald* DEPUTY

Dated: September 5, 2008
Grantor: Desmond E. Hicks and Rockesia L. Hicks
Trustee: Michael Gary Orlando
Lender: Vanderbilt Mortgage and Finance, Inc.
Recorded in: Document No. 134822 of the real property records of Panola County, Texas
Legal Description: See Exhibit A

In addition to manufactured home more particularly described as Serial No. N224431

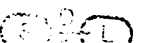
Secures: Promissory Note ("Note") in the original principal amount of \$59,561.62, executed by Desmond E. Hicks and Rockesia L. Hicks ("Borrower") and payable to the order of Lender

Substitute Trustees: Craig C. Lesok, Sheryl LaMont, Robert LaMont, Harriett Fletcher, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard, Terri Worley, Lisa DeLong

Substitute Trustee's Address: 226 Bailey Ave, Ste 101, Fort Worth, TX, 76107

Foreclosure Sale:

Date: Tuesday, June 2, 2020
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 A.M. and not later than three hours thereafter.
Place: On the steps of the Panola County Courthouse, such steps being located on the east side, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court



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 Vanderbilt Mortgage and Finance, Inc.'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, Vanderbilt Mortgage and Finance, Inc., 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 Vanderbilt Mortgage and Finance, Inc.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Vanderbilt Mortgage and Finance, Inc.'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 Vanderbilt Mortgage and Finance, Inc. 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 Vanderbilt Mortgage and Finance, Inc. 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.

/s/ Craig C. Lesok

Craig C. Lesok
Attorney for Mortgagee
SBOT No. 24027446


 05-11-2020
Craig C. Lesok, Sheryl LaMont, Robert LaMont,
Harriett Fletcher, Allan Johnston, Sharon St. Pierre,
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EXHIBIT "A"

All that certain tract lot or parcel of land, a part of the Catherine Lindsey Survey A-386, Panola County, TX, and also being part of that certain called 10.45 acre tract of land that is described in a Deed dated July 3, 1991 from John Leonard Boyce to Hubert Owens and Elmore Owens that is recorded in Volume 881 Page 775 (Tract II) of the Real Property Records of Panola County, Texas, and being more completely described as follows to wit;

METES AND BOUNDS DESCRIPTION

Beginning at a 1/4 Inch Iron Rod set for corner, from which a 1/4 Inch Iron Rod found for corner at the S.E.C. of a called 0.250 acres (Vol. 1127 Pg. 775) bears South 18 degrees 26 minutes 51 seconds East, 85.73 feet;

Thence North 18 degrees 24 minutes 11 seconds West, across said tract and crossing County Road # 1102, at 110.12 feet pass a 1/4 Inch Iron Rod found for corner in the E.E.L. of a 30.00 Feet Easement (Vol. 869 Pg. 266) at 166.35 feet pass the S.E.C. of a called 0.187 acres to Hubert Owens, same being the N.E.C. of said 30.00 Feet Easement and at 222.01 feet pass the N.E.C. of said Hubert Owens 0.187 acres and continue for a total distance of 315.76 feet to a 1/4 Inch Iron Rod set for corner;

Thence North 68 degrees 35 minutes 52 seconds East, continuing across said tract for a distance of 138.38 feet to 1/4 Inch Iron Rod set for corner;

Thence South 18 degrees 18 minutes 08 seconds East, continuing across said tract for a distance of 316.17 feet to a 1/4 Inch Iron Rod set for corner;

Thence South 68 degrees 45 minutes 17 seconds West, for a distance of 137.80 feet to the place of beginning containing 1.0003 acres.

Easement:

TRACT II:

All that certain 30 feet wide strip of land, a part of the CATHERINE LINDSEY Survey, Abstract No. 386, Panola County, Texas, and being a part of that certain tract of land called 10.45 acres described as "Tract II" in a deed from Leatha Boyce to John Leonard Boyce, recorded in Vol. 693, Page 516 of the Deed Records of Panola County, Texas, and also being a part of that certain tract of land called 8 acres erroneously described in a deed from John Leonard Boyce to Hubert Owens and Elmore Owen, dated January 2, 1988, recorded in Vol. 788, Page 388 of the said Panola County Deed Records, and the centerline of the said 30 feet wide strip of land, is described as follows:

BEGINNING at a point which bears North 19° 57' 57" East a distance of 576.81 feet and North 73° 07' 13" East a distance of 138.34 feet from a 1/2-inch iron pipe found at a re-entrant corner of that certain tract of land called 17.35 acres described as "Tract I" in the aforementioned deed from Leatha Boyce to John Leonard Boyce, said re-entrant corner is also the Northeast corner of that certain tract of land called 1.78 acres described in a deed from Elias Glaspe, et al., to Jim Dan Bayson, et ux, recorded in Vol. 501, Page 778 of the said Panola County Deed Records, said Point of Beginning also bears South 73° 07' 13" West a distance of 15.00 feet from a 1/2-inch iron rod set for the Northeast corner of a 0.188 acre tract of which this easement is a part;

THENCE South 19° 52' 46" East a distance of 88.35 feet to a point which bears South 73° 07' 13" West a distance of 15.00 feet from a 1/2-inch iron rod set for the Northeast corner of a 0.215 acre tract, said point being the terminus of this easement description.