

20-004 FC

ATTENTION SERVICE MEMBERS: ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR 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.

FILED FOR RECORD
SHELBY COUNTY, TEXAS

2020 FEB 10 PM 11

JENNIFER L. FORTNEY
COUNTY CLERK

BY _____ DEPUTY

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, ALBERT HEMPHILL AND WIFE, BELINDA HEMPHILL delivered that one certain Deed of Trust dated FEBRUARY 1, 2009, which is recorded in INSTRUMENT NO. 2009001101 of the real property records of **SHELBY County, Texas**, conveying to the Trustee(s) therein named the real property therein described, to secure the payment of a Promissory Note in the principal amount of \$153,335.00 payable to the order of WESTSTAR MORTGAGE CORPORATION, to which reference is hereby made for a description of the Promissory Note, the terms and covenants of the Deed of Trust, and the property therein conveyed; and

WHEREAS, default, as same is defined in the Promissory Note and/or the Deed of Trust, has occurred and the outstanding indebtedness on same is now wholly due; and

WHEREAS, the undersigned has been appointed Substitute Trustee in place of the original Trustee, upon the contingency and the manner authorized by the Deed of Trust; and

WHEREAS, WESTSTAR MORTGAGE CORPORATION, the Mortgagee, or the Mortgage Servicer, has instructed a Substitute Trustee(s) to sell real property described in the Deed of Trust in order to satisfy the indebtedness secured thereby.

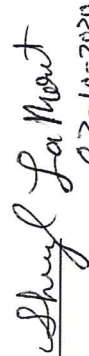
NOTICE IS HEREBY GIVEN that on Tuesday, MARCH 3, 2020, beginning at 1:00 PM, or not later than three (3) hours after that time, a Substitute Trustee(s) will sell, to the highest bidder submitting cashier's check, certified check or money order, the following described real property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

The sale will occur at that area designated by the Commissioners Court of SHELBY County, Texas, for such sales (OR AT ON THE STEPS IN THE AREA WITHIN 100 FEET OF THE SOUTHEASTERN FRONT DOOR OF THE COURTHOUSE PROVIDED FOR THE HILDING OF THE DISTRICT COURT).

NOTICE IS FURTHER GIVEN that the address of WESTSTAR MORTGAGE CORPORATION, the Mortgagee or Mortgage Servicer, is P.O. BOX 25400, ALBUQUERQUE, NM 87125. Pursuant to the Texas Property Code, the Mortgage Servicer is authorized to administer a foreclosure sale. The name and address of a substitute trustee is Michael J. Schroeder, 3610 North Josey Lane, Suite 206, Carrollton, Texas 75007. A Substitute Trustee is authorized by the Texas Property Code to set reasonable conditions for the foreclosure sale.

Dated: FEBRUARY 10, 2020.


SUBSTITUTE TRUSTEE(S)
MICHAEL J. SCHROEDER OR SHERYL LAMONT OR
ROBERT LAMONT OR SHARON ST. PIERRE OR

02-10-2020

EXHIBIT "A"

BEING 10.560 acres of land, more or less, in the J. N. KILLEN SURVEY, A-1197, and the SAMUEL SWANSON SURVEY, A-709, Shelby County, Texas, and being a part or portion of that called 14.562 acre tract described in Shelby County Section as Tract Two in a Warranty Deed from Renfro Timberlands, LTD to Transitional Resources, LLC, dated July 17, 2008 and recorded in Document No. 2008-007465 of the Official Public Records, Shelby County, Texas, and to which reference is hereby made for any and all purposes and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch iron rod set in the Southerly line of that called 15.622 acre tract described in a Warranty Deed from Texas Gulf Timber Company, Inc., to Peter J. Kuchinke and wife, Janet E. Kuchinke, dated September 23, 1985, and recorded in Vol. 657, Page 416, Deed Records, Shelby County, Texas, for the Northeastery corner of the referenced tract, same being the Westerly corner of that called 24 acre tract described in a Deed from Homer William Askew to Larrie Don Askew, dated May 20, 1969 and recorded in Vol. 462, Page 743, Deed Records, Shelby County, Texas, and from which an 18 inch Post Oak (R) bears N. 52° 24' W. 7.8 ft. and a 4 inch Red Oak bears S. 77° 41' E. 6.7 ft.;

THENCE S. 40° 13' 08" E. (reference bearing) 913.32 ft. along the common line of the referenced tract and the said 24 acre Askew tract to a 1/2 inch iron rod set for the Southeastery corner of the herein described tract and from which a 1/2 inch iron rod found in the Northerly line of that called 15.000 acre tract described as Tract Two in a Warranty Deed from DRL, INC. to BDR Family Partnership, LTD, dated January 29, 2004, and recorded in Vol. 981, Page 210, Deed Records, Shelby County, Texas, for the Southeastery corner of the referenced tract, same being the Southwestery corner of the said Askew tract, bears S. 40° 13' 08" E. 413.22 ft.;

THENCE S. 20° 21' 25" W. 476.45 ft. to a 1/2 inch iron rod set for the Southwestery corner of the herein described tract in a Southwestery line of the referenced tract, same being a Northeastery line of that called 14.439 acre tract described in a Warranty Deed from James E. Rice, Jr., and Joanne M. Rice to Thomas E. Sterling and Patricia E. Sterling, dated January 5, 1987 and recorded in Vol. 672, Page 25, Deed Records of Shelby County, Texas, being within the limits of a graded county road, and from which a 1/2 inch iron rod found for an angle point in the common line of the said tracts bears S. 40° 47' 52" E. 103.56 ft.;

THENCE Northwestery along the common lines of the referenced tract and said 14.439 acre Sterling tract and within the limits of the said county road, as follows:

N. 40° 47' 52" W. 84.19 ft. to a 1/2 inch iron rod found for an angle point, from which an 11 inch Pine (R) bears N. 52° 32' E. 14.3 ft. and a 14 inch Pine (R) bears S. 30° 53' W. 18.0 ft., and

N. 40° 08' 39" W. 199.67 ft. to a 1/2 inch iron rod found for an angle point in the Southwestery line of the referenced tract for the Easterly most Northeast corner of said 14.439 acre Sterling tract and an Easterly corner of that called 27.170 acre tract described in a Warranty Deed from Texas Gulf Timber Company, Inc., to Thomas E. Sterling and Patricia E. Sterling, dated May 2, 1985 and recorded in Vol. 655, Page 807, Deed Records, Shelby County, Texas, from which a 14 inch Pine (R) bears S. 20° 33' W. 25.7 ft. and a 12 inch Pine (R) bears N. 26° 43' E. 17.5 ft.;

THENCE Northwestery along the common lines of the referenced tract and the said 27.170 acre Sterling tract and within the limits of the said county road, as follows:

N. 60° 52' 31" W. 233.78 ft. to a 1/2 inch iron rod found for angle point, and from which a 60d nail with shiner found bears N. 76° 53' 21" W. 3.51 ft. and a 13 inch Pine (R) bears S. 21° 20' W. 13.8 ft.;

N. 44° 19' 09" W. 111.59 ft. to a 1/2 inch iron rod found for an angle point,

N. 36° 05' 10" W. 213.45 ft. to a 1/2 inch iron rod set for angle point, and

N. 51° 21' 01" W. 66.66 ft. to a 1/2 inch iron rod set for the Westerly corner of the referenced tract in a Northeastery line of the said 27.170 acre Sterling tract, same being a Southerly corner of that called 12.000 acre tract described in a Sheriff's Deed from Susan Hill to George Hill, dated November 4, 2003, and recorded in Vol. 984, Page 26, Deed Records, Shelby County, Texas;

THENCE Northeastery along the common line of the referenced tract and the said 12.000 acre Hill tract, departing the said county road, as follows:

N. 06° 49' 13" E. 147.46 ft. to a 1/2 inch iron rod found for angle point,

N. 05° 06' 10" W. 91.74 ft. to a 1/2 inch iron rod set for angle point,

N. 16° 03' 43" E. 99.70 ft. to a 1/2 inch iron rod found for angle point, and

N. 09° 11' 50" E. 45.70 ft. to a 1/2 inch iron rod set in a Southeastery line of the said 12.000 acre Hill tract for the Northwestery corner of the referenced tract, same being a Southwestery corner of the said 15.622 acre Kuchinke tract,

THENCE N. 51° 09' 55" E. passing at 41.14 ft. to a 1/2 inch iron rod set for reference and continuing along the said tracts for a total distance of 255.26 ft. to the POINT OF BEGINNING, and containing 10.560 acres of land, more or less.