

2022-028FC

NOTICE OF FORECLOSURE SALE

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: BEING 37.905 ACRES OF LAND, MORE OR LESS, A PART OF THE FRANCIS V. MCKEE SURVEY, A-482, SHELBY COUNTY, TEXAS, AND BEING THE LAND DESCRIBED IN THE WARRANTY DEED FROM TIMOTHY H. BONNER AND WIFE, JENNIFER M. BONNER TO FELIX H. WALKER AND WIFE, JANET G. WALKER, DATED FEBRUARY 29, 2000, RECORDED IN VOL. 879, PAGE 569, OFFICIAL PUBLIC RECORDS, SHELBY COUNTY, TEXAS, AND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO -WIT:

NOTE: IN THE FOLLOWING DESCRIPTION

BEARINGS REFER TO GRID NORTH OF THE TEXAS COORDINATE SYSTEM OF 1983 (CENTRAL ZONE 4203). BEGINNING AT A 5/8 INCH IRON BOLT FOUND FOR CORNER AT A FENCE CORNER FOR THE NORTHEAST CORNER OF THE CALLED 32.2077 ACRE TRACT LISTED AS FIRST TRACT CONVEYED TO FELIX H. WALKER AND WIFE, JANET G. WALKER AND RECORDED IN VOLUME 879, PAGE 569 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS;

THENCE SOUTH 02 DEGREES 54 MINUTES 37 SECONDS EAST WITH THE MOST SOUTHERLY WEST LINE OF A CALLED 3336.0 ACRE TRACT LISTED AS TRACT (SIB-L) CONVEYED TO U.S.A. AND RECORDED IN VOLUME 176, PAGE 410 OF THE DEED RECORDS OF SHELBY COUNTY, TEXAS, A DISTANCE OF 1583.56 FEET TO A 1/2 INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF THE CALLED 4.5367 ACRE TRACT LISTED AS SECOND TRACT CONVEYED TO FELIX H. WALKER AND WIFE, JANET G. WALKER AND RECORDED IN VOLUME 879, PAGE 569 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS; THENCE NORTH 67 DEGREES 56 MINUTES 49 SECONDS WEST, WITH THE NORTH MARGIN OF COUNTY ROAD 3252 AND THE NORTH LINE OF A CALLED 5.103 ACRE TRACT LISTED AS TRACT 1 CONVEYED TO ALMAGENE RAMSEY SHEFFIELD AND RECORDED IN CLERK FILE NO. 2007004665 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, A DISTANCE OF 477.96 FEET TO A 1/2 INCH IRON PIPE FOUND FOR CORNER; THENCE NORTH 01 DEGREES 15 MINUTES 10 SECONDS WEST WITH THE EAST LINE OF A CALLED 4.8971 ACRE TRACT CONVEYED TO MARGARET QUARTEL AND RECORDED IN VOLUME 955, PAGE 949 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, AT 445.89 FEET PASS A 1/2 INCH IRON PIPE FOUND FOR REFERENCE AND AT A TOTAL DISTANCE OF 454.59 FEET TO A POINT FOR CORNER IN A BRANCH;

THENCE THE FOLLOWING 8 CALLS WITH CENTERLINE OF SAID BRANCH:

SOUTH 57 DEGREES 18 MINUTES 46 SECONDS WEST A DISTANCE OF 40.38 FEET;

SOUTH 25 DEGREES 32 MINUTES 20 SECONDS WEST A DISTANCE OF 20.25 FEET;

SOUTH 78 DEGREES 33 MINUTES 31 SECONDS WEST A DISTANCE OF 44.96 FEET;

NORTH 87 DEGREES 04 MINUTES 15 SECONDS WEST A DISTANCE OF 41.41 FEET;

SOUTH 82 DEGREES 09 MINUTES 57 SECONDS WEST A DISTANCE OF 67.80 FEET;

SOUTH 84 DEGREES 15 MINUTES 04 SECONDS WEST A DISTANCE OF 63.15 FEET;

SOUTH 61 DEGREES 39 MINUTES 48 SECONDS WEST A DISTANCE OF 62.32 FEET;

NORTH 76 DEGREES 18 MINUTES 53 SECONDS WEST A DISTANCE OF 41.08 FEET TO A ROUND CONCRETE MONUMENT FOUND IN CENTER OF SAID BRANCH;

THENCE NORTH 01 DEGREE 57 MINUTES 16 SECONDS WEST WITH THE EAST LINE OF A CALLED 14 ACRE TRACT LISTED AS SECOND TRACT CONVEYED TO RODNEY GENE COLLUM AND SCOTTY LEE COLLUM AND RECORDED IN VOLUME 610, PAGE 257 OF THE DEED RECORDS OF SHELBY COUNTY, TEXAS, A DISTANCE OF 205.32 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE SOUTH 87 DEGREES 11 MINUTES 30 SECONDS WEST WITH THE NORTH LINE OF THE CALLED 14 ACRE TRACT LISTED AS SECOND TRACT CONVEYED TO RODNEY GENE COLLUM AND SCOTTY LEE COLLUM AND RECORDED IN VOLUME 610, PAGE 257 OF THE DEED RECORDS OF SHELBY COUNTY, TEXAS, A DISTANCE OF 560.08 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE SOUTH 87 DEGREES 07 MINUTES 42 SECONDS WEST WITH THE NORTH LINE OF A CALLED 1.0421 ACRE TRACT CONVEYED TO RODNEY GENE COLLUM AND SCOTTY LEE COLLUM AND RECORDED IN VOLUME 989, PAGE 436 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, A DISTANCE OF 256.68 FEET TO A 1/2 INCH IRON ROD FOUND FOR CORNER;

THENCE NORTH 02 DEGREES 27 MINUTES 53 SECONDS WEST WITH THE EAST LINE OF A CALLED 10 ACRE TRACT CONVEYED TO LARRY JOE EAVES AND RECORDED IN VOLUME 1003, PAGE 431 OF THE OFFICIAL PUBLIC RECORDS OF SHELBY COUNTY, TEXAS, AT 460.57 FEET PASS A 1/2 INCH IRON ROD FOUND FOR REFERENCE AND AT A TOTAL DISTANCE OF 505.05 FEET TO A POINT FOR CORNER IN COUNTY ROAD 3252;

THENCE THE FOLLOWING 9 CALLS WITH CENTERLINE OF COUNTY ROAD 3252:

NORTH 26 DEGREES 53 MINUTES 16 SECONDS EAST A DISTANCE OF 49.95 FEET;

NORTH 31 DEGREES 21 MINUTES 53 SECONDS EAST A DISTANCE OF 75.83 FEET;

NORTH 36 DEGREES 39 MINUTES 15 SECONDS EAST A DISTANCE OF 50.41 FEET;

NORTH 43 DEGREES 46 MINUTES 36 SECONDS EAST A DISTANCE OF 57.13 FEET;

NORTH 49 DEGREES 16 MINUTES 22 SECONDS EAST A DISTANCE OF 76.64 FEET;

NORTH 51 DEGREES 50 MINUTES 45 SECONDS EAST A DISTANCE OF 85.35 FEET;

NORTH 51 DEGREES 39 MINUTES 16 SECONDS EAST A DISTANCE OF 75.38 FEET;

NORTH 46 DEGREES 44 MINUTES 18 SECONDS EAST A DISTANCE OF 46.34 FEET;

NORTH 46 DEGREES 23 MINUTES 43 SECONDS EAST A DISTANCE OF 53.64 FEET TO A POINT FOR CORNER IN THE CENTER OF COUNTY ROAD 3252;

THENCE SOUTH 87 DEGREES 37 MINUTES 59 SECONDS EAST WITH THE SOUTH LINE OF A CALLED 18-7/10 ACRE TRACT CONVEYED TO BILLIE JEAN LAWSON KAY AND RECORDED IN VOLUME 712, PAGE 646 OF THE REAL PROPERTY RECORDS OF SHELBY COUNTY, TEXAS, AT 11.42 FEET PASS A 1/2 INCH IRON ROD FOUND FOR REFERENCE AND CONTINUING ON GENERALLY WITH A BARBED WIRE FENCE, A TOTAL DISTANCE OF 1182.35 FEET TO THE POINT OF BEGINNING, BEING 37.905 ACRES OF LAND MORE OR LESS.



SURVEYED BY JAMES ELLIOTT, REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, NO. 5795, ON MAY 23, 2019.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 07/26/2019 and recorded in Document 2019002288 real property records of Shelby County, Texas.

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

Date: 02/07/2023

Time: 01:00 PM


Place: Shelby County, Texas at the following location: THE AREA WITHIN A RADIUS OF 100 FEET OF THE SOUTHEASTERN DOOR OF THE HOUSE PROVIDED FOR THE HOLDING OF THE DISTRICT COURT IN THE CITY OF CENTER, IN SHELBY COUNTY, TEXAS 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 ANDRE LOUIS HUNTER AND RICHARD K. ILLINGWORTH, provides that it secures the payment of the indebtedness in the original principal amount of \$139,500.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. VETERANS LAND BOARD OF THE STATE OF TEXAS is the current mortgagee of the note and deed of trust and VETERANS LAND BOARD OF THE STATE OF TEXAS is mortgage servicer. A servicing agreement between the mortgagee, whose address is VETERANS LAND BOARD OF THE STATE OF TEXAS c/o VETERANS LAND BOARD OF THE STATE OF TEXAS, 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 AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, 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
Michael Zientz, Attorney at Law
Lori Liane Long, Attorney at Law
Chelsea Schneider, Attorney at Law
Ester Gonzales, Attorney at Law
Karla Balli, Attorney at Law
Parkway Office Center, Suite 900
14160 Dallas Parkway
Dallas, TX 75254

Certificate of Posting
I am Sheryl La Mont whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on December 21, 2022 I filed this Notice of Foreclosure Sale at the office of the Shelby County Clerk and caused it to be posted at the location directed by the Shelby County Commissioners Court.


Posted by Sheryl La Mont, 12/21/2022

2022 DEC 21 AM 11:09

JENNIFER STAIN
COUNTY CLERK

BY _____ DEPUTY