

24-005FC

24-00868
3576 FM 414, CENTER, TX 75935

FILED FOR RECORD
SHELBY COUNTY, TEXAS

2024 MAR 21 PM 1:21

**NOTICE OF FORECLOSURE SALE AND
APPOINTMENT OF SUBSTITUTE TRUSTEE**

JENNIFER L. FOUNTAIN
COUNTY CLERK

Property: The Property to be sold is described as follows: BY _____ DEPUTY

See attached Exhibit A

Security Instrument: Deed of Trust dated June 23, 2020 and recorded on June 23, 2020 at Instrument Number 2020001712 in the real property records of **SHELBY County, Texas**, which contains a power of sale.

Sale Information: June 4, 2024, at 1:00 PM, or not later than three hours thereafter, at the steps in the area within 100 feet of the southeastern front door of the Shelby County Courthouse provided for the holding of District Court, or as designated by the County Commissioners Court.

Terms of Sale: Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured: The Deed of Trust executed by ROBERT FIELDS AND TABITHA FIELDS secures the repayment of a Note dated June 23, 2020 in the amount of \$159,065.00. LAKEVIEW LOAN SERVICING, LLC, whose address is c/o LoanCare, LLC, 3637 Sentara Way, Virginia Beach, VA 23452, is the current mortgagee of the Deed of Trust and Note and LoanCare, LLC is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee: In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

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.

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.



4812779

Nicki Company

De Cubas & Lewis, P.C.
Nicki Company, Attorney at Law
PO Box 5026
Fort Lauderdale, FL 33310

Sheryl LaMont

Substitute Trustee(s): Sheryl LaMont, Robert LaMont,
Ronnie Hubbard, Sharon St. Pierre, Allan Johnston,
Kathleen Adkins, Evan Press, Harriett Fletcher, David
Sims, Michael Kolak, Aurora Campos and Xome
employees included but not limited to those listed
herein.

c/o De Cubas & Lewis, P.C.
PO Box 5026
Fort Lauderdale, FL 33310

Certificate of Posting

I, Sheryl LaMont, declare under penalty of perjury that on the 21st. day of
March, 2024, I filed and posted this Notice of Foreclosure Sale in accordance with the
requirements of SHELBY County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

Sheryl LaMont, March 21, 2024

EXHIBIT "A"

RFF

BEING 0.688 acre of land, more or less, a part of the S.N. HALL SURVEY, A-316, Shelby County, Texas, and being the land described in the Warranty Deed from Rose Marie Mixon to Gordon E. Smith and wife, Jeanette Smith, dated June 8, 1999, recorded in Vol. 859, Page 641, Official Public Records, Shelby County, Texas; and being described by metes and bounds as follows, to-wit:

BEGINNING at a 5/8-inch iron rod found for the Southwest corner of said called 0.682 acre tract in the East line of a called 80.612 acre tract described in a Warranty Deed with Vendor's Lien from Micah Windham and wife, Claire Windham, to Charles Dale Windham and wife, Terry A. Windham, dated June 22, 1998, and recorded in Volume 840, Page 844, in the Official Public Records of Shelby County, Texas, from which a 1/2-inch iron rod found for an interior corner of said called 80.612 acre tract bears S. 08 deg. 27 min. 44 sec. E., 337.69 feet;

THENCE N. 08 deg. 27 min. 44 sec. W., with the West line of said called 0.682 acre tract and the East line of said called 80.612 acre tract, a distance of 188.46 feet (called N. 09 deg. 36 min. 10 sec. W., 184.78 feet) to Northwest corner of said called 0.682 acre tract in the current paved centerline of Farm to Market Road 414 (based on 80 foot right-of-way), and being in a curve to the left, from which a sucker for found bears S. 02 deg. 2 min. 02 sec. E., 50.73 feet;

THENCE in a Northeasterly direction with the North line of said called 0.682 acre tract and the paved centerline of said Farm to Market Road 414, along said curve to the left having a radius of 2,156.75 feet, an arc length of 146.51 feet, a central angle of 3 deg. 53 min. 32 sec., and a chord bearing N. 71 deg. 37 min. 02 sec. E., and distance of 146.48 feet (called N. 71 deg. 11 min. 50 sec. E., 147.00 feet) to the Northeast corner of said called 0.682 acre tract from which a 1/2-inch iron pipe found at the base of a cross tie fence corner post for witness bears S. 18 deg. 26 min. 33 sec. E., 40.97 feet;

THENCE S. 18 deg. 26 min. 33 sec. E., with the East line of said called 0.682 acre tract, a distance of 184.11 feet (called S. 19 deg. 32 min. 10 sec. E., 182.20 feet) to a 3/4-inch iron pipe found for the Southeast corner of said called 0.682 acre tract;

THENCE S. 71 deg. 07 min. 38 sec. W., with the South line of said called 0.682 acre tract (basis of bearing orientation), a distance of 179.14 feet (called 178.88 feet) to the POINT OF BEGINNING and containing 0.688 of an acre of land, more or less.

Bearings based on the South line of the called 0.682 of an acre tract having a bearing of S. 71 deg. 07 min. 38 sec. W., as described in deed recorded in Volume 859, Page 641, in the Official Public Records of Shelby County, Texas.

Surveyed by William B. Connolly, Registered Professional Land Surveyor No. 5313, dated June 24, 2008.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Jennifer L. Fountain

Jennifer L. Fountain, County Clerk
Shelby County Texas
June 23, 2020 04:03:09 PM

TDAVIS

FEE: \$68.00
DT

2020001712