

24-023 FC

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF SHELBY §

WHEREAS, on November 29, 2018, **J. C. Lewis Construction LLC** (herein the "Grantor"), executed and delivered a Deed of Trust, Security Agreement and Financing Statement (the "Deed of Trust") conveying to **David Zalman** as Trustee, the herein below described property to secure **Prosperity Bank** in the payment of a Promissory Note and all debts and indebtedness (collectively the "Note") therein described, the Deed of Trust being filed and recorded under Clerk's Document Number 2018003836 in the Official Public Records of **Shelby County, Texas**, to which reference is hereby made for all purposes; and

WHEREAS, default has occurred in the payment of the Notes and the same are now wholly due, and **Prosperity Bank** (the "Beneficiary"), the owner and holder of the Notes, has requested the undersigned to sell the Property to satisfy the Notes; and

WHEREAS, the above named Trustee and any previously appointed Substitute Trustee was removed under and in accordance with the Deed of Trust and the Beneficiary designated and appointed **L. David Smith, Sheryl LaMont, Robert LaMont, Sharon St. Pierre, Allan Johnston and Ronnie Hubbard, any of whom may act independently** as Substitute Trustee to enforce the Trust, and any of whom may conduct the sale of the Property and may be contacted as indicated on the signature block below.

NOW, THEREFORE, pursuant to the authority conferred upon me by the Deed of Trust, I, **L. David Smith**, hereby give notice that I or one of the other Substitute Trustees whose names and

addresses are set out below, will sell the Property at public auction to the highest bidder, for cash, on **Tuesday, December 3, 2024**. The earliest time at which the sale will occur shall be at **1:00 o'clock P.M.** and it may take place not later than three hours after said time, and the sale shall take place in the area which has been designated as the area for foreclosures to take place, being 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. This conveyance will be made subject to any exceptions referenced in the Deed of Trust to the extent the same are still in effect and shall not cover any part of the Property that has been released from the liens of the Deed of Trust. The Property that will be sold at the foreclosure sale includes the following described real property, together with all improvements and fixtures thereon and appurtenances thereto:

Being 2.099 acres, more or less, a part of the Jesse Amason Survey, A-10, Shelby County, Texas, and being the land described in the Warranty Deed from Carmen Timber Co., to Kenneth Rash, dated January 4, 1998, recorded in Vol. 832, Page 788, Official Public Records, Shelby County, Texas, being more particularly described by metes and bounds in Appendix A attached to the Deed of Trust, Security Agreement and Financing Statement filed and recorded under Clerk's Document Number 2018003836 in the Official Public Records of Shelby County, Texas, to which reference is hereby made for all purposes.

THE SALE OF THE PROPERTY IS "AS-IS" AND "WHERE-IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. THE SUBSTITUTE TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE COMPLIANCE WITH THE LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

SUBSTITUTE TRUSTEES

NOTICE IS HEREBY PROVIDED THAT ONE OF THE FOLLOWING NAMED
SUBSTITUTE TRUSTEES WHOSE ADDRESS AND CONTACT INFORMATION FOR
PURPOSES HEREOF IS AS FOLLOWS MAY CONDUCT THE SALE:

L. David Smith, Sheryl LaMont, Robert LaMont, Sharon St. Pierre, Allan Johnston and
Ronnie Hubbard
c/o L. David. Smith
2618 Kittansett Circle
Katy Texas 77450
Telephone: (281)788-3666
Email: ldslaw7@gmail.com

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 this 8th day of November, 2024.

L. David Smith Substitute Trustee

L. David. Smith, Substitute Trustee
2618 Kittansett Circle
Katy Texas 77450
Telephone: (281) 788-3666
Email: ldslaw7@gmail.com

Sheryl LaMont
Posted by Sheryl LaMont, November 12, 2024.

FILED FOR RECORD
SHERIFF COUNTY TEXAS
2024 NOV 12 PM 1:46
JENNIFER L. FOUNTAIN
COUNTY CLERK
BY _____ DEPUTY