

22TX267-0540  
2265 RUSSELL DR, LONGVIEW, TX 75602

FILED FOR RECORD

2024 AUG 29 AM 9:41

**NOTICE OF FORECLOSURE SALE**

ELIZABETH JAMES  
CO. CLERK HARRISON CO

BY ac DEPUTY

Property: The Property to be sold is described as follows:

SEE EXHIBIT A

Security Instrument: Deed of Trust dated July 7, 2006 and recorded on July 11, 2006 Book 3390 Page 316 as Instrument Number 6010122 in the real property records of **HARRISON County**, Texas, which contains a power of sale.

Sale Information: October 01, 2024, at 10:00 AM, or not later than three hours thereafter, at the door of the easternmost entrance to the Harrison County Courthouse, 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 DENISE CASEY AND AZAEL TELLEZ secures the repayment of a Note dated July 7, 2006 in the amount of \$115,714.00. JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, whose address is c/o Carrington Mortgage Services, LLC, 1600 South Douglass Road, Suite 200-A, Anaheim, CA 92806, is the current mortgagee of the Deed of Trust and Note and Carrington Mortgage Services, 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.

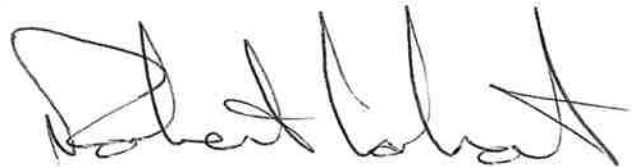


4823472

Substitute Trustee(s): Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, David Ray, Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Lisa DeLong, Terri Worley, Sharon St. Pierre, Harriett Fletcher, Dustin George

**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.**



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Miller, George & Suggs, PLLC  
Tracey Midkiff, Attorney at Law  
Jonathan Andring, Attorney at Law  
Rachel Son, Attorney at Law  
6080 Tennyson Parkway, Suite 100  
Plano, TX 75024

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Substitute Trustee(s): Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, David Ray, Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Allan Johnston, Lisa DeLong, Terri Worley, Sharon St. Pierre, Harriett Fletcher, Dustin George  
c/o Miller, George & Suggs, PLLC  
6080 Tennyson Parkway, Suite 100  
Plano, TX 75024

Certificate of Posting

I, Robert LaMont, declare under penalty of perjury that on the 29th. day of August, 2024, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of HARRISON County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).



Robert LaMont, August 29, 2024

EXHIBIT "A"

Being 5.605 acres of land situated in the Alston Ferguson Survey, A-245, Harrison County, Texas, a part of that certain 4.68 acres tract described in deed from Lillian Brown to Joe Medrano and wife, Mary L. Medrano, recorded in Vol. 927, Pg. 337, of the Deed Records, Harrison County, Texas (DRHCT), TOGETHER WITH the residue of that certain 2.35 acres tract described in deed from J. W. Shearer, Sr. and wife, Helen Z. Shearer, to Joe F. Medrano and wife, Mary Medrano, recorded in Vol. 860, Pg. 38, DRHCT, and being more particularly described as follows:

BEGINNING at a 3/8" steel rebar found for an interior ell corner of the Floyd L. Mobley, et al 14.48 acres tract (Deed Reference: Second Tract in Vol. 473, Pg. 398, DRHCT), same being the NW Corner of the said 4.68 acres tract and being the NW Corner of this tract;

THENCE N 87 deg 28' 00" E (which record bearing is the basis of orientation for this description), with and along a south line of the said 14.48 acres tract, 349.72 feet, to a 3/4" steel pipe found for the easternmost NE Corner of the said 4.68 acres tract, same being the NW Corner of the Robert L. Grebe, et ux, 3.00 acres tract (Deed Reference: Vol. 801, Pg. 210, DRHCT);

THENCE S 00 deg 04' 43" E, with and along the west line of the said 3.00 acres tract, 306.90 feet, to a 3/4" steel pipe found for the SW Corner of the said 3.00 acres tract, same being an interior ell corner of the said 4.68 acres tract and being the NW Corner of the Gerald Wayne Bryant, Jr. 1.00 acre tract (Deed Reference: Vol. 2669, Pg. 47, Official Public Records, Harrison County, Texas).

THENCE S 00 deg 16' 01" E, across the said 4.68 acres tract and with the west line of the said 1.00 acres tract, 94.93 feet, to a 1/2" steel rebar found for the SW Corner of the 1.00 acre tract and being an interior ell corner of this tract;

THENCE: S 86 deg 08' 24" E, with and along the south line of the said 1.00 acre tract, across the said 4.68 acres tract and the said 2.35 acres tract, a total distance of 380.96 feet, to a 3/8" steel rebar set in the west ROW line of Russell Drive for the SE Corner of the 1.00 acre tract and being the easternmost NE Corner of this tract;

THENCE: S 00 deg 06' 28" E, with and along the east line of the said 2.35 acres tract and the said west ROW line of Russell Drive, 204.89 feet, to a 3/8" steel rebar set for the NE Corner of the Floyd L. Mobley, et al, 0.70 acre tract (Deed Reference: First Tract in said Vol. 473, Pg. 398 and being the easternmost SE Corner of this tract);

THENCE: N 89 deg 32' 37" W, with and along the north line of the said 0.70 acre tract, 300.83 feet to a 3/8" steel rebar set in the west line of the said 2.35 acres tract, same being the east line of the said 4.68 acres tract and the east line of a 0.500 acre tract surveyed this date, and being the NW Corner of the 0.70 acre tract;

THENCE: N 02 deg 02' 41" W, with and along the said west line of the 2.35 acre tract and the east line of the said 0.500 acres, 132.50 feet, to a 3/8" steel rebar set for the NE Corner of the 0.500 acre tract;

THENCE: N 70 deg 38' 43" W, with the north line of the 0.500 acre tract, across the said 4.68 acres tract, 132.68 feet, to a 3/8" steel rebar set for the NW Corner of the 0.500 acre tract;

THENCE: S 02 deg 02' 41" E, with the west line of the 0.500 acre tract, 164.96 feet, to a 3/8" steel rebar set in the north ROW line of the Union Pacific Railroad for the SE Corner of the 0.500 acre tract;

THENCE: With and along the said north ROW line of the Union Pacific Railroad, a curve to the right having a radius of 1374.29 feet, an arc length of 386.96 feet, and a chord which bears N 52 deg 01' 16" W, 366.67 feet, to a 3/4" steel rebar found for the southernmost SE Corner of the above mentioned 14.48 acres tract and being the SW Corner of the 4.68 acres tract and the SW corner of this tract;

THENCE: N 00 deg 10' 16" W, with and along an east line of the said 14.48 acres tract and the west line of the said 4.68 acres tract, 365.03 feet, to the POINT OF BEGINNING and containing 5.605 acres of land, more or less, SUBJECT TO the following described access easement:

Being a 20 feet wide easement over and across the above described 5.605 acres tract for the purpose of ingress and egress to the above mentioned 0.500 acre tract and being 10 feet either side of and parallel to the following described centerline:

BEGINNING at a point in the easternmost line of the said 5.605 acres tract, same being the west ROW line of Russell Drive, and being S 00 deg 06' 28" E, 10.46 feet, from a 3/8" steel rebar set for the easternmost NE Corner of the 5.605 acres tract;

THENCE: Generally with and along the centerline of an existing driveway the following courses and distances: N 88 deg 24' 53" W, 266.20 feet; S 82 deg 18' 59" W, 65.81 feet, and S 19 deg 21' 17" W, 46.23 feet, to the end point of this easement in the north line of the said 0.500 acre tract at a point which is N 70 deg 38' 43" W, 43.95 feet, from a 3/8" steel rebar set for the NE Corner of the 0.500 acre tract.

A-T-O-C

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE** FILED FOR RECORD

2024 AUG 29 PM 1:34

WHEREAS, on the 23<sup>rd</sup> day of December, 2000, JAMES A. DAVIDSON, JR., AND WIFE, STEPHANIE L. DAVIDSON, executed a Deed of Trust conveying to HOWARD R. HACKNEY, Trustee, the Real Estate hereinafter described, to secure LONGVIEW BANK AND TRUST COMPANY in the payment of a debt therein described, said Deed of Trust being recorded in Volume 2185, Page 223, refiled in Volume 2255, Page 292, Official Public Records of Harrison County, Texas; and

WHEREAS, TEXAS BANK AND TRUST COMPANY has succeeded to the interest of LONGVIEW BANK AND TRUST COMPANY by merger; and

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

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder of said debt has requested the undersigned to sell said property to satisfy said indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, the 1<sup>st</sup> day of October, 2024, between 10:00 o'clock a.m. and 1:00 o'clock p.m., I will sell said Real Estate on the first floor between the Eastern front door of the Harrison County Courthouse and the interior bulletin board used for posting foreclosure notices, or as designated by the County Commissioners pursuant to Section 51.002 of the Texas Property Code, to the highest bidder for cash.

Said Real Estate is described as follows: In the County of Harrison, State of Texas:

Property described in Exhibit "A" attached hereto and made a part hereof.

WITNESS MY HAND this 26<sup>th</sup> day of August, 2024.



JAMES D. VANDEVENTER, Substitute Trustee  
909 East Southeast Loop 323, Suite 400  
Tyler, Texas 75701

Exhibit "A"

Legal Description of Property

All that certain lot, tract or parcel of land situated in Harrison County, Texas, within the Corporate Limits of the City of Marshall, being LOT SEVEN (7) in BLOCK FOUR (4) of the LOUGHMOIN PLACE ADDITION, according to the map, or plat, of said Addition recorded in Volume 129, Page 93, Deed Records, Harrison County, Texas. Being the same property described in a deed from Glen Marvin Ketchum, et ux, to David Graden Russell, et ux, dated January 4, 1996, recorded in Volume ~~143~~<sup>1467</sup>, Page 225, Official Public Records, Harrison County, Texas.

SAD  
SAD

August 26, 2024

Avelar Ventures LLC  
PO Box 955  
Marshall, Texas 75670

FILED FOR RECORD  
2024 SEP -3 AM 9:12  
ELIZABETH JAMES  
CO. CLERK HARRISON CO  
BY: LA DEPUTY

**NOTICE OF TRUSTEE'S SALE**

You, Avelar Ventures, LLC, are hereby notified that on Tuesday, the 1st day of October, 2024, not earlier than 1:00 p.m. nor later than 4:00 p.m., at the Eastern most entrance door of the Harrison County Courthouse located at 200 West Houston Street, in the City of Marshall, County of Harrison, State of Texas, or if the preceding area is no longer in the designated area, at the area most recently designated by the Harrison County Commissioner's Court. I, the undersigned, will sell at public auction to the highest bidder for cash the real property described below:

See Attached Exhibit

This sale will be made to satisfy the debt evidenced by a Promissory Note dated October 1, 2021 secured by a Deed of Trust dated October 1, 2021, executed by Marcial Avelar, Managing Member of Avelar Ventures, LLC, to First National Bank of Hughes Springs, recorded in File Number 2021-000012281, Real Property Records, Harrison County, Texas, in the amount of \$750,000.00 which is now due and payable. First National Bank of Hughes Springs has requested me, the undersigned, to enforce the Promissory Note and Trust *Deed of Trust* by selling the real property because you are in default on payment.

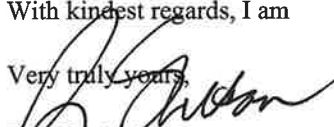
Your debt was accelerated as you were notified by notice dated June 11, 2024. As of today's date, you now owe the sum of \$768,210.40.

The beneficiary of the Deed of Trust appointed and substituted me, the undersigned, a trustee under the Deed of Trust by a substitution dated April 29, 2024. As substitute trustee, I am vested with and succeed to all the powers and duties given to the original trustee.

**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATE. 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 NAIONAL 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 IMMEDITELY**

With kindest regards, I am

Very truly yours,

  
Rick D. Shelton  
Substitute Trustee

CMRRR: 7019 2280 0001 4803 6294

Posted and filed by: \_\_\_\_\_

Printed Name and Date: \_\_\_\_\_

particularly described as follows:

Beginning at a point on the East line of said Block 39, same being the West margin of North Wellington Street, from which a building corner bears South 89°48'01" West - 0.10 feet, said beginning point also bears South 0°08'40" West - 90.96 feet from a P.K. nail with shiner found marking the Northeast corner of said Block 39;

Thence South 89°48'01" West, along a common building line, being the North line of a 0.134 acre tract surveyed this date from said Solomon tract, 65.00 feet to a 60d nail set for corner, being on the West line of said Solomon tract, and being on the East line of that certain tract designated as "Second Tract" in deed to James R. Watson and Maya Watson, recorded in Volume 1278, Page 513 of said Deed Records, from which a building corner bears North 89°48'01" East - 0.49 feet;

Thence North 0°08'40" East, along the West line of said Solomon tract, and the East line of said Watson tract, 23.35 feet to a P.K. nail with shiner for corner, being the Southwest corner of that certain tract designated as "First Tract" in deed to James R. Watson and Maya Watson, recorded in Volume 1278, Page 513 of said Deed Records;

Thence South 89°51'20" East, along the North line of said Solomon tract, and the South line of said "First Tract", 65.00 feet to a P.K. nail with shiner for corner, being the Northeast corner of said Solomon tract, and the Southeast corner of said "First Tract", and being on the East line of said Block 39 and the West margin of said North Wellington Street;

Thence South 0°08'40" West, along the East line of said Block 39, and said West margin, 22.96 feet to the place of beginning and containing 0.035 acre of land.

#### TRACT FOUR:

All that certain lot, tract, or parcel of land situated in Harrison County, Texas, within the Corporate Limits of the City of Marshall, being 0.134 acre of land, a part of the PETER WHETSTONE SURVEY, A-756, being part of LOTS 6 and 7 of BLOCK 39 of the ORIGINAL TOWNSITE of the City of Marshall, and being the residue of that certain land described in deed from T. W. Davidson to T. C. Solomon, et al, dated March 12, 1954, and recorded in Volume 431, Page 160 of the Harrison County Deed Records, said 0.134 acre being more particularly described as follows:

BEGINNING at a point on the east line of said Block 39, same being the west margin of North Wellington Street, from which a building corner bears South 89° 48' 01" West - 0.10 feet, said beginning point also bears South 0° 08' 40" West -90.96 feet from a P.K. nail with shiner found marking the northeast corner of said Block 39;

THENCE South 0° 08' 40" West, along the east line of said Block 39, and said west margin, 89.79 feet to a point from which a building corner bears North 89° 39' 35" East - 0.65 feet, being the southeast corner of said T.C. Solomon tract, and being the northeast corner of that certain tract described in deed to Oil Field Girls, recorded in Volume 3506, Page 341 of the Harrison County Official Public Records;

THENCE South 89° 39' 35" West, along a common building line, being the south line of said T. C. Solomon tract, and the north line of said Oil Field Girls tract, at 60.00 feet pass the northwest corner of said Oil Field Girls tract, and continuing in all, 65.00 feet to a point 1.20 feet West of an existing building line, and being the southeast corner of that certain tract described in deed to James R. Watson, recorded in Volume 923, Page 322 of said Deed Records;

THENCE North 0° 08' 35" East, along the east line of said Watson tract, at 60.00 feet pass the northeast corner of said Watson tract, same being the southeast corner of that certain tract designated as "Second Tract" in deed to James R. Watson and Maya Watson, recorded in Volume 1278, Page 513 of said Deed Records, and continuing in all, 89.95 feet to a 60d nail set for corner from which a building corner bears North 89° 48'01" East - 0.49 feet;

THENCE North 89° 48' 01" East, along a common building line, 65.00 feet to the place of beginning and containing 0.134 acre of land.

TRACT FIVE:

All that certain lot, tract, or parcel of land situated in Harrison County, Texas, within the Corporate Limits of the City of Marshall, located about 1,000 feet Northwest of the Harrison County Courthouse, and being a part of LOT ONE (1) in BLOCK THIRTY-NINE (39) of the ORIGINAL TOWNSITE to said City of Marshall, more particularly described as follows:

BEGINNING at an iron pin for corner in the South margin of West Rusk Street, said corner being 72 feet East of the Northeast corner of Block 39 of the Original Townsite to said City, and also being the Northeast corner of a lot conveyed to the Citizens State Bank by deed recorded in Volume 191, Page 583, of the Deed Records of Harrison County, Texas;

THENCE East with the South margin of West Rusk Street, 48 feet to a corner, said corner marked by a 15' locust tree, and also being the Northwest corner of a lot conveyed to a W. A. Harvey by W. D. Allen and S. C. Allen, October 12, 1910, by deed recorded in Volume 75, Page 387, of the Deed Records of said County;

THENCE South with the Harvey West line, 60 feet to a corner, same being the Southeast corner of Lot 1, Block 39, Original Townsite of the City of Marshall;

THENCE West with the South line of said Lot 1, Block 39, 48 feet to a corner, same being the Southeast corner of the Citizens State Bank lot referred to above;

THENCE North with the said Citizens State Bank's lot East line, equal distance between two brick buildings, 60 feet to the place of beginning.

Said property being a part of the land conveyed to Mrs. S. C. Allen and W. D. Allen by deed dated April 12, 1905, from John Muntz, recorded in Volume 72, Page 36, of the Deed Records of Harrison County, Texas.

TRACT SIX:

All that certain tract, lot, or parcel of land situated in Harrison County, Texas, being a part of the Peter Whetstone Survey, within the Corporate Limits of the City of Marshall and being a PART of LOT 1 in BLOCK 31 of the ORIGINAL TOWNSITE, and being more particularly described as follows:

BEGINNING on the East margin of North Washington Avenue 50 feet South of the Northwest corner of said Block No. 31 at the Southwest corner the lot now owned by E. N. Smith;

THENCE East 100 feet to the Southeast corner of said Smith lot;

THENCE North, 25 feet with Smith's East line to an Inner corner of said Smith lot;

THENCE East 20 feet to an alley, the West line of a lot formerly owned by Joe Lake;

THENCE South, 50 feet with Lake's West line to a corner on the West boundary line of Lot No. 7 of said Block;

THENCE West 120 feet to the East margin of North Washington Ave.;

THENCE North with said Avenue 25 feet to the Place of Beginning and being the same property described by deed from Trustees of the Marshall Lodge No, 683, Benevolent and Protective Order of Elks to E.N. Smith,



dated March 31, 1953, recorded in Vol. 415, Page 77, Deed Records, Harrison County, Texas;

AND ALSO being the same property described as Tract Four in that one certain General Warranty Deed dated October 18, 2002, from E. N. Smith, Jr. and Wesley Smith to Cargill Properties, LLC, a Texas limited liability company, and recorded in Volume 2506, Page 179, of the Official Public Records of Harrison County, Texas.

**NOTICE OF ACCELERATION AND NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

Date: September 10, 2024

Substitute Trustee: Cain Trujillo or Lori Corpier, 409 W. Loop 281 #102, Longview, TX 75605

Lender: WJR Properties, LLC—Series 176

Note: Real Estate Lien Note dated July 23, 2021, executed by Diego Ramirez & Ruby Vazquez and made payable to WJR Properties, LLC—Series 176

Deed of Trust:

Date: July 23, 2021

Grantor: Diego Ramirez & Ruby Vazquez

Lender: WJR Properties, LLC—Series 176

Recording information: Instrument No. 2022-000000484, Official Public Records, Harrison County, Texas.

Property (including any improvements): **ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN HARRISON COUNTY, TEXAS, BEING 2.96 ACRES OF THE WILLIAM WALKER SURVEY A-754; BEING A PART OF THAT CERTAIN 96.43 ACRE TRACT DESCRIBED IN DEED FROM B. G. PATTERSON AND WIFE, PATRINELLA H. PATTERSON, TO WILLIAM LEE FOSTER AND WIFE, PAULINE W. FOSTER DATED JUNE 10, 1975, RECORDED IN VOL 767, PAGE 212, DEED RECORDS OF SAID COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT AN IRON STAKE FOR CORNER IN THE SOUTH MARGIN OF OLD U.S. HIGHWAY 80 AND IN THE NORTH LINE OF SAID 86.43 ACRE TRACT: SAID BEGINNING CORNER BEING THE NORTHEAST CORNER OF THAT CERTAIN TRACT DESCRIBED IN DEED TO LA. FUGLER AND OTHERS, RECORDED IN VOL 473, PAGE 255, SAID COUNTY DEED RECORDS, SAID BEGINNING CORNER BEING APPROXIMATELY 882 FEET EASTERLY, WITH SAID SOUTH MARGIN, FROM THE NORTHWEST CORNER OF SAID 86.43 ACRE TRACT;**

**THENCE IN AN EASTERLY DIRECTION WITH SAID SOUTH MARGIN AND WITH A CURVE TO THE RIGHT, 365.1 FEET (CHORD NORTH 67° 44' EAST, 365.1 FEET) TO AN IRON STAKE FOR CORNER;**

**THENCE SOUTH 5° 13' EAST, WITH THE WEST LINE OF A 5 ACRE TRACT OUT OF SAID 86.43 ACRE TRACT, 451.39 FEET TO A CORNER IN SAID WEST LINE;**

**THENCE SOUTH 70° 18' WEST 238.86 FEET TO AN IRON STAKE FOR**

FILED FOR RECORDS  
2024 SEP 10 AM 9:59  
CLERK OF COUNTY CLERK  
HARRISON COUNTY TEXAS  
BY: GR

**CORNER AT THE SOUTHEAST CORNER OF SAID FUGLER TRACT;**

**THENCE NORTH 21° 28' WEST WITH THE EAST LINE OF FUGLER TRACT  
420.9 FEET TO THE PLACE OF BEGINNING CONTAINING 2.96 ACRES OF  
LAND, MORE OR LESS.**

Date of Sale: October 1, 2024

Time of Sale: 1:00 P.M.

Place of Sale: At the area designated at the Harrison County, Texas, courthouse by the Commissioners Court for such sales, or if the Commissioners Court has not designated an area, then at the front courthouse steps of the courthouse of Harrison County, Texas.

The maturity of the note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable. Lender appointed a Substitute Trustee under the Deed of Trust. Because of the default in performance of the obligations of the Deed of Trust, Lender has instructed Substitute Trustee to offer the Property for sale toward the satisfaction of the Note.

Notice is given that on the Date of Sale, the Substitute Trustee will offer the Property for sale at public auction at the Place of Sale, to the highest bidder for cash. The earliest time the sale will occur is the Time of Sale, and the sale will be conducted no later than three hours thereafter.

**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.**



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Cain Trujillo or Lori Corpier, Substitute Trustee

**NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S 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 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.

**DEED OF TRUST INFORMATION:**

Date: 05/15/2003  
Grantor(s): ELBERT LEE SMITH AND BERNICE LONG SMITH AKA BERNICE SMITH  
Original Mortgagee: BANK ONE, N.A.  
Original Principal: \$124,318.70  
Recording Information: Book 2632 Page 150 Instrument 3006589  
Property County: Harrison  
Property: (See Attached Exhibit "A")  
Reported Address: 12503 HWY 80 W, HALLSVILLE, TX 75650

**MORTGAGE SERVICING INFORMATION:**

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: JPMorgan Chase Bank, National Association  
Mortgage Servicer: JPMorgan Chase Bank, N.A.  
Current Beneficiary: JPMorgan Chase Bank, National Association  
Mortgage Servicer Address: PO Box 1015238, Columbus, OH 43219

**SALE INFORMATION:**

Date of Sale: Tuesday, the 1st day of October, 2024  
Time of Sale: 10:00 AM or within three hours thereafter.  
Place of Sale: INSIDE THE HARRISON COUNTY COURTHOUSE, FIRST FLOOR, BETWEEN THE EASTERN FRONT DOOR OF SAID COURTHOUSE AND THE INTERIOR BULLETIN BOARD USED FOR POSTING FORECLOSURE NOTICES AND OTHER PUBLICATIONS in Harrison County, Texas, Or, if the preceding area(s) is/are no longer the area(s) designated by the Harrison County Commissioner's Court, at the area most recently designated by the Harrison County Commissioner's Court.

WHEREAS, the above-named Grantor previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared; such default was reported to not have been cured; and all sums secured by such Deed of Trust were declared to be immediately due and payable; and

WHEREAS, the original Trustee and any previously appointed Substitute Trustee has been removed and Harriett Fletcher, Sheryl LaMont, Robert LaMont, Sharon St. Pierre, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, have been appointed as Substitute Trustees and requested to sell the Property to satisfy the indebtedness; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note has been accelerated and all sums secured by the Deed of Trust have been declared to be immediately due and payable.
2. Harriett Fletcher, Sheryl LaMont, Robert LaMont, Sharon St. Pierre, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property and to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien of the Deed of Trust.

FILED FOR RECORD  
2024 SEP -9 PM 12:15  
HARRISON COUNTY  
CLERK

4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for a particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be offered "AS-IS", purchasers will buy the property "at the purchaser's own risk" and "at his peril", and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interests of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.

**Substitute Trustee(s):** Harriett Fletcher, Sheryl LaMont, Robert LaMont, Sharon St. Pierre, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

**Substitute Trustee Address:** 14841 Dallas Parkway, Suite 350, Dallas, TX 75254

Document Prepared by:  
Bonial & Associates, P.C.  
14841 Dallas Parkway, Suite 350, Dallas, TX 75254  
AS ATTORNEY FOR THE HEREIN  
IDENTIFIED MORTGAGEE AND/OR  
MORTGAGE SERVICER

#### Certificate of Posting

I am Robert LaMont whose address is 14841 Dallas Parkway, Suite 350, Dallas, TX 75254. I declare under penalty of perjury that on September 9, 2024 I filed and / or recorded this Notice of Foreclosure Sale at the office of the Harrison County Clerk and caused it to be posted at the location directed by the Harrison County Commissioners Court.

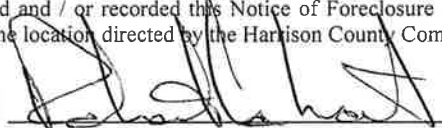
By:   
Robert LaMont, September 9, 2024

Exhibit "A"

THE FOLLOWING DESCRIBED TRACT OR PARCEL OF LAND, TO WIT: ALL THAT CERTAIN 9.20 ACRE TRACT, MORE OR LESS, LOCATED IN THE JAMES HOLBERT SURVEY, A-305, HARRISON COUNTY, TEXAS, SAID TRACT ALSO BEING OUT OF THE CENTRAL PART OF THAT CERTAIN CALLED 16 ACRES, (16.185 ACRES BY SURVEY) DESCRIBED IN WARRANTY DEED FROM ALBERT BAIR, ET UX TO G.W. MCDUFF, ET UX AS RECORDED IN VOLUME 366, PAGE 466, DEED RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 IRON ROD WITH YELLOW I.D. CAP SET IN THE SOUTH LINE OF SAID 16.185 ACRES FOR THE SOUTHEAST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF A 5.00 ACRE TRACT SURVEYED THIS SAME DAY OUT OF SAID 16.185 ACRES, SAID POINT ALSO BEING IN THE NORTH LINE OF THAT CERTAIN CALLED 3.223 ACRE TRACT DEEDED TO WERNER A. TENSUNDERN FROM THE PREMIER CORPORATION AS RECORDED IN VOLUME 832, PAGE 517, DEED RECORDS OF SAID COUNTY;

THENCE WITH NORTH LINE OF SAID 3 223 ACRES, DUE WEST 1173.40 FEET TO A 1/2 IRON ROD WITH YELLOW I.D. CAP SET FOR THE SOUTHWEST CORNER OF THIS TRACT AND THE SOUTHEAST CORNER OF A 1.985 ACRE TRACT SURVEYED THIS SAME DAY OUT OF SAID 16.185 ACRES;

THENCE DUE NORTH 208.06 FEET TO A 1/2 IRON ROD WITH YELLOW I.D. CAP SET IN THE SOUTH MARGIN OF U.S. HIGHWAY 80 FOR THE NORTHWEST CORNER OF THIS TRACT AND THE NORTHEAST CORNER OF SAID 1.985 ACRES;

THENCE NORTH 77 DEGREES 11' 00 EAST 1203.38 FEET TO A 1/2 IRON ROD WITH YELLOW I.D. CAP SET IN SAID HIGHWAY MARGIN FOR THE NORTHEAST CORNER OF THIS TRACT AND THE NORTHWEST CORNER OF THE AFOREMENTIONED 5.00 ACRES;

THENCE DUE SOUTH 475.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 9.20 ACRES OF LAND, MORE OR LESS. SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, COVENANTS, OIL, GAS OR MINERAL RIGHTS OF RECORD, IF ANY.

**Return to:** Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 350, Dallas, TX 75254