

**NOTICE OF FORECLOSURE SALE**

FILED FOR RECORD  
2010 DEC 10 AM 9:30  
PAM PEARMAN  
COUNTY CLERK, VAN ZANDT CO., TX  
BY \_\_\_\_\_ DEP.

Notice is hereby given of a public non-judicial foreclosure sale.

1. Property To Be Sold. The property to be sold is described as follows:

All property (real, personal or otherwise) described in the deed of trust (as hereinafter defined as the "Deed of Trust"), together with the rights, appurtenances and improvements thereto, including, but not limited to, the real property described on Exhibit A attached hereto and made a part hereof. In the event any property encumbered by the Deed of Trust has been released by Lender (or its predecessor in interest, as applicable), then said released property shall be excluded from the property sold at foreclosure.

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

Date: **Wednesday, January 2, 2019.**

Time: The sale shall begin no earlier than **10:00 a.m.** or no later than three hours thereafter. The sale shall be completed by no later than **1:00 p.m.**

Place: **The sale will take place at the Van Zandt County Courthouse at the place designated by the Van Zandt County Commissioner's Court.**

The Deed of Trust permits the Lender (as hereinafter defined) to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code and/or Texas Business and Commerce Code. Such reposting or refiled may be after the date originally scheduled for this sale.

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Lender to have the bid credited up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

4. Type of Sale. The sale is a non-judicial foreclosure sale being conducted pursuant to the power of sale granted by that certain Deed of Trust (the "Deed of Trust") recorded under Instrument No. 2014-001121 in the Real Property Records of Van Zandt County, Texas, and executed by Dillon Baccus and Misty Shaw (whether one or more, the "Grantor"), for the benefit of 21<sup>st</sup> Mortgage Corporation ("Lender"), covering the property described above.

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Indebtedness") including but not limited to the unpaid principal and interest owing on: that certain Consumer Loan Note, Security Agreement and Disclosure Statement (the "Note") dated on or about February 11, 2014, executed by the Grantor and payable to the order of Lender, and all renewals, modifications and extensions of the Note. Lender is the current owner and/or holder of the Note and the Indebtedness and is the beneficiary under the Deed of Trust.


Questions concerning the sale may be directed to the undersigned or to the Lender:

21st Mortgage Corporation  
620 Market Street One Center Square  
Knoxville, TN 37902  
Phone: 800-955-0021  
Fax: 866-231-4851

6. Default and Request To Act. Default has occurred under the Deed of Trust, and Lender has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale Lender may appoint another person as substitute trustee to conduct the sale.

7. Armed Forces Notice. 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: December 7, 2018.

  
Richard A. McKinney, Substitute Trustee  
Higier Allen & Lautin, P.C.  
The Tower at Cityplace  
2711 N. Haskell Ave., Suite 2400  
Dallas, Texas 75204  
Telephone: (972) 716-1888  
Fax: (972) 716-1899

**\*\*\*PLEASE FAX ALL COMMUNICATIONS REGARDING THIS MATTER TO THE  
SUBSTITUTE TRUSTEE AT 972-716-1899 (FAX), NOTE THE SUBSTITUTE  
TRUSTEE'S NAME ON YOUR COVER SHEET AND CONTACT THE SUBSTITUTE  
TRUSTEE AT 972-716-1888 (PHONE) TO CONFIRM RECEIPT. PLEASE ASSUME  
YOUR FAX HAS NOT BEEN RECEIVED UNTIL YOU VERBALLY CONFIRM  
RECEIPT THEREOF WITH OUR OFFICE. THANKS IN ADVANCE FOR YOUR  
COOPERATION.\*\*\***

**EXHIBIT A**

PROPERTY DESCRIPTION

[FOLLOWS THIS COVER PAGE]

Escrow File No.: 01-133799RO

## EXHIBIT "A"

All that certain lot, tract or parcel situated in the John Walling Survey, Abstract No 891, Van Zandt County, Texas and being part of a called 12.500 acre tract of land described in a Deed from T A Martin, et ux Farris Martin to W O Mayo, dated March 17, 1975 and recorded in Volume 832, Page 322 of the Deed Records of Van Zandt County, Texas and this 4.165 acre tract being more fully described as follows:

BEGINNING at a 5/8" iron rod found for the Southwest corner of the above referenced 12.500 acre tract and being the most Westerly Northwest corner of the residue of a called 74 acre tract described in a Deed from W L Camper to A L Mayo, dated January 14, 1911 and recorded in Volume 104, Page 624, said iron rod also being the West bar ditch of County Road 4930;

THENCE North 02 deg 00 min 00 sec East, a distance of 369.00 feet with the West line of said 12.500 acres and with said County Road, to a 1/2" iron rod set for corner;

THENCE South 89 deg 09 min 52 sec East, a distance of 491.84 feet, across said 12.500 acres, to a 1/2" iron rod set for corner;

THENCE South 01 deg 58 min 33 sec West, a distance of 368.97 feet, across said 12.500 acres, to a 1/2" iron rod set for corner in the South line of the same and being in the most Westerly North line of the residue of said 74 acre tract;

THENCE North 89 deg 10 min 00 sec West, a distance of 492.06 feet, with the South line of said 12.500 acre tract and the said Westerly North line to the POINT OF BEGINNING and containing 4.165 acres of which 0.23 acres lie within County Road No 4930

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