

FILED FOR RECORD

2022 JUN -2 PM 4: 35

CONNIE BECKON  
COUNTY CLERK  
HARDIN COUNTY, TEXAS  
BY *[Signature]*

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**HARDIN County**

**Deed of Trust Dated:** September 11, 2018

**Amount:** \$240,562.00

**Grantor(s):** HAROLD BATTLE III and LANNAH CHERIE KEMP

**Original Mortgagee:** MAGNOLIA BANK, INC, A KENTUCKY CHARTERED BANK

**Current Mortgagee:** THE MONEY SOURCE INC.

**Mortgagee Address:** THE MONEY SOURCE INC., 3138 EAST ELWOOD STREET, PHOENIX, AZ 85034

**Recording Information:** Document No. 2018-88600

**Legal Description:** SEE EXHIBIT "A"

**Date of Sale:** August 2, 2022 between the hours of 11:00 AM and 2:00 PM.

**Earliest Time Sale Will Begin:** 11:00 AM

**Place of Sale:** The foreclosure sale will be conducted at public venue in the area designated by the HARDIN County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

REID RUPLE OR KATHLEEN ADKINS, EVAN PRESS, MARGIE ALLEN, KYLE BARCLAY, TOMMY JACKSON, RON HARMON, KEATA SMITH, TIFFANY BEGGS, CARY CORENBLUM, KRISTOPHER HOLUB, JULIAN PERRINE, AMY OIAN, MATTHEW HANSEN, JAMI HUTTON, ALEXIS BANKS, ALEENA LITTON, AARTI PATEL, DANA DENNEN, CINDY DENNEN, AARON CRAWFORD, JIM DOLENZ, PAULETTE MCCRARY OR JOSHUA SANDERS have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust. The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

**NOTICE IS FURTHER GIVEN** that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. **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.**

**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.**

*[Signature]*

Anthony Adam Garcia, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, SUITE 2800  
Houston, Texas 77002  
Reference: 2022-000453

*[Signature]*

Printed Name: Margie Allen  
c/o Auction.com, LLC  
1 Mauchly  
Irvine, California 92618

STATE OF TEXAS

COUNTY OF HARDIN

Before me, the undersigned authority, on this 2<sup>ND</sup> day of June, 2022  
personally appeared Margie Allen, known to me to be the person(s) whose name  
is/are subscribed to the foregoing instrument, and acknowledged to me that ~~he~~/she executed the  
same for the purposes and consideration therein expressed, and in the capacity therein stated.

Pam Beard  
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:  
Hughes, Watters & Askanase, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2022-000453

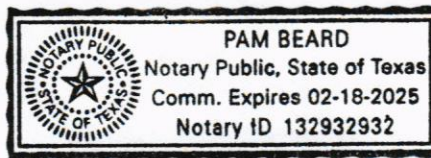




EXHIBIT A

Legal Description: 9.619 Acre Tract or Parcel of Land  
Samuel Rogers Survey, Abstract No. 430  
Hardin County, Texas

BEING a 9.619 acre tract or parcel of land situated in the Samuel Rogers Survey, Abstract No. 430, Hardin County, Texas and being out of and part of that certain called 15 acre tract of land as described in a "Warranty Deed" from Murrell K. Davis to William H. Gant as recorded in Volume 434, Page 191, Deed Records, Hardin County, Texas and being all of that certain called 9.632 acre tract of land as described in Volume 7, Page 42, Field Note Records, Hardin County, Texas, said 9.619 acre tract being more particularly described as follows:

*NOTE: All bearings are referenced to the North line of the said 9.632 acre tract as NORTH 89°45'41" EAST as recorded in the above referenced Volume 7, Page 42, Field Note Records, Hardin County, Texas.*

BEGINNING at an axle found for the Northeast corner of the tract herein described, said corner also being the Northeast corner of the said 15 acre Gant tract and an interior ell corner of the remainder of that certain called 20.12 acre tract of land as described in a "Warranty Deed" from Jasper Eugene Gore to William Alvis Gore as recorded in Volume 988, Page 627, Official Public Records, Hardin County, Texas;

THENCE SOUTH 00°03'05" EAST, along and with the boundary between the tract herein described and the remainder of the said 20.12 acre Gore tract, passing at a distance of 687.13 feet the most Northerly corner of that certain tract called triangular tract of land as described in a "Cash Warranty Deed" from Willie Joyce Gandy to Tine Turner as recorded in Book 1660, Page 235, Official Public Records, Hardin County, Texas and the most Westerly corner of that certain called 1.0 acre tract land as described in an "Assumption Deed" from Allen Hodge and wife, Mary Jane Hodge and Ronnie Chessher and wife, Paula Chessher to Tine Turner as recorded in Volume 820, Page 190, Deed Records, Hardin County, Texas, and continuing along and with the boundary between the tract herein described and the said Turner triangular tract, for a distance of 945.21 feet to a 2" iron pipe found for corner, said corner being the Southwest corner of the said Turner triangular tract and in the North right-of-way F.M. Highway 1003 and said corner being the beginning of a curve turning to the right having a radius of 1860.10 feet and being subtended by a chord bearing SOUTH 58°06'26" WEST having a chord length of 111.03 feet;

THENCE SOUTHEASTERLY, along and with the North right-of-way line of F.M. Highway 1003 and the said curve, for an arc length of 111.05 feet to a 5/8" iron rod with a cap stamped "M.W. Whiteley & Associates" set for corner;

THENCE SOUTH 59°21'20" WEST, continuing along and with the North right-of-way line of F.M. Highway 1003, for a distance of 348.05 feet to a 2" iron pipe found for corner, said corner being the Southeast corner of that certain called 5 acre tract of land as described in a "Warranty Deed" from Ernest R. Bodner and Frances Bodner to Nancy Williams as recorded in Volume 878, Page 312, Official Public Records, Hardin County, Texas, the same being the West 5 acres of the said William H. Gant 15 acres as conveyed to Yvonne Gant in Cause No. 13,560 in the District Court of Hardin County, Texas;

THENCE NORTH 00°03'03" WEST, along and with the boundary between the tract herein described and the said 5 acre Williams tract, for a distance of 1179.63 feet to a 1 1/2" iron pipe found for corner, said corner being the Northeast corner of the said 5 acre Williams tract and in the most Northerly South line of the remainder of the said 20.12 acre Gore tract;

THENCE NORTH 89°45'41" EAST, along and with the boundary between the tract herein described and the remainder of the said 20.12 acre Gore tract, for a distance of 393.92 feet to the POINT OF BEGINNING and containing 9.619 Acres, more or less.

2022-127104  
CONNIE BECTON  
COUNTY CLERK  
2022 Jun 02 at 04:30 PM  
HARDIN COUNTY, TEXAS  
By: RS, DEPUTY



2022 JUN -2 PM 4:28

## Notice of Substitute Trustee's Sale

Notice Concerning Military Duty: **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. Tex. Prop. Code § 51.002(i)**

<b>Deed of Trust Date:</b> March 25, 2002	<b>Original Mortgagor/Grantor:</b> CYNTHIA P. JACKSON AND BARRY W. JACKSON
<b>Original Beneficiary / Mortgagee:</b> MID-STATE TRUST II, OPERATING BY AND THROUGH WILMINGTON TRUST COMPANY, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE OF MIDSTATE TRUST II AND JIM WALTER HOMES, INC., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary / Mortgagee:</b> 1900 CAPITAL TRUST II, BY US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS CERTIFICATE TRUSTEE
<b>Recorded in:</b> <b>Volume:</b> 1318 <b>Page:</b> 465 <b>Instrument No:</b> 02-03510	<b>Property County:</b> HARDIN
<b>Mortgage Servicer:</b> NEWREZ LLC F/K/A NEW PENN FINANCIAL LLC D/B/A SHELLPOINT MORTGAGE SERVICING	<b>Mortgage Servicer's Address:</b> 55 Beattie Place, Suite 110, MS#001, Greenville, SC 29601

\* The mortgage servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

**Secures:** Note in the original principal amount of 0.00, executed by CYNTHIA P. JACKSON AND BARRY W JACKSON AND RALPH W. ROYAL, JR. and payable to the order of Lender.

**Property Address/Mailing Address:** 380 S 20TH, SILSBEE, TX 77656

**Legal Description of Property to be Sold:** PROPERTY: ALL THAT CERTAIN TRACT OR PARCEL OF LAND BEING A 75 BY 100 FOOT TRACT OUT OF THE 3.9 ACRE TRACT DESCRIBED IN VOL. 686, PG. 128 AND SITUATED IN BLOCK 2, HOUSTON OIL COMPANY ADDITION NO. 2 TO THE SANTA FE TOWNSITE CO. N. 1, CITY OF SILSBEE, HARDIN COUNTY, TEXAS. THIS TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF SAID 3.9 ACRE TRACT AND THE WEST LINE OF 20TH STREET AND WHICH SAID POINT BEARS NORTH 27 DEG. 07' EAST AT 140 FEET FROM SOUTHEAST CORNER OF SAID 3.9 ACRE TRACT; THENCE CONTINUING ALONG THE WEST LINE OF SAID STREET NORTH 27 DEG. EAST AT 75 FEET TO A POINT FOR CORNER; THENCE NORTH 62 DEG. 53' WEST AT 100 FEET TO A POINT FOR CORNER; THENCE SOUTH 27 DEG. 07' WEST AND PARALLEL TO SAID STREET AT 75 FEET TO A POINT FOR CORNER; THENCE SOUTH 63 DEG. 53' EAST AT 100 FEET TO THE PLACE OF BEGINNING.

<b>Date of Sale:</b> July 5, 2022	<b>Earliest time Sale will begin:</b> 11:00AM
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**Place of sale of Property:** Hardin County Courthouse, 300 Monroe, Kountze, TX 77625 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.





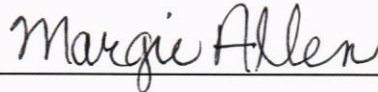
**Appointment of Substitute Trustee:** Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *1900 CAPITAL TRUST II, BY US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS CERTIFICATE TRUSTEE*, the owner and holder of the Note, has requested stead Reid Ruple, Kathleen Adkins, Evan Press, Cary Corenblum, Kristopher Holub, Joshua Sanders, Julian Perrine, Amy Oian, Matthew Hansen, Jami Hutton, Alexis Banks, Aleena Litton, Aarti Patel, Auction.com, Dana Dennen, Cindy Dennen, Aaron Crawford whose address is 1 Mauchly Irvine, CA 92618 OR Margie Allen, Kyle Barclay, Tommy Jackson, Keata Smith or Stephanie Hernandez whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254. , to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

**Terms of Sale:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that *1900 CAPITAL TRUST II, BY US BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS CERTIFICATE TRUSTEE* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, stead Reid Ruple, Kathleen Adkins, Evan Press, Cary Corenblum, Kristopher Holub, Joshua Sanders, Julian Perrine, Amy Oian, Matthew Hansen, Jami Hutton, Alexis Banks, Aleena Litton, Aarti Patel, Auction.com, Dana Dennen, Cindy Dennen, Aaron Crawford whose address is 1 Mauchly Irvine, CA 92618 OR Margie Allen, Kyle Barclay, Tommy Jackson, Keata Smith or Stephanie Hernandez whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254. , Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by stead Reid Ruple, Kathleen Adkins, Evan Press, Cary Corenblum, Kristopher Holub, Joshua Sanders, Julian Perrine, Amy Oian, Matthew Hansen, Jami Hutton, Alexis Banks, Aleena Litton, Aarti Patel, Auction.com, Dana Dennen, Cindy Dennen, Aaron Crawford whose address is 1 Mauchly Irvine, CA 92618 OR Margie Allen, Kyle Barclay, Tommy Jackson, Keata Smith or Stephanie Hernandez whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254. , Trustee.

**Limitation of Damages:** If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the funds paid. The purchaser shall have no further recourse against Mortgagor, the Mortgagee, or the Mortgagee's attorney.



SUBSTITUTE TRUSTEE

Reid Ruple, Kathleen Adkins, Evan Press, Cary Corenblum,  
Kristopher Holub, Joshua Sanders, Julian Perrine, Amy Oian,  
Matthew Hansen, Jami Hutton, Alexis Banks, Aleena Litton, Aarti  
Patel, Auction.com, Dana Dennen, Cindy Dennen, Aaron Crawford  
OR Margie Allen, Kyle Barclay, Tommy Jackson, Keata Smith or  
Stephanie Hernandez

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,  
10700 Abbott's Bridge Road, Suite 170, Duluth, Georgia  
30097; PH: (470)321-7112