

NOTICE OF SUBSTITUTE TRUSTEE SALE

Deed of Trust Date:
10/26/2020

Grantor(s)/Mortgagor(s):
JONATHON RUSHING, A MARRIED MAN (JOINED
HEREIN PRO FORMA BY MELANIE RUSHING FOR
THE PURPOSE OF CONVEYING ANY INTEREST SHE
MAY HOLD IN THE PROPERTY).

Original Beneficiary/Mortgagee:
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS
INC. ("MERS") AS A NOMINEE FOR COMMERCIAL
BANK OF TEXAS, N.A., ITS SUCCESSORS AND ASSIGNS

Current Beneficiary/Mortgagee:
U.S. BANK NATIONAL ASSOCIATION

Recorded in:
Volume: 414
Page: 406
Instrument No: 00068763

Property County:
SAN AUGUSTINE

Mortgage Servicer:
U.S. Bank National Association is representing the Current
Beneficiary/Mortgagee under a servicing agreement with the
Current Beneficiary/Mortgagee.

Mortgage Servicer's Address:
4801 Frederica Street,
Owensboro, KY 42301

Legal Description: SEE ATTACHED EXHIBIT A

Date of Sale: 10/4/2022

Earliest Time Sale Will Begin: 1:00:00 PM

Place of Sale of Property: San Augustine County Courthouse, 100 W. Columbia, San Augustine, TX 75972 OR IN THE AREA
DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY
CODE.

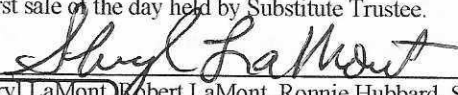
The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The
sale will begin at the earliest time stated above or within three (3) hours after that time.

The Property will be sold "AS IS," without any express or implied warranties, except as to warranties of title, and at the
purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009. Prospective bidders are advised to conduct
an independent investigation of the nature and physical condition of the Property.

Substitute Trustee reserves the right to set further reasonable conditions for conducting the public auction. Any such further
conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

Notice Pursuant to Tex. Prop. Code § 51.002(i):

**Assert and protect your rights as member of
the armed forces of the United States. If you
or your spouse are serving on active military duty,
including active military duty as a member of the
Texas National 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.**


Sheryl LaMont Robert LaMont, Ronnie Hubbard, Sharon St.
Pierre, Allan Johnston, Kathleen Adkins, Evan Press,
Auction.com, Allan Johnston or Ronnie Hubbard Posted August 04, 2022
or Thuy Frazier
or Cindy Mendoza
or Catherine Allen-Rea
or Cole Patton, Substitute Trustee
McCARTHY & HOLTHUS, LLP
1255 WEST 15TH STREET, SUITE 1060
PLANO, TX 75075

MH File Number: TX-22-92168-POS
Loan Type: VA

Tejas Trustee Services

**THENCE, along a common boundary line of the said 1.095 acre tract and the said 29.073 acre tract and
along the said North ROW line of FM 83, S 86° 01' 11" W at 99.45 feet the POINT AND PLACE OF
BEGINNING and containing 1.094 acres of land, more or less.**

FILED FOR RECORD
August 4 2022
AT *1:00* O'CLOCK *P* M
MARGO NOBLE, COUNTY CLERK
SAN AUGUSTINE COUNTY
SAN AUGUSTINE, TEXAS
BY *Heather Hopkins*
DEPUTY

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: 04/25/2014
Grantor(s): TOMMY G ALLEN, A MARRIED MAN
JOINED HEREIN BY MARY ALLEN
Original Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS
NOMINEE FOR MORTGAGES AND MORE, INC., ITS SUCCESSORS AND
ASSIGNS
Original Principal: \$113,525.00
Recording Information: Book 295 Page 9 Instrument 00052573
Property County: San Augustine
Property: (See Attached Exhibit "A")
Reported Address: 440 COUNTY ROAD 103, CENTER, TX 75935

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: Specialized Loan Servicing LLC
Mortgage Servicer: Specialized Loan Servicing LLC
Current Beneficiary: Specialized Loan Servicing LLC
Mortgage Servicer Address: 6200 S. Quebec St., Suite 300, Greenwood Village, CO 80111

SALE INFORMATION:

Date of Sale: Tuesday, the 6th day of September, 2022
Time of Sale: 01:00 PM or within three hours thereafter.
Place of Sale: AT THE STRIPLING PAVILION LOCATED ON THE NORTHEAST CORNER OF THE COURTHOUSE SQUARE in San Augustine County, Texas. Or, if the preceding area(s) is/are no longer the area(s) designated by the San Augustine County Commissioner's Court, at the area most recently designated by the San Augustine 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 Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Sharon St. Pierre, Allan Johnston, Kathleen Adkins, Evan Press, Auction.com, 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. Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Sharon St. Pierre, Allan Johnston, Kathleen Adkins, Evan Press, Auction.com, 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.

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): Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Sharon St. Pierre, Allan Johnston, Kathleen Adkins, Evan Press, Auction.com, Braden Barnes, Rachel Donnelly, or Jamie E. Silver, any to act.

Substitute Trustee Address: 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

Document Prepared by:
Bonial & Associates, P.C.
14841 Dallas Parkway, Suite 425, Dallas, TX 75254
AS ATTORNEY FOR THE HEREIN
IDENTIFIED MORTGAGEE AND/OR
MORTGAGE SERVICER

Certificate of Posting

I am Sheryl La Mont whose address is 14841 Dallas Parkway, Suite 425, Dallas, TX 75254. I declare under penalty of perjury that on August 04, 2022 I filed and / or recorded this Notice of Foreclosure Sale at the office of the San Augustine County Clerk and caused it to be posted at the location directed by the San Augustine County Commissioners Court.

By: 
Sheryl La Mont, August 04, 2022

Exhibit "A"

BEING A SURVEY OF 18.13 ACRES OF LAND AND BEING ALL OF A CALLED 18.11 ACRE TRACT CONVEYED BY JENTA FRICK, JILL SHEPPARD, JOYCE LEE, AND ETHEL GWIN TO CARL ROSE, DATED 12-07-2013, RECORDED IN VOL. NO. 288, PAGES NO. 385 ET SEQ., IN THE REAL PROPERTY RECORDS OF SAN AUGUSTINE COUNTY, TEXAS AND BEING A PART OF THE EDMUND QUIRK GRANT, A-35, AND THE GEORGE THOMAS SURVERY, A-296, AND BEING LOCATED APPROXIMATELY 5-1/2 MILES NORTH OF THE COURTHOUSE IN SAN AUGUSTINE, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS TO FOLLOW, TO-WIT:

BEGINNING: AT THE NORTH-EAST CORNER THE SAID 18.11 ACRE TRACT, BEING THE NORTH-WEST CORNER OF A 27.5 ACRE TRACT CONVEYED BY VONZELL GARNER (TRUSTEE OF THE GARNER FAMILY REVOCABLE LIVING TRUST) TO CONCHITA GARNER FOREST AND ALEX GARNER, DATED 06-26-2013, RECORDED IN VOL. NO. 276, PAGE NO. 438 ET SEQ., A 1" O.D. IRON PIPE (LEANING) FOUND SET FOR CORNER IN THE SOUTH BOUNDARY LINE OF A 3.929 ACRE KNOWN AS TRACT NO. 1, CONVEYED TO JOHNNIE WADE IN A PARTITION DEED, DATED 01-05-2013, RECORDED IN VOL. NO. 265, PAGES NO. 63 ET SEQ.

THENCE: SOUTH 00 DEGREES 05 MINUTES 20 SECONDS EAST, ALONG THE WEST BOUNDARY LINE OF SAID ALEX GARNER'S 27.5 ACRE TRACT, BEING THE EAST BOUNDARY LINE OF SAID 18.11 ACRE TRACT TO ITS SOUTH-EAST CORNER, BEING THE NORTH-EAST CORNER OF A 9.5 ACRE TRACT CONVEYED BY J.E. BUCKLEW TO IRA JONES, DATED 12-06-1968, RECORDED IN VOL. NO. 156, PAGE NO. 532 ET SEQ., A DISTANCE OF 1690.96 FEET A 3/8" REINF. ROD FOUND SET FOR CORNER.

THENCE: SOUTH 89 DEGREES 55 MINUTES 00 SECONDS WEST, ALONG THE NORTH BOUNDARY LINE OF SAID IRA JONES' 9.5 ACRE TRACT, BEING THE SOUTH BOUNDARY LINE OF SAID 18.11 ACRE TRACT TO ITS SOUTH-WEST CORNER, A DISTANCE OF 466.59 FEET A 5/8" IRON ROD FOUND SET FOR CORNER IN THE EAST BOUNDARY LINE OF A 27.5 ACRE TRACT KNOWN AS TRACT NO. 2 CONVEYED IN A PARTITION DEED, TO ANNA L. BOLTON ET AL, DATED 08-27-1949, RECORDED IN VOL. NO. 106, PAGE NO. 130 ET SEQ.

THENCE: NORTH 00 DEGREES 16 MINUTES 09 SECONDS WEST, ALONG A WEST BOUNDARY LINE OF SAID 18.11 ACRE TRACT, BEING THE EAST BOUNDARY LINE OF SAID ANNA BOLTON'S 27.5 ACRE TRACT TO ITS NORTH-EAST CORNER, BEING THE SOUTH-EAST CORNER OF A 2.817 ACRE TRACT KNOWN AS TRACT NO. 6 CONVEYED IN A PARTITION DEED TO THE HEIRS OF REVESTER GARRETT, DATED 09-12-1985, RECORDED IN VOL. NO. 254, PAGE NO. 172 ET SEQ., A DISTANCE OF 450.02 FEET A 3/8" BOLT IN A 4" ROUND CONCRETE MONUMENT FOUND SET FOR CORNER.

THENCE: NORTH 00 DEGREES 02 MINUTES 23 SECONDS WEST, CONTINUING ALONG A WEST BOUNDARY LINE OF SAID 18.11 ACRE TRACT, BEING THE EAST BOUNDARY LINE OF SAID HEIRS OF REVESTER GARRETT'S 2.817 ACRE TRACT TO ITS NORTH-EAST CORNER, BEING THE SOUTH-EAST CORNER OF A 3.572 ACRE TRACT KNOWN AS TRACT NO. 5 CONVEYED IN A PARTITION DEED TO THE HEIRS OF BOOKER T. WADE, DATED 09-12-1985, RECORDED IN VOL. NO. 254, PAGE NO. 172 ET SEQ., A DISTANCE OF 215.21 FEET A 1/2" REINF. ROD FOUND SET FOR CORNER.

THENCE: NORTH 00 DEGREES 11 MINUTES 42 SECONDS WEST, CONTINUING ALONG A WEST BOUNDARY LINE OF SAID 18.11 ACRE TRACT, BEING THE EAST BOUNDARY LINE OF SAID HEIRS OF BOOKER T. WADE'S 3.572 ACRE TRACT TO ITS NORTH-EAST CORNER, BEING THE SOUTH-EAST CORNER OF A 4.410 ACRE TRACT KNOWN AS TRACT NO. 4 CONVEYED IN A PARTITION DEED TO ZION WADE, DATED 09/12/1985, RECORDED

IN VOL. NO. 254, PAGES NO. 172 ET SEQ., A DISTANCE 231.73 FEET A 1/2" REINF. ROD FOUND SET FOR CORNER.

THENCE: NORTH 00 DEGREES 06 MINUTES 56 SECONDS WEST, CONTINUING ALONG A WEST BOUNDARY LINE OF SAID 18.11 ACRE TRACT, BEING THE EAST BOUNDARY LINE OF SAID ZION WADE'S 4.410 ACRE TRACT TO ITS NORTH-EAST CORNER, BEING THE SOUTH-EAST CORNER OF A 4.56 ACRE TRACT KNOWN AS TRACT NO. 3 CONVEYED IN A PARTITION DEED TO THE HEIRS OF TENNESSEE WADE, DATED 09/12/1985, RECORDED IN VOL. NO. 254, PAGES NO. 172 ET SEQ., A DISTANCE OF 233.48 FEET ANOTHER 1/2" REINF. ROD FOUND SET FOR CORNER.

THENCE: NORTH 00 DEGREES 06 MINUTES 47 SECONDS WEST, CONTINUING ALONG A WEST BOUNDARY LINE OF SAID 18.11 ACRE TRACT, BEING THE EAST BOUNDARY LINE OF SAID HEIRS OF TENNESSEE WADE'S 4.56 ACRE TRACT TO ITS NORTH-EAST CORNER, BEING THE SOUTH-EAST CORNER OF ANOTHER 4.56 ACRE TRACT KNOWN AS TRACT NO. 2 CONVEYED IN A PARTITION DEED TO THE HEIRS OF ANNIE GAY MOORE, DATED 09-12-1985, RECORDED IN VOL. NO. 254, PAGES NO. 172 ET SEQ., A DISTANCE OF 199.50 FEET ANOTHER 1/2" REINF. ROD FOUND SET FOR CORNER.

THENCE: NORTH 00 DEGREES 11 MINUTES 24 SECONDS WEST, CONTINUING ALONG A WEST BOUNDARY LINE OF SAID 18.11 ACRE TRACT, BEING THE EAST BOUNDARY LINE OF SAID HEIRS OF ANNIE GAY MOORE'S 4.56 ACRE TRACT TO ITS NORTH-EAST CORNER, BEING THE SOUTH-EAST CORNER OF ANOTHER 4.56 ACRE TRACT KNOWN AS TRACT NO. 1 CONVEYED IN A PARTITION DEED TO THE HEIRS OF ADA MAE BELL, DATED 09-12-1985, RECORDED IN VOL. NO. 254, PAGES NO. 172 ET SEQ., A DISTANCE OF 177.39 FEET ANOTHER 1/2" REINF. ROD (LEANING) FOUND SET FOR CORNER.

THENCE: NORTH 00 DEGREES 00 MINUTES 36 SECONDS EAST, ALONG THE EAST BOUNDARY LINE OF SAID HEIRS OF ADA MAE BELL'S 4.56 ACRE TRACT, BEING A WEST BOUNDARY LINE OF SAID 18.11 ACRE TRACT TO ITS NORTH-WEST CORNER, A DISTANCE OF 176.23 FEET A 3/8" REINF. ROD FOUND SET FOR CORNER IN THE SOUTH BOUNDARY LINE OF SAID JOHNNIE WADE 3.929 ACRE TRACT.

THENCE: NORTH 89 DEGREES 00 MINUTES 40 SECONDS EAST, ALONG THE NORTH BOUNDARY LINE OF SAID 18.11 ACRE TRACT, BEING THE SOUTH BOUNDARY LINE OF SAID JOHNNIE WADE'S 3.929 ACRE TRACT, 468.51 FEET TO THE PLACE OF BEGINNING CONTAINING 18.13 ACRES OF LAND OF WHICH 4.77 ACRES IS IN THE GEORGE THOMAS SURVEY, A-296, AND 13.36 ACRES IS IN THE EDMUND QUIRK GRANT, A-35.

NOTE: ALL BEARINGS ARE BEING REFERRED TO A SOUTH BOUNDARY LINE OF THE CALLED 18.11 ACRE TRACT, RECORDED IN VOLUME NUMBER 288, PAGE NUMBER 385 ET SEQ. OF THE REAL PROPERTY RECORDS OF SAN AUGUSTINE COUNTY, TEXAS.

Return to: Bonial & Associates, P.C., 14841 Dallas Parkway, Suite 425, Dallas, TX 75254

FILED FOR RECORD
August 4 2022
AT 1:00 O'CLOCK P M
MARGO NOBLE, COUNTY CLERK
SAN AUGUSTINE COUNTY
SAN AUGUSTINE, TEXAS
BY Deborah Hobkirk
DEPUTY