

**NOTICE OF SUBSTITUTE TRUSTEE SALE**

**Deed of Trust Date:**  
10/23/2020

**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:** 3/7/2023

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

**Place of Sale of Property:** 100 W. Columbia, San Augustine, 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.**

  
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Sheryl LaMont, Robert LaMont, Ronnie Hubbard, Sharon St.  
Pierre, Allan Johnston, Kathleen Adkins, Evan Press,  
Auction.com Posted February 9, 2023  
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

FILED FOR RECORD  
February 9th 23  
AT 2:45 O'CLOCK PM and  
MARGO NOBLE, COUNTY CLERK Posted  
SAN AUGUSTINE COUNTY  
SAN AUGUSTINE, TEXAS  
BY Haley Johnson  
DEPUTY

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

# EXHIBIT A

BEING all that certain tract or parcel of land lying and situated in San Augustine County, Texas, out of the SOLOMON MILLER SURVEY, ABSTRACT NO: 30 and being all of that certain 1.095 acre tract described in a deed conveyed from Billie H. Miller, Trustee of the Paul E. Miller and Billie H. Miller Revocable Living Trust to James M. Taylor, et ux dated August 28, 2003 and recorded in Volume 43 on Page 780 of the Real Property Records of San Augustine County, Texas, to which reference is hereby made for any and all purposes and the said tract or parcel being described by metes and bounds as follows, to-wit:

BEGINNING at a 3/8" rod found, on the North Right-of-Way line of F. M. Highway No. 83 (100 feet wide ROW), for the Southwest corner of the aforesaid referred to 1.095 acre tract and an interior ell corner of that certain 29.073 acre tract described in a deed conveyed from V. Hiram Lacey, et ux to John H. Lacey, et ux dated March 20, 1986 and recorded in Volume 252 on Page 114 of the Deed Records of the said County, from which a fence corner post bears S 01° 54' W at 5.3 feet;

THENCE, along the common boundary lines of the said 1.095 acre tract and the said 29.073 acre tract, the following two courses:

- 1) N 01° 35' 29" W at 481.06 feet a 1/2" rod found for the Northwest corner of the said 1.095 acre tract and another interior ell corner of the said 29.073 acre tract, from which a fence corner post bears S 07° 45' E at 0.9 feet;
- 2) N 88° 28' 46" E at 99.71 feet a 1/2" rod found for the Northeast corner of the said 1.095 acre tract, the most Northerly Southeast corner of the said 29.073 acre tract, from which a fence corner post bears N 26° 52' W at 1.3 feet;

THENCE, along the East boundary line of the said 1.095 acre tract, (Lands to East being that certain 5.00 acre tract described in a deed conveyed from Louis G. Beard, et ux to Roger Joe Sullivan dated September 30, 1977 and recorded in Volume 193 on Page 481 of the said Deed Records), S 01° 33' 00" E at 476.79 feet a 1/2" iron pipe set, on the North ROW line of FM 83, for the Southeast corner of the said 1.095 acre tract and most Southerly Northeast corner of the said 29.073 acre tract, from which a fence corner post bears S 03° 37' W at 4.8 feet, a 60d nail found for reference bears S 03° 26' 25" E at 5.39 feet and a concrete ROW monument found for reference bears S 76° 36' 16" E at 334.86 feet;

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.