

NOTICE OF FORECLOSURE SALE

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.

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

Date: **Tuesday, November 7, 2023.**

Time: The sale shall begin no earlier than **1:00 p.m.** or no later than three hours thereafter. The sale shall be completed by no later than **4:00 p.m.**

Place: **The sale will take place at the San Augustine County Courthouse at the place designated by the San Augustine 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

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File No. 1909.544

FILED FOR RECORD
October 16, 2023
11:25 O'CLOCK A.M.
MARGO NOBLE, COUNTY CLERK
SAN AUGUSTINE COUNTY
SAN AUGUSTINE, TEXAS
FFR0174

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. 54270, Book 306, Page 196 in the Real Property Records of San Augustine County, Texas, and executed by Brenton C. Lee and Lora L. Lee (whether one or more, the "Grantor"), for the benefit of 21st 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 November 21, 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.

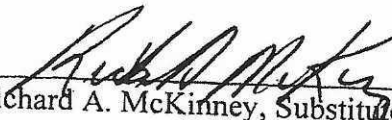
Questions concerning the sale may be directed to the undersigned or to the Lender:

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: October 11, 2023.


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

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Posted by Sheryl LaMont, October 16, 2023.

*****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]

EXHIBIT "A"

All that certain tract or parcel of land situated about 10 miles Southwest of the City of San Augustine, San Augustine County, Texas, on the H. H. HALL SURVEY, ABSTRACT NO. 404 and the same land described as being a 38.5 acre tract, called Tract No. Three in a conveyance from Barbara J. Love to Morgan S. Zimmer et ux, dated March 14, 1996 and recorded in Volume 296, Page 329 of the Deed Records of San Augustine County, Texas and being more particularly described as follows:

BEGINNING at a point for corner in the center of County Road 255 from which a 1-1/2" iron pipe found for witness bears S 84° 54' 50" W, 24.00 feet, a 3/4" iron rod set for witness bears N 84° 54' 50" E, 20.00 feet, x 28" S.G. found marked "X", bears S 60° E, 78.4 feet and a 30" R.O., found marked "X", bears S 38° E, 37.6 feet, said beginning corner being the SWC of said 38.5 acre tract and the NWC of a 15.130 acre tract described as Tract 4 in a conveyance from Nancy Page et al to Sam Quilon et ux, dated October 2, 1967 and recorded in Volume 152, Page 035 of the Deed Records of San Augustine County, Texas;

THENCE with the center of County Road 255 and the WBL of said 38.5 acre tract as follows:

N 20° 08' 08" E, 170.48 feet to a point for corner;
N 17° 55' 48" E, 105.48 feet to a point for corner;
N 15° 51' 24" E, 126.71 feet to a point for corner;
N 09° 43' 23" E, 50.95 feet to a point for corner;
N 02° 16' 04" E, 77.84 feet to a point for corner;

N 00° 33' 05" E, 152.06 feet to a point for corner;
N 01° 52' 50" W, 94.22 feet to a point for corner;
N 05° 52' 47" W, 86.72 feet to a point for corner;
N 09° 09' 12" W, 152.57 feet to a point for corner;
N 06° 11' 17" W, 174.73 feet to a point for corner;

N 05° 49' 15" E, 72.69 feet to a point for corner from which a 3/8" iron rod found for witness at a fence corner post bears N 84° 59' 08" E, 20.00 feet, said corner being the NWC of said 38.5 acre tract and the SWC of a 20.00 acre tract described as Second Tract in a conveyance from Kenneth Polindexter et ux to E. H. Boring, Sr., dated August 8, 1979 and recorded in Volume 207, Page 209 of the Deed Records of San Augustine County, Texas;

THENCE N 84° 59' 08" E, 1219.83 feet with the NBL of said 38.5 acre tract and the SBL of said 20.00 acre tract to a 3/8" iron rod found for corner at the NEC of said 38.5 acre tract and the SEC of said 20.00 acre tract, said corner being in a WBL of a Kirby Lumber Company tract (Re: 76/584 DRSACT);

THENCE S 05° 34' 31" E, 1224.04 feet (called S 05° E) with the EBL of said 38.5 acre tract and a WBL of said Kirby tract to a 3" concrete monument found for corner (on the South bank of a small branch) and stamped "H. H. Hall Kirby 7-582", from said corner a 12" Beech, found marked "X", bears S 62° W, 13.0 feet and a 19" Pine snag bears S 16° E, 4.1 feet, said corner being the SEC of said 38.5 acre tract and a reentrant corner of said Kirby tract;

THENCE S 84° 50' 37" W, 765.60 feet (called S 84° W, 1430.56') with the SBL of said 38.5 acre tract and a NBL of said Kirby tract to a 3" concrete monument found for corner and stamped "H. H. Hall Kirby 7-581", from said corner a 17" Pine, found marked "X", bears S 32° E, 25.6 feet and a 31" Wb. O. bears S 84° W, 12.9 feet, said corner being a NWC of said Kirby tract and the NEC of said 15.130 acre tract;

THENCE S 84° 54' 50" W, 665.66 feet continuing with the SBL of said 38.5 acre tract and the NBL of said 15.130 acre tract to the place of BEGINNING, containing 35.66 acres, the bearings of the above tract being based upon the SBL of a 44 acre tract described as Tract Two and the SBL of a 4 acre tract described as Tract One in said 296/329 DRSACT (West).

"Note: The Company does not represent that the acreage or square footage calculations are correct"