

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

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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. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated February 11, 2019 and recorded under Vol. 978, Page 653, or Clerk's File No. 277, in the real property records of MARION County Texas, with Sheldon Glynn Miller, unmarried man as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Union Home Mortgage Corp., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Sheldon Glynn Miller, unmarried man securing payment of the indebtedness in the original principal amount of \$155,443.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Sheldon Glynn Miller. Union Home Mortgage Corp. is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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. Cenlar FSB is acting as the Mortgage Servicer for the Mortgagee. Cenlar FSB, is representing the Mortgagee, whose address is: Attn: BK Department, 425 Phillips Blvd, Ewing, NJ 08618.

Legal Description:

ALL THAT CERTAIN TRACT OR PARCEL CONTAINING 3.806 ACRES OF LAND IN THE ALEXANDER ALBRIGHT SURVEY, A-4, MARION COUNTY, TEXAS, BEING ALL OF A TRACT WHICH WAS CALLED 2.3 ACRES, TRACT I AND A PORTION OF A TRACT WHICH WAS CALLED 2 ACRES, TRACT II, CONVEYED FROM DEAN A. SEARLE, TRUSTEE, TO MAGGIE SUE HUMPHREY DAVIS, ET AL , BY AN INSTRUMENT OF RECORD IN VOLUME 853, PAGE 121, MARION COUNTY DEED RECORDS (MCDR), SAID 3.806 ACRES AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

SALE INFORMATION

Date of Sale: 02/07/2023

Earliest Time Sale Will Begin: 10:00 AM

Location of Sale: The place of the sale shall be: MARION County Courthouse, Texas at the following location: The Thomas Jefferson Park, located at 114 W. Austin St., Jefferson, TX 75657 or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Pursuant to the Deed of Trust, the



mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. **Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "AS IS," "WHERE IS" condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the Deed of Trust.**

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.

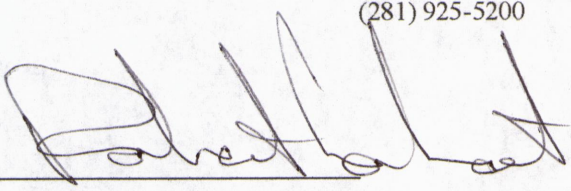
THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, **I HEREBY APPOINT AND DESIGNATE Robert LaMont, David Sims, Harriett Fletcher, Sheryl LaMont, Aurora Campos, Ramiro Cuevas, Patrick Zwiers, Sharon St. Pierre, Ronnie Hubbard, Shawn Schiller, Irene Lindsay, Jonathan Harrison, Carol Hampton, Dana Kamin, Darla Boettcher, Jeffrey Hampton, Lisa Bruno, Lisa Delong, Terri Worley, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, as Substitute Trustee.**

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:
Codilis & Moody, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

Executed on January 3, 2023.

/s/ Danya F. Gladney, SBN 24059786, Attorney at Law
Codilis & Moody, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

Posted and filed by: 

Printed Name: Robert La Mont, January 05, 2023

C&M No. 44-22-3302

Exhibit "A"

All that certain tract or parcel containing 3.806 acres of land in the Alexander Albright Survey, A-4, Marion County, Texas, being all of a tract which was called 2.3 acres, Tract I and a portion of a tract which was called 2 acres, Tract II, conveyed from Dean A. Searle, Trustee, to Maggie Sue Humphrey Davis, et al, by an instrument of record in Volume 853, Page 121, Marion County Deed Records (MCDR), said 3.806 acres being more particularly described by metes and bounds as follows, basing bearings on the Texas Coordinate System of 1983, North Central Zone, to wit:

BEGINNING at a 1/2" iron rod found for northwest corner, being the northwest corner of said 2.3 acre tract and a northeast corner of a tract which was called 32.7 acres, conveyed from David Allen Owen, et ux, to Charles Treadwell, by an instrument of record in Volume 773, Page 855, MCDR, lying in the south right of way (R-O-W) line of Farm to Market Highway 726 (FM 726);

THENCE S74°16'37"E, 104.20 feet along the south line of FM 726 to a 1/2" iron rod found for beginning of a curve;

THENCE 365.68 feet along the arc of a curve to the left being the common line of said 2.3 acre tract, northwest corner of said 2 acre tract and south line of FM 726, (Delta= 10°41'26", Radius= 1,959.86 feet, Chord= S79°34'51"E, 365.15 feet), to a 5/8" iron rod set for a northeast corner and end of curve, being a northwest corner of a 0.633 acre tract surveyed this day;

THENCE departing FM 726, S11°30'23"W, 121.10 feet crossing said 2 acre tract and along the west line of said 0.633 acre tract to a 5/8" iron rod set for interior corner, being the southwest corner of said 0.633 acre tract;

THENCE S78°29'37"E, 237.70 feet continuing across said 2 acre tract and along the south line of said 0.633 acre tract to a 5/8" iron rod set for a northeast corner and beginning of a curve, being the southeast corner of said 0.633 acre tract, lying in the curved west line of Farm to Market Highway 1968 (FM 1968);

THENCE 88.69 feet along the arc of a curve to the right in the west line of FM 1968, (Delta= 03°28'28", Radius= 1,462.61 feet, Chord: S11°15'18"W, 88.68 feet), to a 1/2" iron rod found for southeast corner and end of curve, being the southeast corner of said 2 acre tract and northeast corner of a tract which was called 0.55 acre, Tract six, conveyed from Leon Kirk, Sr., et al, to Nannie K. Crosby, by an instrument of record in Volume 511, Page 420, MCDR;

THENCE departing FM 1968, S87°15'19"W, 354.98 feet along the common line of said 2 acre tract and said 0.55 acre tract to a 1" flat bar found for angle point, being the southwest corner of said 2 acre tract and southeast corner of said 2.3 acre tract;

THENCE S87°29'05"W, 129.52 feet along the common line of said 2.3 acre tract and said 0.55 acre tract to a 3/8" iron rod found for angle point, being the northwest corner of said 0.55 acre tract and northeast corner of the aforementioned 32.7 acre tract;

THENCE S87°34'21"W, 174.24 feet along the common line of said 2.3 acre tract and said 32.7 acre tract to a 1/2" iron rod found for southwest corner, being the southwest corner of said 2.3 acre tract and interior corner of said 32.7 acre tract;

THENCE N01°05'14"E, 377.46 feet continuing along said common line to the PLACE OF BEGINNING, containing 3.806 acres of land, more or less.