

**Notice of Foreclosure Sale**

January 23, 2024

FILED FOR RECORD

24 FEB 13 AM 11:30

KIMBERLY WISE  
CO. CLERK, MARION CO.

BY: *[Signature]* DEPUTY

Deed of Trust ("Deed of Trust"):

Dated: March 24, 2017

Grantor: Whitney LaShaun Briley AKA Whitney Briley

Trustee: K. Clifford Littlefield

Lender: Vanderbilt Mortgage and Finance, Inc.

Recorded in: Instrument No. 817 (Volume 943, Page 618) of the real property records of Marion County, Texas

Legal Description: See Exhibit A

Together with all improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property.

Secures: Promissory Note ("Note") in the original principal amount of \$73,561.89, executed by Whitney LaShaun Briley AKA Whitney Briley ("Borrower") and payable to the order of Lender

Substitute Trustees: Craig C Lesok, Robert LaMont, HarriettFletcher, Sheryl LaMont, Sharon St Pierre

Substitute Trustees' Address: 226 Bailey Ave, Ste 101, Fort Worth, TX, 76107

Foreclosure Sale:

Date: Tuesday, March 5, 2024

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three hours thereafter.

Place: 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:

The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Vanderbilt Mortgage and Finance, Inc.'s bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Vanderbilt Mortgage and Finance, Inc., the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Vanderbilt Mortgage and Finance, Inc.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Vanderbilt Mortgage and Finance, Inc.'s rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Vanderbilt Mortgage and Finance, Inc. passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Vanderbilt Mortgage and Finance, Inc. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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, Substitute 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 Substitute Trustees.

**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.

**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.**

/s/ Craig C. Lesok

Craig C. Lesok  
Attorney for Mortgagee  
SBOT No. 24027446



Craig C Lesok, Robert LaMont, Harriett Fletcher,  
Sheryl LaMont, Sharon St Pierre Posted February 13, 2024  
226 Bailey Ave, Ste 101  
Fort Worth, TX 76107  
Telephone (817) 882-9991  
Telecopier (817) 882-9993  
E-mail: [craig@lesoklaw.com](mailto:craig@lesoklaw.com)

## EXHIBIT "A"

All that certain tract, lot, or parcel of land, a part of the John Johnson Survey A - 220, Marion County, Texas, and also being all of that certain called 4.91 acre tract of land - no metes & bounds description - (Save & Except 0.990 Acres for the Home Site of Grantors) out of the original 26.9 acres, and reserve a life estate for the grantors, described in a deed dated April 15, 2016 from Robert Anderson, et ux., Earnestine to Whitney Briley that is recorded in Volume 921, Page 395 in the Official Public Records of Marion County, Texas, and being more completely described as follows to wit:

BEGINNING at a 1/2 inch iron rod with a cap stamped "David Wood RPLS 5788" found for corner at the northerly S.E.C. of the above mentioned 4.91 acre tract and in the original southerly E.B.L. of the above mentioned 26.9 acre tract - which is described in a deed dated November 24, 1954 from Clem Ford, et ux., Lovie to Henry Moore and recorded in Volume 192, Page 207 - and in the W.B.L. of the Howard Lee and Tony B. Johnson called 1.000 acre tract as described in Volume 392, Page 709 (Volume 689, Page 800) and at the north corner of the William M. Royal, et ux., Gloria D. called one acre tract, irregular in shape (Volume 367, Page 409) and at the N.E.C. of the Lisa Liew called 1.5237 acre tract (Volume 797, Page 880);

THENCE South 67 degrees 12 minutes 37 seconds West (Bearing Source), along the easterly S.B.L. of said 4.91 acres and the N.B.L. of said 1.5237 acres, for a distance of 225.08 feet, to a 1/2 inch iron rod with a cap stamped "David Wood RPLS 5788" found for corner in a barbed wire fence at the northerly S.W.C. of said 4.91 acres and at the N.W.C. of said 1.5237 acres and in the E.B.L. of the Raymond Montgomery called 0.5 acres - Block Two (Volume 473, Page 61);

THENCE North 23 degrees 02 minutes 44 seconds West, along the easterly W.B.L. of said 4.91 acres and the E.B.L. of said 0.5 acres and along said fence, for a distance of 53.70 feet, to a 6 inch axle found for corner at a 5 inch wood fence corner post at a reentrant corner of said 4.91 acres and at the N.E.C. of said 0.5 acres;

THENCE South 66 degrees 23 minutes 16 seconds West, along the northerly S.B.L. of said 4.91 acres and the N.B.L. of said 0.5 acres and said fence, for a distance of 123.80 feet, to a 6 inch axle found for corner at a 5 inch wood fence corner post at a reentrant corner of said 4.91 acres and at the N.W.C. of said 0.5 acres;

THENCE South 23 degrees 04 minutes 42 seconds East, along the southerly E.B.L. of said 4.91 acres and the W.B.L. of said 0.5 acres and said fence, for a distance of 174.40 feet, to a 6 inch axle found for corner at a 5 inch wood fence corner post at the S.W.C. of said 0.5 acres and at the N.W.C. of the Raymond Montgomery called 0.5 acres - Block One and 25 ft. wide access easement (Volume 473, Page 61);

THENCE South 23 degrees 13 minutes 43 seconds East, continuing along the southerly E.B.L. of said 4.91 acres and said fence and along the W.B.L. of said 0.5 acres and said access easement, for a distance of 171.39 feet, to a 1/2 inch iron rod with a pink cap stamped "STROUD RPLS 6338" set for corner in the north right-of-way line of State Highway No. 155 (75 feet from and at a right angle to the centerline), which is shown according to the Texas State Highway

## EXHIBIT "A" CONTINUED

Department Right of Way Map for Marion County Highway No. 155, and at the S.E.C. of said 4.91 acres, from which a 6 inch axle found at a 5 inch wood fence corner post at the S.W.C. of said 0.5 acres and access easement bears South 23 degrees 13 minutes 43 seconds East 2.74 feet;

THENCE South 66 degrees 40 minutes 43 seconds West, along the S.B.L. of said 4.91 acres and the north right-of-way line of said S.H. No. 155 (75 feet from and parallel to the centerline), for a distance of 85.38 feet, to a 1/2 inch iron rod with a pink cap stamped "STROUD RPLS 6338" set for corner at the S.E.C. of the above mentioned Save & Except 0.990 acre home site for Robert and Earnestine Anderson, from which a 3/8 inch smooth iron rod (bent) found at a crosstie fence corner post bears South 23 degrees 03 minutes 49 seconds East a distance of 2.43 feet;

THENCE North 23 degrees 03 minutes 49 seconds West, across said 4.91 acres and along the E.B.L. of said 0.990 acres and along said fence, for a distance of 319.66 feet, to a 1/2 inch iron rod with a pink cap stamped "STROUD RPLS 6338" set for corner at a crosstie fence corner post at the N.E.C. of said 0.990 acres;

THENCE South 66 degrees 40 minutes 43 seconds West, continuing across said 4.91 acres and along said fence and along the N.B.L. of said 0.990 acres, for a distance of 134.97 feet, to a 3/8 inch smooth iron rod found for corner at a 5 inch wood fence corner post at the N.W.C. of said 0.990 acres;

THENCE South 23 degrees 03 minutes 49 seconds East, continuing across said 4.91 acres and along said fence and along the W.B.L. of said 0.990 acres, for a distance of 319.66 feet, to a 3/8 inch smooth iron rod (bent) found for corner at a crosstie fence corner post in the north right-of-way of said highway and in the S.B.L. of said 4.91 acres;

THENCE South 66 degrees 40 minutes 43 seconds West, along the S.B.L. of said 4.91 acres and along said highway right-of-way line, for a distance of 357.66 feet, to a 1/2 inch iron rod with a pink cap stamped "STROUD RPLS 6338" set for corner in an improved drainage ditch at the S.W.C. of said 4.91 acres and at the S.E.C. of the residue of said 26.9 acres;

THENCE along the W.B.L. of said 4.91 acres and the E.B.L. of said 26.9 acre residue and along the east side of the improved drainage ditch as follows:

North 24 degrees 11 minutes 39 seconds East, for a distance of 133.96 feet, to a point for corner;

North 13 degrees 41 minutes 28 seconds West, for a distance of 33.11 feet, to a point for corner near the transition point of said improved ditch to the natural creek;

THENCE continuing along the W.B.L. of said 4.91 acres and the E.B.L. of said 26.9 acre residue and along the centerline of said natural creek as follows:

North 07 degrees 07 minutes 33 seconds West, for a distance of 31.29 feet, to a point for corner;

**EXHIBIT "A" CONTINUED**

North 22 degrees 54 minutes 58 seconds East, for a distance of 10.27 feet, to a point for corner;

North 69 degrees 52 minutes 59 seconds East, for a distance of 13.41 feet, to a point for corner;

North 20 degrees 30 minutes 43 seconds East, for a distance of 8.10 feet, to a point for corner;

North 08 degrees 07 minutes 04 seconds East, for a distance of 24.37 feet, to a point for corner;

North 62 degrees 26 minutes 43 seconds West, for a distance of 15.66 feet, to a point for corner;

North 09 degrees 54 minutes 29 seconds West, for a distance of 14.69 feet, to a point for corner;

North 70 degrees 53 minutes 20 seconds East, for a distance of 26.12 feet, to a point for corner;

North 20 degrees 11 minutes 53 seconds East, for a distance of 38.63 feet, to a point for corner;

THENCE North 31 degrees 02 minutes 25 seconds East, leaving said creek and continuing along the W.B.L. of said 4.91 acres and the E.B.L. of said 26.9 acre residue, at 23.48 feet pass a 1/2 inch iron rod with a pink cap stamped "STROUD RPLS 6338" set for reference on the lower bank of said creek, continuing for a total distance of 173.28 feet, to a 1/2 inch iron rod with a pink cap stamped "STROUD RPLS 6338" set for corner at an angle break;

THENCE North 49 degrees 11 minutes 16 seconds East, continuing along said lines, for a distance of 259.21 feet, to a 6 inch wood fence corner post found for corner embedded in a 23 inch hackberry tree at an angle break of said 4.91 acres and at the N.E.C. of said residue and at a reentrant corner of said 26.9 acres and at the S.E.C. of the Willie Lee Anderson called 13.9 acres, 10.87 acres south of road, as described in Volume 165, Page 260 (Volume 543, Page 467);

THENCE North 24 degrees 46 minutes 11 seconds East, continuing along the W.B.L. of said 4.91 acres and along the occupied E.B.L. of said 10.87 acres and along an old barbed wire/corral panel fence, for a distance of 271.69 feet, to a 1/2 inch iron rod with a cap stamped "JC Knox RPLS 4214" found for corner at a 5 inch wood fence corner post at the north corner of said 4.91 acres and at the N.E.C. of said 10.87 acres and at the south corner of the Winifred James Simmons called 8.832 acre tract (Volume 746, Page 249) and at a west corner of part of the residue of the Emerson Carl Morrow called 50 acre tract (Volume 558, Page 827);

**EXHIBIT "A" CONTINUED**

THENCE South 50 degrees 12 minutes 59 seconds East, along the northerly E.B.L. of said 4.91 acres and along a W.B.L. of said residue and along said barbed wire fence, for a distance of 71.21 feet, to a 5/8 inch smooth iron rod found for corner at a south corner of said residue and at the west corner of said Johnson 1.000 acre tract;

THENCE South 46 degrees 53 minutes 14 seconds East, continuing along the northerly E.B.L. of said 4.91 acres and said fence and along the W.B.L. of said 1.000 acre tract, for a distance of 267.19 feet, to the place of beginning and containing a Net Acreage of 3.920 acres, more or less.