

2021 DEC 10 AM 10: 27

SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX

BY _____ DEP.

NOTICE OF TRUSTEE'S SALE**DEED OF TRUST INFORMATION:**

Grantor(s)	Haley Joseph and Michael Andrew Joseph	Deed of Trust Date	April 30, 2020
Original Mortgagee	Prosperity Bank	Original Principal	\$109,000.00
Recording Information	Instrument #: 2020-003861 in Van Zandt County, Texas	Original Trustee	David Zalman
Property Address	410 N Birch Street, Van, TX 75790	Property County	Van Zandt

MORTGAGE SERVICER INFORMATION:

Current Mortgagee	Prosperity Bank	Mortgage Servicer	Prosperity Bank
Current Beneficiary	Prosperity Bank	Mortgage Servicer Address	2101 Custer Road, Plano, TX 75075

SALE INFORMATION:

Date of Sale	01/04/2022
Time of Sale	10:00 AM or no later than 3 hours thereafter
Place of Sale	The steps to the North entrance of the Courthouse County Courthouse in Van Zandt County, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the Van Zandt County Commissioner's Court.
Substitute Trustees	Randy Daniel, Cindy Daniel, Jim O'Bryant, Selim Taherzadeh, Mo Taherzadeh, or Michael Linke, any to act
Substitute Trustees' Address	15851 N. Dallas Parkway, Suite 410, Addison, TX 75001

PROPERTY INFORMATION:**Legal Description as per the Deed of Trust:**

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND WITHIN THE H. V. MOORE SURVEY, ABSTRACT 616, VAN ZANDT COUNTY, TEXAS, AND BEING THE SAME LAND DESCRIBED IN A DEED FROM OPAL MARIE WHITLEY TO PAUL A. MARTIN, ET AL, DATED JANUARY 11, 1990 AND RECORDED IN VOLUME 1192 PAGE 234 OF THE DEED RECORDS OF VAN ZANDT COUNTY, TEXAS, AND THIS 0.231 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT 1/2 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF SAID MARTIN TRACT, AND BEING IN THE EAST RIGHT OF WAY LINE OF NORTH BIRCH STREET, SAID IRON ALSO BEING SOUTH 00 DEG. 39 MIN. 11 SEC. EAST, A DISTANCE OF 421.90 FEET FROM THE NORTHWEST CORNER OF A CALLED 60 ACRE TRACT DESCRIBED IN A DEED FROM T. J. LANG TO D. R. HOWELL, DATED SEPTEMBER 10th, 1926, AND RECORDED IN VOLUME 174 PAGE 619 OF THE DEED RECORDS OF VAN ZANDT COUNTY, TEXAS; THENCE SOUTH 88 DEG. 00 MIN. 14 SEC. EAST, A DISTANCE OF 100.00 FEET, WITH THE NORTH OF SAID MARTIN TRACT AND AN INTERIOR LINE OF THE RESIDUE OF SAID 60 ACRE TRACT TO A 1 INCH IRON PIPE FOUND FOR THE NORTHEAST CORNER OF SAID MARTIN TRACT; THENCE SOUTH, A DISTANCE OF 100.58 FEET WITH THE EAST LINE OF THE SAID MARTIN TRACT AND AN INTERIOR LINE OF THE RESIDUE OF SAID 60 ACRE TRACT; A SUCKER ROD FOUND FOR THE SOUTHEAST CORNER OF THE MARTIN TRACT AND BEING THE NORTHEAST CORNER OF A TRACT DESCRIBED IN A DEED FROM EMMA HOWELL TO JOHN HOWELL, ET UX, KRISTY, DATED AUGUST 15th, 1985, AND RECORDED IN VOLUME 1109 PAGE 305 OF THE DEED RECORDS OF VAN ZANDT COUNTY, TEXAS; THENCE NORTH 88 DEG. 00 MIN. 14 SEC. WEST, A DISTANCE OF 100.00 FEET WITH THE SOUTH LINE OF THE MARTIN TRACT AND THE NORTH LINE OF THE SAID JOHN HOWELL TRACT TO A 1/2 INCH IRON ROD SET IN THE EAST RIGHT OF WAY LINE OF NORTH BIRCH STREET FOR THE SOUTHWEST CORNER OF THE MARTIN TRACT, A 3 INCH IRON PIPE FOUND BEARS NORTH 88 DEG. 00 MIN. 14 SEC. WEST, A DISTANCE OF 3.59 FEET; THENCE NORTH, A DISTANCE OF 100.58 FEET, WITH THE EAST RIGHT OF WAY LINE OF NORTH BIRCH STREET AND THE WEST LINE OF THE MARTIN TRACT, TO THE POINT OG BEGINNING AND CONTAINING 0.231 ACRES. BEING THE SAME LAND IN WARRANTY DEED WITH VENDOR'S LIEN DATED APRIL 26, 2018

TAHERZADEH, PLLC

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FROM CARLTON T. HEMBREE AND WIFE, PEGGY M. HEMBREE TO DENNY E. RUCKER AND WIFE, WENDY S. RUCKER; AND EARL FRANK RUCKER, JR. AND WIFE, JACQUELINE KENNEDY RUCKER, RECORDER IN DOCUMENT NO. 2018-003441, OFFICIAL PUBLIC RECORDS OF VAN ZANDT COUNTY, TEXAS.

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

Default has occurred under the Deed of Trust and all sums secured by the Deed of Trust were declared immediately due and payable. The Beneficiary has, or caused another to, removed the Original Trustee and appointed Substitute Trustees. On behalf of the Mortgagee, Mortgage Servicer, and Substitute Trustees, the undersigned is providing this Notice of Trustee's 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 Beneficiary thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

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 other 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. The sale shall not cover any part of the property that has been released from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to the Deed of Trust, the Beneficiary 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 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. Purchasers will buy the property "at the purchaser's own risk" and "at his/her peril", and no representation is made concerning the quality of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property.

Pursuant to the Texas Property Code, the Trustee reserves the right to set further reasonable conditions for conducting the Sale. Any such further conditions shall be announced before bidding is opened for the first Sale of the day held by the Trustee or any Substitute Trustee.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee, or any subsequently appointed Trustee, 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 refilled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

Interested parties are encouraged to consult counsel of their choice prior to participating in the sale of the property.

Assert and protect your rights as a member of the armed forces of the United States. If you 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.

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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.

Dated December 8, 2021.

/s/ Selim H. Taherzadeh
Selim H. Taherzadeh
15851 N. Dallas Parkway, Suite 410
Addison, TX 75001
(469) 729-6800

Return to: **TAHERZADEH, PLLC**
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