

NOTICE OF TRUSTEE'S SALE

DEED OF TRUST INFORMATION:

| | | | |
|------------------------------|--|---------------------------|--------------------|
| Grantor(s) | Billy Hal McMakin and Dolores McMakin | Deed of Trust Date | January 21, 2008 |
| Original Mortgagee | Reliance Mortgage Company | Original Principal | \$219,000.00 |
| Recording Information | Instrument #: 2008-001011 in Van Zandt County, Texas | Original Trustee | Gary J. Sommerfelt |
| Property Address | 509 N Richardson Street, Grand Saline, TX 75140 | Property County | Van Zandt |

MORTGAGE SERVICER INFORMATION:

| | | | |
|----------------------------|---------------------------------|----------------------------------|---|
| Current Mortgage | Mortgage Assets Management, LLC | Mortgage Servicer | PHH Mortgage Corporation |
| Current Beneficiary | Mortgage Assets Management, LLC | Mortgage Servicer Address | 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409 |

SALE INFORMATION:

| | |
|-------------------------------------|---|
| Date of Sale | 01/03/2023 |
| 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 | Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Tonya Washington, Monica Henderson, Meryl Olsen, Misty McMillan, Tiffney Bruton, David Ray, Auction.com, 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 THOSE CERTAIN LOTS, TRACTS OR PARCELS OF LAND SITUATED IN VAN ZANDT COUNTY, TEXAS BEING PART OF THE SAM BELL SURVEY A-46, AND BEING LOTS TWO (2) AND THREE (3) OUT OF BLOCK FOURTEEN (14) OF SHANGRILA HEIGHTS ADDITION TO THE TOWN OF GRAND SALINE, TEXAS.

BEING THE SAME LAND IN WARRANTY DEED WITH VENDOR'S LIEN DATED JULY 3, 1990 FROM JAMES LEBER BEALL AND NINA RUTH BEALL TO BILLY HAL MCMAKIN AND WIFE, DOLORES ANN MCMAKIN, RECORDED IN VOLUME 1206, PAGE 283, REAL RECORDS OF VAN ZANDT COUNTY, TEXAS.

TRACT 2:

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND IN THE SAM BELL SURVEY, ABSTRACT NO. 46 IN VAN ZANDT COUNTY, TEXAS, AND BEING LOT 4, IN BLOCK 14, OF SHANGRILA HEIGHTS ADDITION TO THE TOWN OF GRAND SALINE, ACCORDING TO MANNINGS MAP MADE FOR WILLIE D. COLLIER AND ON RECORD IN THE DEED RECORDS OF VAN ZANDT COUNTY, TEXAS. BEING THE SAME LAND IN WARRANTY DEED DATED JUNE 3, 1995 FROM JAMES LEBER BEALL AND NINA RUTH BEALL TO BILLY H. MCMAKIN AND WIFE, DOLORES L. MCMAKIN, RECORDED IN VOLUME 1370, PAGE 340 AND VOLUME 1388, PAGE 465, REAL PROPERTY RECORDS OF VAN ZANDT COUNTY, TEXAS.

TRACT 3:

ALL THOSE CERTAIN LOTS, TRACTS AND PARCELS OF LAND LOCATED IN VAN ZANDT COUNTY, TEXAS, AND DESCRIBED IN TWO TRACTS AS FOLLOWS:

A) ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE SAMUEL BELL SURVEY A-46, VAN ZANDT COUNTY, TEXAS, SAME BEING PART OF LOT 13 AND PART OF LOT 14,

TAHERZADEH, PLLC

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BLOCK 14, OF SHANGRILA HEIGHTS AS FOUND IN GLIDE 173-A OF THE PLAT RECORDS OF VAN ZANDT COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET FOR THE SOUTHEAST CORNER OF SAID LOT 14;

THENCE: NORTH 87 DEG. 45' 23" WEST 11.66 FEET WITH THE SOUTH LINE OF SAID LOT 14 TO A 1/2" IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS;

THENCE: NORTH 04 DEG. 17' 00" EAST 155.99 FEET TO A 1/2" IRON ROD SET FOR THE NORTHEAST CORNER OF SAID LOT 13;

THENCE: SOUTH 156.01 FEET WITH THE EAST LINE SAID LOT 13 AND LOT 14 TO THE PLACE OF BEGINNING CONTAINING 0.02 OF AN ACRE OF LAND.

B) ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE SAMUEL BELL SURVEY A-46, VAN ZANDT COUNTY, TEXAS, SAME BEING PART OF LOT 15, BLOCK 14, OF SHANGRILA HEIGHTS AS FOUND RECORDED IN GLIDE 173-A, OF THE PLAT RECORDS OF VAN ZANDT COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A 3/8" IRON ROD FOUND FOR THE RECOGNIZED SOUTHEAST CORNER OF SAID LOT 15;

THENCE: NORTH 86 DEG. 00' 03" WEST 17.47 FEET WITH THE RECOGNIZED SOUTH LINE OF SAID LOT 15 TO A 1/2" IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS;

THENCE: NORTH 04 DEG. 17' 00" EAST 77.34 FEET TO A 1/2" IRON ROD SET ON THE NORTH LINE OF SAID LOT 15 FOR THE NORTHWEST CORNER OF THIS;

THENCE: SOUTH 87 DEG. 45' 23" EAST 11.66 FEET WITH THE NORTH LINE OF SAID LOT 15 TO A 1/2" IRON ROD SET FOR THE NORTHEAST CORNER OF SAME;

THENCE: SOUTH 77.89 FEET WITH THE EAST LINE OF SAID LOT 15 TO THE PLACE OF BEGINNING CONTAINING 0.03 OF AN ACRE OF LAND.

BEING THE SAME LAND WARRANTY DEED DATED SEPTEMBER 27, 1999 FROM KENNETH L. STAMPER AND MELVA S. STAMPER; HUSBAND AND WIFE; AND LAWANA S. GUY, A SINGLE PERSON TO BILLY HAL MCMAKIN AND DOLORES MCMAKIN, HUSBAND AND WIFE, RECORDED IN VOLUME 1534, PAGE 393, REAL 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.

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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.

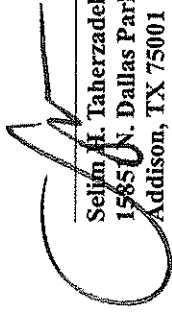
The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee, or any subsequently appointed Trustee, need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or re-filing 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.

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 November 21, 2022.



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

Return to: TAHERZADEH, PLLC
15851 N. Dallas Parkway, Suite 410, Addison, TX 75001

FILED FOR RECORD

NOV 29 2022

SUSAN STRICKLAND
COUNTY CLERK, WYANDOT CO., TX
BY _____ DEP

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FILED FOR RECORD
2022 NOV 1 AM 8:11
KARL WILSON
DIST. CLERK, VAN ZANDT CO. TX
BY TW DWS

IN THE DISTRICT COURT

CAUSE NUMBER 22-00101

IN RE: ORDER FOR FORECLOSURE
CONCERNING

509 N RICHARDSON STREET
GRAND SALINE, TX 75140

UNDER TEX. R. CIV. PROC. 736

OF VAN ZANDT COUNTY, TEXAS

Petitioner:

MORTGAGE ASSETS MANAGEMENT, LLC,

Respondent(s):

BILLY HAL MCMAKIN AND DOLORES
MCMAKIN.

294th JUDICIAL DISTRICT

DEFAULT ORDER ALLOWING FORECLOSURE

Mortgage Assets Management, LLC, Petitioner, on behalf of itself, its successors and assigns, has brought before this Court for consideration its Application for Court Order Allowing Foreclosure of a Lien Under Texas Constitution Article XVI, Section 50(k)(6) ("Application"). Having considered the evidence presented, the Court finds that:

- 1) the Application complies with Texas Rule of Civil Procedure ("TRCP") 736.1;
- 2) the Application was properly served in accordance with TRCP 736.3;
- 3) a respondent did not file a response to the Application by the due date; and
- 4) the return of service has been on file with the Clerk of the Court for at least 10 days; and
- 5) Petitioner has established the basis for foreclosure and finds that:

DEFAULT ORDER

281-00436

(a) Petitioner is the holder of a Texas Home Equity Conversion Note secured by a lien created under Texas Constitution Article XVI, Section 50(k). A debt exists.

(b) The obligation secured by the lien sought to be foreclosed is in default.

(c) The requisite notice to cure the default has been mailed to each person as required under applicable law and the loan agreement, contract, or lien sought to be foreclosed and the opportunity to cure has expired. Before the Application was filed, any other action required under applicable law and the loan agreement, contract, or lien sought to be foreclosed was performed.

IT IS THEREFORE ORDERED that:

1. Mortgage Assets Management, LLC, together with its successors and assigns, is hereby authorized to serve Notice of Sale on each Respondent and may proceed with a foreclosure sale in accordance with the security agreement and Texas Property Code Section 51.002 concerning the property with a commonly known mailing address of 509 N Richardson Street, Grand Saline, TX 75140 and legal description as described in the Real Property Records of Van Zandt County, Texas as follows:

ALL THOSE CERTAIN LOTS, TRACTS OR PARCELS OF LAND SITUATED IN VAN ZANDT COUNTY, TEXAS BEING PART OF THE SAM BELL SURVEY A-46, AND BEING LOTS TWO (2) AND THREE (3) OUT OF BLOCK FOURTEEN (14) OF SHANGRILA HEIGHTS ADDITION TO THE TOWN OF GRAND SALINE, TEXAS.

BEING THE SAME LAND IN WARRANTY DEED WITH VENDOR'S LIEN DATED JULY 3, 1990 FROM JAMES LEBER BEALL AND NINA RUTH BEALL TO BILLY HAL MCMAKIN AND WIFE, DOLORES ANN MCMAKIN,

RECORDED IN VOLUME 1206, PAGE 283, REAL RECORDS OF VAN ZANDT COUNTY, TEXAS.

TRACT 2:

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FOLLOWS:

BEGINNING AT A 1/2" IRON ROD SET FOR THE SOUTHEAST CORNER OF SAID LOT 14;

THENCE: NORTH 87 DEG. 45' 23" WEST 11.66 FEET WITH THE SOUTHLINE

OF SAID LOT 14 TO A 1/2" IRON ROD SET FOR THE SOUTHWEST CORNER OF THIS;

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BEING THE SAME LAND WARRANTY DEED DATED SEPTEMBER 27, 1999

FROM KENNETH L. STAMPER AND MELVA S. STAMPER; HUSBAND AND WIFE; AND LAWANA S. GUY, A SINGLE PERSON TO BILLY HAL MCMAKIN AND DOLORES MCMAKIN, HUSBAND AND WIFE, RECORDED IN VOLUME 1534, PAGE 393, REAL RECORDS OF VAN ZANDT COUNTY, TEXAS.

2. The name and last known address of each respondent subject to the order are:

Billy Hal McMakin, Deceased
14940 SW 129th Place Rd.
Miami, FL 33186

Dolores McMakin
14940 SW 129th Place Rd.
Miami, FL 33186

3. The recording or indexing information of each lien to be foreclosed is as follows:

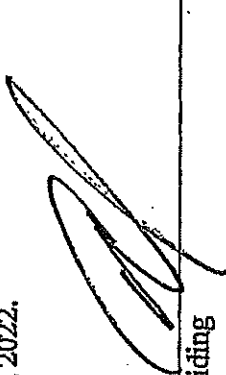
Instrument #: 2008-001011 in the Real Property Records of Van
Zandt County, Texas.

4. A conformed copy of an Order Allowing Foreclosure must be attached to the Trustee or Substitute Trustee's Foreclosure Deed in accordance with TRCP 736.12.

5. Petitioner may communicate with each Respondent and all third parties as reasonably necessary to conduct a foreclosure sale.

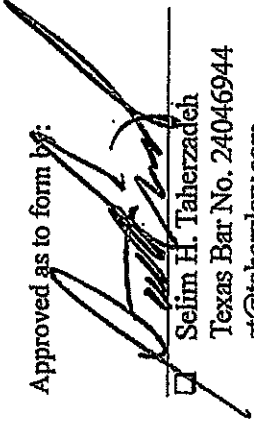
6. Notice of Foreclosure Sale must be mailed to respondent's counsel by certified mail if a respondent is represented by counsel.

Signed, this 11/18 day of , 2022.



Judge Presiding

Approved as to form by:


 Selim H. Taherzadeh

Texas Bar No. 24046944

st@taherzlaw.com

Jeremiah B. Hayes

Texas Bar No. 24048532

jh@taherzlaw.com

Scott H. Crist

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sc@taherzlaw.com

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Addison, Texas 75001

Telephone: (469) 729-6800

Facsimile: (469) 828-2772

ATTORNEYS FOR PETITIONER