

**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.

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

Date: **Tuesday, May 7, 2019.**

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 Jones County Courthouse at the place designated by the Jones 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 refileing 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 urged to examine the applicable property records to determine the nature and extent of such matters, if any.

**POSTED NOTICE**  
**DATE** 4-15-19 **TIME** 11:38 AM  
Sharon Jennings  
**JONES COUNTY CLERK, JONES CO., TX**  
**BY:** Whitney Ortega

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. 172056 in the Real Property Records of Jones County, Texas, and executed by Justin Dale Mooney and Heather Renee Mooney (whether one or more, the "Grantor"), for the benefit of 21<sup>st</sup> 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 August 1, 2017, 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.

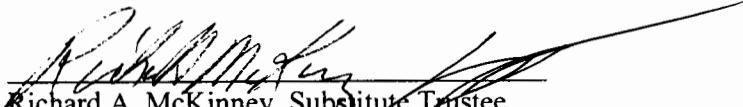
Questions concerning the sale may be directed to the undersigned or to the Lender:


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: April 12, 2019.

  
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



**\*\*\*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**

**TRACT ONE:**

**A 1.8710 ACRE TRACT OF LAND OUT OF SECTION 35, BLOCK 15, T & P RR CO SURVEY, ABSTRACT NO. 430, JONES COUNTY, TEXAS BEING A PART OF THAT CERTAIN CALLED 37.52 ACRE TRACT AS DESCRIBED IN A DEED FROM GLENDA FUSTON TO EARL CHOATE ET UX, DATED JUNE 5, 2015, RECORDED IN VOLUME 411, PAGE 10, DEED RECORDS, JONES COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:**

**BEGINNING: AT A ½ " IRON ROD" (SET WITH CAP "MARKED "PATRIOT SURVEYING") IN THE SOUTH BOUNDARY LINE OF THE ABOVE MENTIONED 37.52 ACRE TRACT (411/10), AND THE NORTH BOUNDARY LINE OF THAT CERTAIN CALLED 37.2 ACRE TRACT AS DESCRIBED IN VOLUME 411, PAGE 13, FROM WHICH A 3/8" IRON ROD (FOUND) AT THE SOUTHEAST CORNER OF SAID 37.52 ACRE TRACT (411/10) BEARS NORTH 79°05'44" EAST, A DISTANCE OF 1477.11 FEET, FROM WHICH THE SOUTHEAST CORNER OF SECTION 35 BEARS NORTH 79°01'14" EAST, A DISTANCE OF 400.92 FEET, AND SOUTH 00°47'01" WEST, A DISTANCE OF 1742.62 FEET;**

**THENCE: SOUTH 79°05'44" WEST, FOR A DISTANCE OF 225.58 FEET, TO A ½" IRON ROD (FOUND WITH CAP MARKED "PATRIOT SURVEYING") AT THE NORTHEAST CORNER OF THAT CERTAIN CALLED 13.027 ACRE TRACT AS DESCRIBED IN INSTRUMENT NO. 170333;**

**THENCE: NORTH 15°29'18; WEST, FOR A DISTANCE OF 337.07 FEET, TO A ½" IRON ROD (SET WITH CAP MARKED "PATRIOT SURVEYING");**

**THENCE: NORTH 79°05'44" EAST, FOR A DISTANCE OF 259.57 FEET, TO A ½" IRON ROD (SET WITH CAP MARKED "PATRIOT SURVEYING");**

**THENCE: SOUTH 09°42'10" EAST, FOR A DISTANCE OF 336.06 FEET, BACK TO THE PLACE OF BEGINNING AND CONTAINING 1.8710 ACRES OF LAND.**

**TRACT TWO:**

**A 60-FOOT WIDE ACCESS EASEMENT BEING OVER, ACROSS AND THROUGH THAT CERTAIN CALLED 37.52 ACRE TRACT AS DESCRIBED IN VOLUME 411, PAGE 13, DEED RECORDS, JONES COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEING A 60-FOOT WIDE ACCESS EASEMENT OFF THE NORTH SIDE OF THE ABOVE MENTIONED 37.52 ACRE (411/10), EXTENDING FROM COUNTRY ROAD 325 TO THE WEST BOUNDARY LINE OF THAT CERTAIN CALLED 13.027 ACRE TRACT AS DESCRIBED IN INSTRUMENT NUMBER 170333, OFFICIAL PUBLIC RECORDS, JONES COUNTY, TEXAS.**