

FILED

**APPOINTMENT OF SUBSTITUTE TRUSTEE AND
NOTICE OF SUBSTITUTE TRUSTEE SALE**

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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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

**APPOINTMENT
OF SUBSTITUTE
TRUSTEE:**

WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Jack O'Boyle, Chris Ferguson, Travis Gray, Harriett Fletcher, Robert LaMont, Sheryl LaMont, Sharon St. Pierre, Travis Gray, Chris Ferguson, or Jack O'Boyle, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

**SUBSTITUTE
TRUSTEE'S
ADDRESS:**

c/o JACK O'BOYLE & ASSOCIATES, PLLC, Mailing Address: P.O. Box 815369, Dallas, Texas 75381; Physical Address: 12300 Ford Road, Suite 212, Dallas, TX 75234.

**NOTICE OF
SUBSTITUTE
TRUSTEE SALE:**

WHEREAS, 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.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on November 05, 2024 between the hours of 12pm-3pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**LOCATION OF
SALE:**

The place of the sale shall be: The south steps of the Franklin County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court in FRANKLIN County, Texas or as designated by the County Commissioners.

**INSTRUMENT TO
BE FORECLOSED:**

Deed of Trust or Contract Lien dated 09/12/2022 and recorded under Volume, Page or Clerk's File No. INSTRUMENT NUMBER 166689 VOLUME 436 PAGE 631 in the real property records of Franklin County Texas, with U KNOW TRANSPORT LLC as Grantor(s) and Venture Properties Inc. as



Original Mortgagee.

OBLIGATIONS SECURED: Deed of Trust or Contract Lien executed by U KNOW TRANSPORT LLC securing the payment of the indebtedness in the original principal amount of \$244,000.00 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by U KNOW TRANSPORT LLC. VENTURE PROPERTIES INC. is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien,

MORTGAGEE:

VENTURE PROPERTIES INC. is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. VENTURE PROPERTIES INC.'s address is:

VENTURE PROPERTIES INC.
c/o Venture Properties Inc.
PO BOX 117744
CARROLLTON, TX 75011

LEGAL

**DESCRIPTION OF
PROPERTY TO BE
SOLD:**

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE COUNTY OF FRANKLIN, STATE OF TEXAS, BEING IN THE SAMUEL BUCHANAN SURVEY, ABSTRACT NO. 22, BEING A PART OF THAT CERTAIN 5.374 ACRE TRACT DESCRIBED IN A DEED FROM DAVID SCOTT LEE, EXECUTOR OF THE ESTATE OF RICHARD H. LEE, SR., TO MARY CATHERINE LEE ALEXANDER, FILED MAY 10, 2021, RECORDED IN VOLUME 408, PAGE 210, OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND BEING A PART OF THAT CERTAIN 10.01 ACRE TRACT DESCRIBED IN A DEED FROM RICHARD H. LEE, SR., ET UX, LILLIE M., TO MARY CATHERINE LEE ALEXANDER, FILED APRIL 24, 2001, RECORDED IN VOLUME 47, PAGE 12, REAL PROPERTY RECORDS OF SAID COUNTY, AND BOUNDED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD (TSR) SET ON THE NORTHERNMOST SWC OF SAID 10.01 ACRE TRACT, SAME BEING ON THE NWC OF A 2.476 ACRE TRACT DESCRIBED IN A DEED FROM SALVADOR CASTRO AND MARIA SOFIA CASTRO, TO JOSE MIGUEL CHIQUIOT-GASCA AND MARIA D. CASTRO, FILED JUNE 13, 2017, RECORDED IN VOLUME 340, PAGE 521, OFFICIAL PUBLIC RECORDS OF SAID COUNTY AND BEING ON THE EAST RIGHT-OF-WAY LINE OF F.M. HIGHWAY NO. 3007;

THENCE NORTH 00° 46' 08" EAST, ALONG THE NORTHERNMOST WBL OF SAID 10.01 ACRE TRACT AND THE EAST RIGHT OF-WAY LINE OF SAID F.M. HIGHWAY NO. 3007, FOR A DISTANCE OF 199.68 FEET TO A 1/2 INCH IRON ROD FOUND ON THE NWC OF SAID 10.01 ACRE TRACT AND BEING ON THE SWC OF SAID 5.374 ACRE TRACT;

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THENCE NORTH 00° 42' 45" EAST, ALONG THE WBL OF SAID 5.374 ACRE TRACT AND THE EAST RIGHT-OF-WAY LINE OF SAID F.M. HIGHWAY NO. 3007, FOR A DISTANCE OF 165.80 FEET TO A 1/2 INCH IRON ROD (TSR) SET FOR CORNER;

THENCE SOUTH 89° 07' 18" EAST, ACROSS SAID 5.374 ACRE TRACT, FOR A DISTANCE OF 231.47 FEET TO A 1/2 IRON ROD (TSR) SET FOR CORNER;

THENCE SOUTH 1° 04' 54" EAST, ACROSS THE SBL OF SAID 5.374 ACRE TRACT AND THE NBL OF SAID 10.01 ACRE TRACT, FOR A DISTANCE OF 368.98 FEET TO A 1/2 INCH IRON ROD (TSR) SET ON THE NORTHERNMOST SBL OF SAID 10.01 ACRE TRACT AND BEING ON THE NBL OF SAID 2.476 ACRE TRACT;

THENCE NORTH 88° 20' 49" WEST, ALONG THE NORTHERNMOST SBL OF SAID 10.01 ACRE TRACT AND THE NBL OF SAID 2.476 ACRE TRACT, FOR A DISTANCE OF 243.26 FEET TO THE PLACE OF BEGINNING CONTAINING 2.000 ACRES (the "Property")

**REPORTED
PROPERTY
ADDRESS:**

401 FM 3007, MOUNT VERNON, TX 75457

TERMS OF SALE: The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property and the priority of the lien being foreclosed.

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 Mortgagee and/or Mortgage Servicer 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.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

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. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property

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records to determine the priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and/or Mortgage Servicer, or its attorney(s).

The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein 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 refiled may be after the date originally scheduled for this sale.

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.

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Signed on the 25 day of September, 2024.

Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC

Travis Gray

Jack O'Boyle | SBN: 15165300
jack@jackoboyle.com

Travis H. Gray | SBN: 24044965
travis@jackoboyle.com

Chris Ferguson | SBN: 24069714
chris@jackoboyle.com

P.O. Box 815369

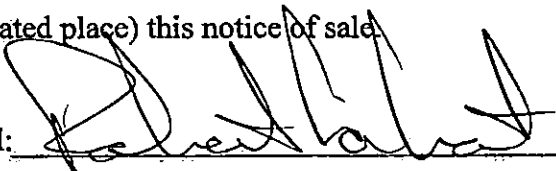
Dallas, Texas 75381

P: 972.247.0653 | F: 972.247.0642

ATTORNEYS FOR MORTGAGEE AND/OR ITS
MORTGAGE SERVICER

CERTIFICATE OF POSTING

My name is Robert LaMont, and my address is c/o 12300 Ford Rd, Ste. 212, Dallas, TX 75234. I declare under the penalty of perjury that on September 26, 2024 I filed at the office of the Franklin County Clerk and caused to be posted at the Franklin County courthouse (or other designated place) this notice of sale.

Signed: 

Declarant's Name: Robert LaMont

Date: September 26, 2024

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