

FILE FOR RECORD
JENNIFER LINDENZWEIG
CLERK OF COUNTY COURT, HUNT CO. TX
19 SEP -9 AM 10:58
BY: *[Signature]*
DEPUTY

1800 CULVER STREET
COMMERCE, TX 75428

20120177600186

NOTICE OF [SUBSTITUTE] TRUSTEE'S 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.

1. **Date, Time, and Place of Sale.**

Date: October 01, 2019

Time: The sale will begin at 1:00 PM or not later than three hours after that time.

Place: COMMON AREA AT BASE OF THE CENTRAL STAIRWAY ON THE SECOND FLOOR OF THE HUNT COUNTY COURTHOUSE OR BASE OF NORTH STEPS OUTSIDE COURTHOUSE IN EVENT COURTHOUSE IS CLOSED or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated December 29, 2005 and recorded in Document VOLUME 1411, PAGE 293 real property records of HUNT County, Texas, with IVORY E MOORE, JR AND MARCIA L MOORE, grantor(s) and JPMORGAN CHASE BANK, N.A., mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by IVORY E MOORE, JR AND MARCIA L MOORE, securing the payment of the indebtednesses in the original principal amount of \$31,500.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. JPMORGAN CHASE BANK, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

6. **Mortgage Servicer Information.** The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code § 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. JPMORGAN CHASE BANK, N.A., as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o JPMORGAN CHASE BANK, N.A.
8333 RIDGEPOINT DRIVE
IRVING, TX 75063



NTSS20120177600186

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.

The undersigned as attorney for the mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead ROBERT LAMONT, HARRIETT FLETCHER, SHERYL LAMONT, ALLAN JOHNSTON, SHARON ST. PIERRE, RONNIE HUBBARD OR RANDY DANIEL whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Shawnika Harris

Certificate of Posting

My name is _____, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on _____ I filed at the office of the HUNT County Clerk and caused to be posted at the HUNT County courthouse this notice of sale.

Declarants Name: _____

Date: _____

EXHIBIT "A"

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN COMMERCE, HUNT COUNTY, TEXAS, AND LYING WITHIN THE CORPORATE LIMITS OF THE CITY OF COMMERCE, AND BEING A TRACT OR PARCEL OF LAND A PART OF BLOCK NO. TEN (10) OF COLLEGE HEIGHTS ADDITION TO SAID CITY OF COMMERCE AS SHOWN BY PLAT THEREOF WHICH IS OF RECORD IN VOL. 183, PAGE 35 OF HUNT COUNTY DEED RECORDS, AND FURTHER DESCRIBED AS FOLLOWS: BEGINNING AT THE N.E. CORNER OF LOT NO. 12 OF SAID BLOCK NO. 10 OF SAID COLLEGE HEIGHTS ADDITION, A STAKE FOR CORNER AT INTERSECTION OF SOUTHERLY LINE OF A 20 FOOT ALLEY WITH WESTERLY LINE OF STREET KNOWN AS BOIS D' ARC STREET IN SAID CITY OF COMMERCE; THENCE WEST ALONG SOUTHERLY LINE OF SAID ALLEY 95 FEET TO A STAKE FOR CORNER; THENCE SOUTH 80.7 FEET TO A STAKE FOR CORNER IN NORTHERLY R.O.W. OF F.M. HIGHWAY NO. 178 SPUR; THENCE SOUTH 87 DEGREES E. ALONG SAID F.M. HIGHWAY R.O.W. 95.1 FEET TO A STAKE FOR CORNER AT INTERSECTION WITH STREET LINE; THENCE NORTH ALONG STREET LINE 82.9 FEET TO THE PLACE OF BEGINNING, BEING THE SAME PROPERTY DESCRIBED IN DEED FROM J.W. MCCRARY, JR., TO OLA MCKEE DATED APRIL 10, 1962 AND RECORDED IN VOLUME 603, PAGE 43, DEED RECORDS OF HUNT COUNTY, TEXAS.

CORRECT LEGAL IS:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE J. MILLSAP SURVEY, ABSTRACT NO. 781, CITY OF COMMERCE, HUNT COUNTY, TEXAS, AND BEING KNOWN AS PART OF LOT 11 AND PART OF LOT 12, BLOCK 10 OF THE COLLEGE HEIGHTS ADDITION, AN ADDITION TO THE CITY OF COMMERCE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 183, PAGE 34 OF THE OFFICIAL PUBLIC RECORDS OF HUNT COUNTY, TEXAS, AND BEING KNOWN AS THAT TRACT OF LAND DESCRIBED IN A DEED FROM IVORY E. MOORE, ET UX, TO IVORY E. MOORE, JR., AS RECORDED IN VOLUME 844, PAGE 178 OF THE OFFICIAL PUBLIC RECORDS OF HUNT COUNTY, TEXAS (HEREINAFTER CALLED SUBJECT TRACT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A ½" IRON ROD WITH PLASTIC CAP STAMPED "STOVALL & ASSOC." SET FOR CORNER AT THE INTERSECTION OF THE WEST LINE OF BOIS D'ARC STREET WITH THE NORTH LINE OF CULVER STREET, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE ABOVE CITED SUBJECT TRACT;

THENCE N. 88 DEG. 52 MIN. 52 SEC. W. WITH THE NORTH LINE OF CULVER STREET A DISTANCE OF 95.65 FEET TO A ½" IRON ROD FOUND FOR CORNER AT THE SOUTHWEST OF SAID SUBJECT TRACT, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN A DEED FROM HOLLIS J. SUTTLE, SR., ET AL, TO KRISTEN L. JACKSON AS RECORDED IN DOCUMENT NO. 2009-13163 IN THE OFFICIAL PUBLIC RECORDS OF HUNT COUNTY, TEXAS;

THENCE N. 01 DEG. 12 MIN. 05 SEC. E. WITH THE WEST LINE OF SAID SUBJECT TRACT AND THE EAST LINE OF SAID JACKSON TRACT A DISTANCE OF 80.67 FEET TO A ½" IRON ROD WITH CAP STAMPED "OWENS" FOUND FOR A CORNER IN THE SOUTH LINE OF AN ALLEY AT THE NORTHWEST CORNER OF SAID SUBJECT TRACT, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID JACKSON TRACT;

THENCE N. 89 DEG. 45 MIN. 49 SEC. E. WITH THE SOUTH LINE OF SAID ALLEY A DISTANCE OF 93.63 FEET TO A ½" IRON ROD WITH PLASTIC CAP STAMPED "STOVALL & ASSOC." SET FOR CORNER AT THE INTERSECTION OF THE SOUTH LINE OF SAID ALLEY WITH THE WEST LINE OF BOIS D'ARC STREET;

THENCE S. 00 DEG. 12 MIN. 51 SEC. E. WITH THE WEST LINE OF BOIS D'ARC STREET A DISTANCE OF 82.91 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.178 ACRES OF LAND.

Cause No. 85729

JPMORGAN CHASE BANK, N.A.	§	IN THE DISTRICT COURT
Plaintiff,	§	
	§	
v.	§	
	§	
MARCIA L. MOORE, MELANIE A.	§	OF HUNT COUNTY, TEXAS
MOORE, AND ERIC A. MOORE,	§	
Defendants,	§	
	§	
IN RE: 1800 CULVER STREET	§	
COMMERCE, TX 75428	§	196 TH JUDICIAL DISTRICT

DEFAULT AND AGREED JUDGMENT

After considering plaintiff, JPMORGAN CHASE BANK, N.A.'s, its successors or assigns, motion for default and entry of an agreed judgment, pleadings, and evidence on file the Court GRANTS the motion and finds:

1. Citation was properly served on defendants according to law and remained on file with the Clerk of this Court for the time prescribed by law.

2. Defendant, Marcia Moore was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit. The last known address for defendant, Marcia Moore is as follows: 1757 Lyman Place, NE, Washington, DC 20002.

3. Defendant, Melanie A. Moore was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit. The last known address for defendant, Melanie A. Moore is as follows: 1757 Lyman Place, NE, Washington, DC 20002.

4. Defendant, Eric A. Moore was served with process and defendant has not filed an answer or any pleading constituting an answer and has not entered an appearance in this lawsuit.



The last known address for defendant, Eric A. Moore is as follows: 10964 Crane Street, NW, Minneapolis, MN 55433.

5. None of the defendants who were personally served are in active military service.
6. Steve Shpp was appointed as attorney ad litem according to TEX. R. CIV. P. 244 for the unknown heirs-at-law of Ivory E. Moore, deceased served citation by publication.
7. The Loan Agreement between Marcia L. Moore and the plaintiff is in default and that plaintiff is the beneficiary of that agreement on the property made the basis of this lawsuit.
8. Plaintiff is entitled to the relief sought in plaintiff's original petition. Therefore it is:

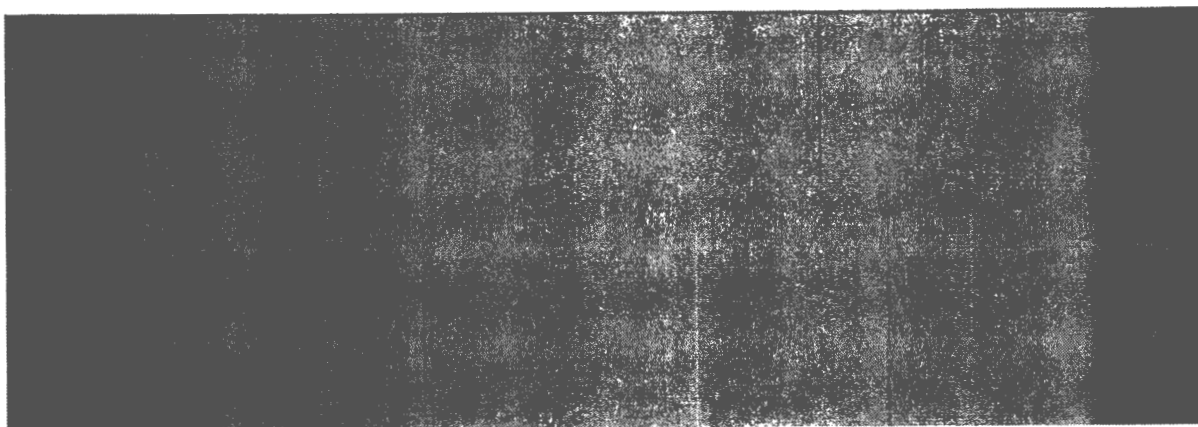
ORDERED that

All of Ivory E. Moore's ("Decedent") heirs-at-law have been made defendants to this suit and were immediately vested with all of Decedent's right, title and interest in the real property and improvements commonly known as 1800 Culver Street, Commerce, TX 75428 ("Property") and legally described as follows:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE J MILLSAP SURVEY, ABSTRACT NO. 781, CITY OF COMMERCE, HUNT COUNTY, TEXAS, AND BEING KNOWN AS PART OF LOT 11 AND PART OF LOT 12, BLOCK D OF THE COLLEGE HEIGHTS ADDITION, AN ADDITION TO THE CITY OF COMMERCE, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 183, PAGE 34 OF THE OFFICIAL PUBLIC RECORDS OF HUNT COUNTY, TEXAS, AND BEING KNOWN AS THAT TRACT OF LAND DESCRIBED IN A DEED FROM IVORY E. MOORE, ET UX, TO IVORY E. MOORE, JR., AS RECORDED IN VOLUME 844, PAGE 178 OF THE OFFICIAL PUBLIC RECORDS OF HUNT COUNTY, TEXAS (HEREINAFTER CALLED SUBJECT TRACT), AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "STOVALL & ASSOC" SET FOR CORNER AT THE INTERSECTION OF THE WEST LINE OF BOIS D'ARC STREET WITH THE NORTH LINE OF CULVER STREET, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THE ABOVE CITED SUBJECT TRACT;

THENCE N 88 DEG 52 MIN. 52 SEC. W. WITH THE NORTH LINE OF CULVER STREET A DISTANCE OF 95.65 FEET TO A 1/2" IRON ROD FOUND FOR CORNER AT THE SOUTHWEST OF SAID SUBJECT TRACT, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN A



DEED FROM HOLLIS J. SUTTLE, SR., ET AL, TO KRISTEN L. JACKSON AS RECORDED IN DOCUMENT NO. 2009-13163 IN THE OFFICIAL PUBLIC RECORDS OF HUNT COUNTY, TEXAS;

THENCE N. 01 DEG. 12 MIN. 05 SEC. E. WITH THE WEST LINE OF SAID SUBJECT TRACT AND THE EAST LINE OF SAID JACKSON TRACT A DISTANCE OF 80.67 FEET TO A 1/2" IRON ROD WITH CAP STAMPED "OWENS" FOUND FOR A CORNER IN THE SOUTHLINE OF AN ALLEY AT THE NORTHWEST CORNER OF SAID SUBJECT TRACT, SAID POINT ALSO BEING THE NORTHEAST CORNER OF SAID JACKSON TRACT;

THENCE N. 89 DEG. 45 MIN. 40 SEC. E. WITH THE SOUTHLINE OF SAID ALLEY A DISTANCE OF 93.63 FEET TO A 1/2" IRON ROD WITH PLASTIC CAP STAMPED "STOVALL & ASSOC" SET FOR CORNER AT THE INTERSECTION OF THE SOUTHLINE OF SAID ALLEY WITH THE WEST LINE OF BOIS D'ARC STREET;

THENCE S. 00 DEG. 12 MIN. 51 SEC. E. WITH THE WEST LINE OF BOIS D'ARC STREET A DISTANCE OF 8291 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.178 ACRES OF LAND.

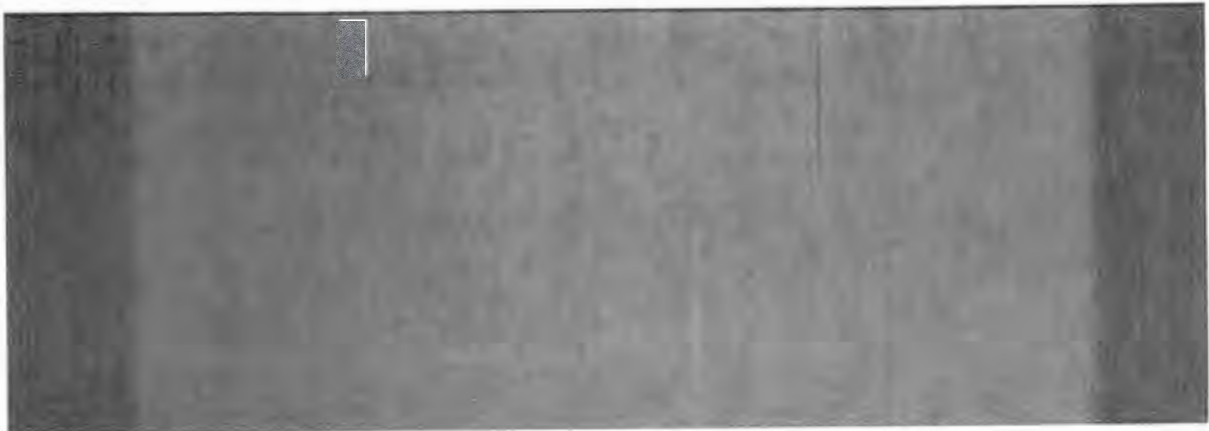
FURTHER ORDERED plaintiff has a valid lien on the Property by way of a Texas Home Equity Security Instrument dated December 29, 2005 and filed under Document Number 998 of the Official Public Records of Hunt County, Texas.

FURTHER ORDERED that this judgment serves as an Order authorizing plaintiff to foreclose its lien created under TEX. CONST. art. XVI, § 50(a)(6) in compliance with the Loan Agreement and TEX. PROP. CODE § 51.002.

FURTHER ORDERED that a copy of this judgment shall be sent to defendants with the notice of the date, time, and place of the foreclosure sale.

FURTHER ORDERED that plaintiff may communicate with the defendants and all third parties reasonably necessary to conduct the foreclosure sale.

FURTHER ORDERED that if defendants are represented by counsel, the notice of foreclosure sale also be mailed to counsel by certified mail.



FURTHER ORDERED that one of the effects of the non-judicial foreclosure shall be that defendants are divested and the purchaser of the Property at the non-judicial foreclosure sale is vested with all right, title and interest to the Property.

FURTHER ORDERED that no personal liability or deficiency for the Loan Agreement debt shall be asserted against the defendants or the putative estate of Decedent.

FURTHER ORDERED that after the non-judicial foreclosure is held, if the property remains occupied after this judgment becomes final and the plaintiff is the purchaser of the Property at the non-judicial foreclosure sale, a writ of possession shall issue against any occupant of the Property in accordance with TEX. R. CIV. P. 310.

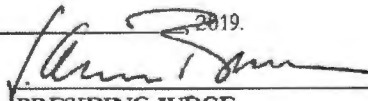
FURTHER ORDERED that as part of the costs of court, and payable by plaintiff, Steve Shipp, the Attorney Ad Litem is granted the sum of \$ 320.00 and discharged as Ad Litem in this cause.

FURTHER ORDERED that all other costs of court are taxed against the party incurring same.

All relief not expressly granted is denied.

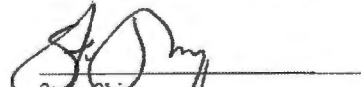
This judgment finally disposes of all parties and all claims and is appealable.

SIGNED this 19 day of July, 2019.


PRESIDING JUDGE

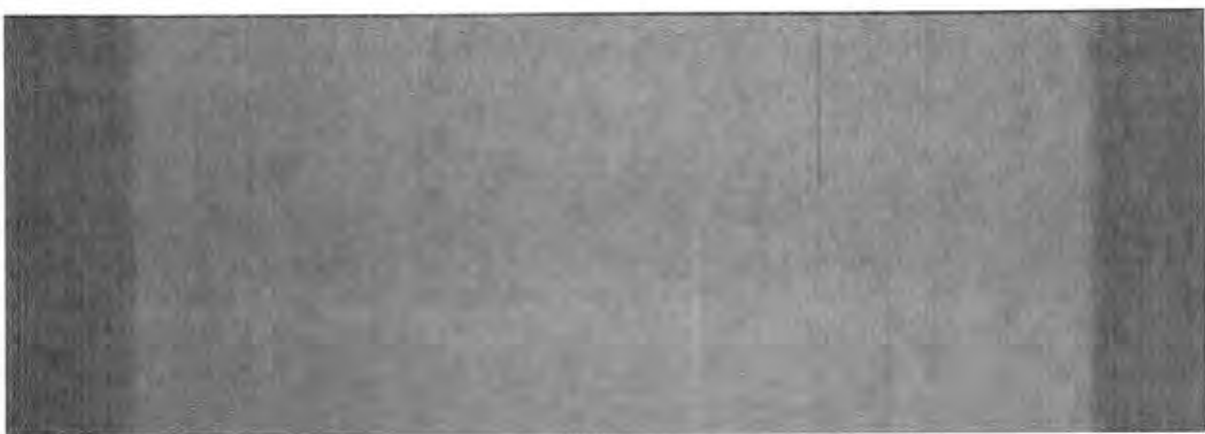
APPROVED AS TO FORM & SUBSTANCE: APPROVED AS TO FORM ONLY:

/s/ Brian D. McGrath
Brian D. McGrath
State Bar No.: 24048649
4004 Belt Line Road, Suite 100
Addison, Texas 75001-4320
(972) 341-0602
(972) 341-0734 (Facsimile)
BrianMc@bdfgroup.com


Steve Shipp
State Bar No.: 18272500
400 Wesley Street, Ste E
P.O. Box 35
Greenville, TX 75403
903-454-2800
903-454-2812 (Facsimile)

Default and Agreed Judgment
BDFTE #: 7154073

Page 4



ATTORNEYS FOR PLAINTIFF

steveshupp@aol.com
ATTORNEY AD LITEM

Default and Agreed Judgment
BDFTE #: 7154073

Page 5

