

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE UNDER TEXAS HOME
EQUITY DEED OF TRUST**

STATE OF TEXAS '

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF LAMAR '

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.

WHEREAS, by Deed of Trust dated the **8th** day of **June, 2018**, **Mark L. Spray and wife, Tara Michelle Spray**, hereinafter referred to as "Borrower", conveyed to **Richard M. Amis**, as Trustee, the following described property situated in **Lamar County, Texas**, to-wit:

**ALL THAT LOT, TRACT, OR PARCEL OF LAND SITUATED IN LAMAR COUNTY, TEXAS, BEING
MORE PARTICULARLY DESCRIBED ON THE ATTACHED EXHIBIT "A";**

(herein referred to as "the property"), to secure that one certain promissory note therein described in the original principal sum of **\$80,000.00**, executed by said Borrower and payable to **First Federal Community Bank, SSB**, (which note is hereby referred to as "note"), said Deed of Trust being of record under **Instrument No. 153773-2018**, of the **Lamar County Official Public Records**, (herein referred to as "Deed of Trust"); and

WHEREAS, default has occurred under the terms of said Deed of Trust and the indebtedness secured thereby is now wholly due, and **First Federal Community Bank, SSB**, the owner and holder of said indebtedness, has requested the undersigned to sell the property to satisfy same; and

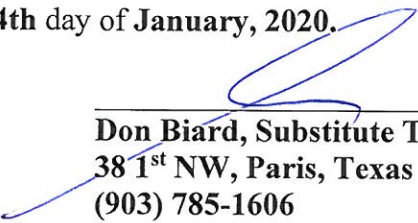
WHEREAS, an **Order to Proceed with Notice of Sale and Sale** was issued by the District Court of Lamar County, Texas on the 13th day of January, 2020, a true and correct copy of which is attached hereto as Exhibit "B".

WHEREAS, the undersigned has been appointed Substitute Trustee in the manner authorized by the Deed of Trust.

NOW, THEREFORE, notice is given that on **Tuesday, the 4th day of February, 2020**, I will sell said property at the County Courthouse in **Lamar County, Texas**, to the highest bidder, for cash. **10:00 o'clock a.m.** is the earliest time on said date at which the sale may occur and the sale will begin at that time or not later than three hours after that time. I will sell said property at the area designated by the Commissioners Court of said County for such sale, to-wit: **the East Foyer, just inside what is now called the first floor East entrance to the Lamar County Courthouse, 119 North Main Street, Paris, Lamar County, Texas.**

RECEIVED BY
LAMAR COUNTY CLERKS OFFICE
ON THIS THE 14th DAY OF Jan 2020

WITNESS MY HAND this 14th day of January, 2020.



Don Biard, Substitute Trustee
38 1st NW, Paris, Texas 75460
(903) 785-1606

A part of the M.E.P. & P.R.R. Co. Survey, Section No. 30, John H. Barnes, Patentee, Abst. No. 1307, about 6.5 miles East of the City of Paris, and also being Tract 2 as shown on the plat of a 6.204 acre tract of land designated as **TIMBERLANE ESTATES**, conveyed by David W. Glass to Hayden Swain by deed of record in Book 571, Page 772, Lamar County Deed Records; described by metes and bounds as follows;

BEGINNING at an iron pin in the East Boundary Line of a County Road at a point 738 feet South from the NW corner of the 6.204-acre tract of land above mentioned;

THENCE SOUTH with the East Boundary Line of said County Road 82 feet, an iron pin;

THENCE EAST 305.6 feet, an iron pin;

THENCE NORTH 0 Degrees 53 Minutes West 82 feet, an iron pin;

THENCE WEST 304.2 feet to the place of beginning, and being the same property described in deed from Gregory F. Harmon and wife, Sharon Harmon, to Sam D. Ausmus, Jr. and wife, Gloria Ann Ausmus, dated February 1, 1978, of record in book 599, page 367, Lamar County Deed Records; reference being made to all the above mentioned instruments and records for all necessary purposes.

EXHIBIT "A"

Bench filed per
Judge Wes Tidwell

on 1/14/2020 at 2:13
am/pm

CAUSE NO. 88988

In Re: Order for Foreclosure Concerning §
98 County Road 43800, Paris, Texas
75462 Under Tex. R. Civ. P. 736

IN THE DISTRICT COURT

Petitioner:

FIRST FEDERAL COMMUNITY §
BANK, SSB §

LAMAR COUNTY, TEXAS

Respondents:

MARK L. SPRAY AND TARA §
MICHELLE SPRAY §

6TH JUDICIAL DISTRICT

Default Order

1. On this day, the Court considered Petitioner's motion for a default order granting its application for an expedited order under Rule 736. Petitioner's application complies with the requirements of Texas Rule of Civil Procedure 736.1.
2. The name and last known address of each Respondent subject to this order is Mark L. Spray and Tara Michelle Spray, 98 County Road 43800, Paris, Texas 75462. Each Respondent was properly served with the citation, but none filed a response within the time required by law. The return of service for each Respondent has been on file with the court for at least ten days.
3. The property that is the subject of this foreclosure proceeding is commonly known as 98 County Road 43800, Paris, Texas 75462 with the following legal description:

See Exhibit "A" attached hereto
4. The lien to be foreclosed is indexed or recorded as Instrument No. 153773-2018, Lamar County Official Public Records.

5. The material facts establishing Respondent's default are alleged in Petitioner's application and the supporting declaration. Those facts are adopted by the court and incorporated by reference in this order.
6. Based on the declaration of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. § 3901 et seq.
7. Therefore, the Court grants Petitioner's motion for a default order under Texas Rules of Civil Procedure 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the lien sought to be foreclosed.
8. This order is not subject, to a motion for rehearing, a new trial, a bill of review, or an appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Texas Rule of Civil Procedure 736.11.

SIGNED this 14th day of January, 2020.



JUDGE PRESIDING

A part of the M.E.P. & P.R.R. Co. Survey, Section No. 30, John H. Barnes, Patentee, Abst. No. 1307, about 6.5 miles East of the City of Paris, and also being Tract 2 as shown on the plat of a 6.204 acre tract of land designated as TIMBERLANE ESTATES, conveyed by David W. Glass to Hayden Swain by deed of record in Book 571, Page 772, Lamar County Deed Records; described by metes and bounds as follows;

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