

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**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.**

Matter No.: 095517-TX

NO. \_\_\_\_\_ TIME 10:00am

Date: August 10, 2021

**AUG 16 2021**

County where Real Property is Located: Tyler

DONCE GREGORY, COUNTY CLERK  
TYLER COUNTY, TEXAS

ORIGINAL MORTGAGOR: DONNIE RAY MIXON, SINGLE MAN

By [Signature]

ORIGINAL MORTGAGEE: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR VILLAGE CAPITAL & INVESTMENT, LLC, ITS SUCCESSORS AND ASSIGNS

CURRENT MORTGAGEE: VILLAGE CAPITAL & INVESTMENT, LLC

MORTGAGE SERVICER: VILLAGE CAPITAL & INVESTMENT, LLC

DEED OF TRUST DATED 10/23/2017, RECORDING INFORMATION: Recorded on 11/7/2017, as Instrument No. 17-3066 in Book 1179 Page 457

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): **4.02 ACRE TRACT**

**JAMES PERKINS SURVEY, A-29**

**TYLER COUNTY, TEXAS**

**FIELD NOTE DESCRIPTION OF A 4.02 ACRE TRACT SITUATED IN THE JAMES PERKINS SURVEY, ABSTRACT 29, TYLER COUNTY, TEXAS AND BEING THE CALLED 2.441 ACRE TRACT AND MORE ACCURATELY DESCRIBED IN ATTACHED EXHIBIT "A"**

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on 9/7/2021, the foreclosure sale will be conducted in Tyler County in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be conducted no earlier than 1:00 PM, or not later than three (3) hours after that time, by one of the Substitute Trustees who will sell, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness superior to the Deed of Trust.

VILLAGE CAPITAL & INVESTMENT, LLC is acting as the Mortgage Servicer for VILLAGE CAPITAL & INVESTMENT, LLC who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. VILLAGE CAPITAL & INVESTMENT, LLC, as Mortgage Servicer, is representing the Mortgagee, whose address is:

VILLAGE CAPITAL & INVESTMENT, LLC  
2863 St. Rose PKWY  
Henderson NV, 89052

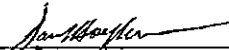


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The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code §51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan.

**WHEREAS**, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, **I HEREBY APPOINT AND DESIGNATE TOMMY JACKSON, KEATA SMITH, PAUL A. HOEFKER, ROBERT L. NEGRIN** or either one of them, as Substitute Trustee, to act, either singly or jointly, under and by virtue of said Deed of Trust and hereby request said Substitute Trustees, or any one of them to sell the property in said Deed of Trust described and as provided therein. The address for the Substitute Trustee as required by Texas Property Code, Section 51.0075(e) is Aldridge Pite, LLP, 701 N. Post Oak Road, Suite 205, Houston, TX 77024. (713) 293-3618.

**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.**

By:   
Paul A. Hoefker, Attorney  
Robert L. Negrin, Attorney  
Aldridge Pite, LLP  
701 N. Post Oak Road, Suite 205  
Houston, TX 77024

**Return to:**  
ALDRIDGE PITE, LLP  
4375 JUTLAND DR., SUITE 200  
P.O. BOX 17935  
SAN DIEGO, CA 92177-0935  
FAX #: 619-590-1385  
866-931-0036

TS# 095517-TX

Exhibit "A"

4.02 Acre Tract

James Perkins Survey, A-29  
Tyler County, Texas

Field note description of a 4.02 acre tract situated in the James Perkins Survey, Abstract 29, Tyler County, Texas and being the called 2.441 acre tract, which includes Lot 4 and Lot 5, Block 1 of the Ogden Bluff Subdivision recorded under Plat File 45, Tyler County Plat Records (TCPR), conveyed to Jimmy Todd Gore Trust by deed recorded in Volume 508 Page 643 Official Public Records Tyler County (OPRTC); and two tracts conveyed as First Tract (Lot 6 Block 1 of said Ogden Bluff Subdivision) and Second Tract (acreage not recited) to Elmer W. Trumble and Martha Trumble by deed recorded in Volume 586 Page 943 OPRTC. The said 4.02 acre tract being more particularly described as follows:

Bearings are based on the west line of said Lots 4 thru 6 Block 1, Plat File 45 TCPR. Called N 05° 12' W.

All Lots referred to in this description are of said Ogden Bluff Subdivision Block 1.

Beginning at a 1/2" iron rod found at the southeast corner of a 40 feet wide dedicated road (Plat File 45 TCPR) for the southwest corner of Lot 6, a U.S. concrete monument found on the east right of way of Texas State F. M. Highway 92 for the northwest corner of the United States Of America called 2.50 acre tract described in Volume 134 Page 136 TCDR Bear S 87° 37' 16" W 155.81 feet:

Thence N 05° 12' 00" W 411.09 feet with the west lines of Lot 6, Lot 5 and Lot 4 and east right of way of said dedicated road to a 5/8" iron rod found for the westerly northwest corner of Lot 4;  
Thence N 47° 55' 48" E 25.00 feet with the northwest line of Lot 4 and southeast right of way of said road to a 1/2" iron rod set for the most northerly northwest corner of Lot 4 and an angle corner of the Stephen Garrett called 4.80 acre tract described in Volume 464 Page 863 TCDR, a found 5/8" iron rod Bears S 26° 53' 14" W 4.41 feet;

Thence S 83° 14' 38" E 203.44 feet to a 1/2" iron rod set for the northeast corner of Lot 4;

Thence S 04° 26' 26" E 130.84 feet with the east line of Lot 4 to a 1/2" iron rod set for the southeast corner of Lot 4 and northeast corner of Lot 5;

Thence S 86° 01' 25" E 399.80 feet with the southerly north line of said called 2.441 acre tract and southerly south line of said 4.80 acre tract to a 1" iron rod found in the west line of the United States of America called 34.2 acre tract described in Volume 130 Page 526 TCDR for the southeast corner of said 4.80 acre tract and most easterly northeast corner of said 2.441 acre tract;

Thence S 06° 23' 28" E 159.38 feet along a hacked and painted line and with the west line of said 34.2 acre tract to a U.S. concrete monument found in the north line of the United States Of America called 32.9 acre tract described in Volume 134 Page 136 TCDR for the southwest corner of said 34.2 acre tract and southeast corner of said Trumble Second Tract;

Thence S 77° 36' 35" W 346.63 feet with the south line of said Second Tract and north line of said 32.9 acre tract to a point at the southeast corner of Lot 6;

Thence S 87° 37' 16" W with the south line of Lot 6 and along with the north lines of said 2.50 acre and 32.9 acre tracts, at 39.70 feet pass a 1/2" iron rod set for reference and a total distance of

271.70 feet to the Place of Beginning containing 4.02 acres of land more or less.

Also known as 193 Private Road 8196, Woodville, TX 75979

Parcel ID

Commonly known as: 193 PRIVATE Road, Unit 8196, Woodville, TX 75979