

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

FILED
HOUSTON COUNTY
COUNTY CLERK
2022 MAY 16 PM 2:53
TERRI HEATH

THE STATE OF TEXAS §
 § **KNOW ALL MEN BY THESE PRESENTS:**
COUNTY OF HOUSTON §

WHEREAS, on May 9, 2005, **John B. McKenna, Jr and Alice M. McKenna** ("Grantor") executed and delivered a Deed of Trust (the "Deed of Trust") conveying to **Patricia Lucas**, as Trustee, the herein below described property to secure **Prosperity Bank, the successor by merger with First State Bank**, in the payment of all indebtedness (collectively the "Note") therein described, the Deed of Trust being recorded under Document/Imaging #052067 of the Official Records of Houston County, Texas to which reference is hereby made for all purposes; and

WHEREAS, default has occurred in the payment of the Note and the same is now wholly due, and **Prosperity Bank** (the "Beneficiary"), the owner and holder of the Note, has requested the undersigned to sell the Property to satisfy the Note; and

WHEREAS, the above named Trustee and any previously appointed Substitute Trustee was removed under and in accordance with the Deed of Trust and the Beneficiary designated and appointed **L. David. Smith, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, Allan Johnston and Ronnie Hubbard any of whom may act independently** as Substitute Trustee to enforce the Trust, and any of whom may conduct the sale of the Property and may be contacted as indicated on the signature block below.

NOW, THEREFORE, pursuant to the authority conferred upon me by the Deed of Trust, I, **L. David Smith**, hereby give notice that I or one of the other Substitute Trustees whose names and addresses are set out below, will sell the Property at public auction to the highest bidder, for cash,

on **Tuesday, June 7, 2022**. The earliest time at which the sale will occur shall be at **1:00 o'clock P.M.** and it may take place not later than three hours after said time, and the sale shall take place in the area which has been designated as the area for foreclosures to take place, being the East Side of the Houston County Courthouse (if weather is bad the first floor lobby of the Courthouse) or as designated by the Houston County Commissioners Office as the area for foreclosures to take place. This conveyance will be made subject to any exceptions referenced in the Deed of Trust to the extent the same are still in effect and shall not cover any part of the Property that has been released from the liens of the Deed of Trust. The Property that will be sold at the foreclosure sale includes the following described real property, together with all improvements and fixtures thereon and appurtenances thereto:

Being 4.34 acres of land, more or less, out of the John Moore League Survey, A-59, Houston County, Texas SAVE AND EXCEPT 1.801 acres, more or less out of and a part of the John Moore League Survey, A-59, Houston County, Texas, being more particularly described by metes and bounds in the Deed of Trust dated May 9, 2005 executed by John B. McKenna, Jr and Alice M. McKenna to Patricia Lucas, Trustee recorded under Document/Imaging #052067 of the Official Records of Houston County, Texas.

THE SALE OF THE PROPERTY IS "AS-IS" AND "WHERE-IS" AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND BY THE SUBSTITUTE TRUSTEE, EXPRESS, IMPLIED, STATUTORY, QUASI-STATUTORY OR OTHERWISE, ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE BEING EXPRESSLY DISCLAIMED. THE SUBSTITUTE TRUSTEE MAKES NO REPRESENTATIONS OR WARRANTIES WITH RESPECT TO THE COMPLIANCE WITH THE LAWS, RULES, AGREEMENTS OR SPECIFICATIONS, CONDITION, QUALITY, CAPACITY, DESIGN, OPERATION, ABSENCE OF ANY LATENT DEFECTS OR ANY OTHER WARRANTY OR REPRESENTATION WHATSOEVER WITH RESPECT TO THE PROPERTY, ALL OF WHICH ARE EXPRESSLY WAIVED BY PURCHASER.

SUBSTITUTE TRUSTEES

NOTICE IS HEREBY PROVIDED THAT ONE OF THE FOLLOWING NAMED SUBSTITUTE TRUSTEES WHOSE ADDRESS AND CONTACT INFORMATION FOR PURPOSES HEREOF IS AS FOLLOWS MAY CONDUCT THE SALE:

**L. David. Smith, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, Allan Johnston and
Ronnie Hubbard**

c/o L. David. Smith
2618 Kittansett Circle
Katy Texas 77450
telephone: 281-788-3666
Email: ldslaw7@gmail.com

**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 this 29th day of April, 2022.

L. David Smith Substitute Trustee

L. David. Smith, Substitute Trustee
2618 Kittansett Circle
Katy, Texas 77450
Telephone 281-788-3666
Email:ldslaw7@gmail.com

Posted by: Sharon St. Pierre
5/16/2022 Sharon St. Pierre
Substitute Trustee