

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 COMPNENT 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.

# NOTICE OF FORECLOSURE SALE

1 THE PROPERTY TO BE SOLD **COMMONLY KNOWN AS** 

4240 OAK RIDGE ESTATES ROAD, ATHENS, TEXAS 75751

LEGAL DESCRIPTION LOT 22, OAK RIDGE ESTATES, ACCORDING TO THE PLAT RECORDED IN CABINET D. SLIDE 196 OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

2 THE DEED OF TRUST TO BE FORECLOSED UPON

RECORDED IN REAL PROPERTY RECORDS OF RECORDED ON **UNDER DOCUMENT# HENDERSON COUNTY** JANUARY 28, 2011 2011-00001170

THE SALE IS SCHEDULED TO BE HELD

PLACE THE SOUTH ENTRANCE PORCH OF THE HENDERSON COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE

DATE APRIL 5, 2022

TIME 10:00 AM - 1:00 PM

### TERMS OF SALE

The sale will be conducted as a public auction to the highest bidder for cash. Pursuant to the Deed of Trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the Property. Pursuant to § 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.

OBLIGATIONS SECURED

The Deed of Trust executed by SAMUEL L. RIVENBARK and JOYCE M. JOHNSON-RIVENBARK, provides that it secures the payment of the indebtedness in the original principal amount of \$90,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. BANK OF AMERICA, N.A. is the current mortgagee of the note and deed of trust and PHH MORTGAGE CORPORATION is the current mortgage servicer. A servicing agreement between the mortgager, whose address is 1 Mortgage Way, Mount Laurel, New Jersey, 08054, and the mortgage service exists. Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

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.

In accordance with Texas Property Code § 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint the following as Substitute Trustee to act under and by virtue of said Deed of Trust:

RANDY DANIEL, CINDY DANIEL, JIM O'BRYANT, NICHOLAS S. CAMPBELL, ANNAROSE M. HARDING, SARA A. MORTON, JONATHON AUSTIN, and/or BRANCH M. SHEPPARD. mma

ATTORNEYS AT LAW

Branch M. Sheppard Annarose M. Harding Sara A. Morton Jonathon Austin

GALLOWAY, JOHNSON, TOMPKINS, BURR & SMITH A PROFESSIONAL LAW CORPORATION

1301 McKinney Street, Suite 1400 Houston, Texas 77010 (713) 599-0700

## CERTIFICATE OF POSTING

I declare under penalty of perjury that I filed this Notice of Foreclosure Sale at the office of the County Clerk and caused it
to be posted at the location directed by the County Commissioners Court.

POSTED	
NAME	TRUSTEE

# NOTICE OF TRUSTEE'S SALE

Danny Burnett and Tracy Knight 1014 Green Tree Acres Kemp, TX 75143

WHEREAS, on the 7<sup>th</sup> day of August, 2017, DANNY BURNETT and TRACY KNIGHT, executed a Deed of Trust conveying to JOHN BONSAL, Substitute Frustee P.O. Box 609, Mabank, Henderson County, Texas 75147, the real estate hereing described, to secure BONSAL LAND COMPANY, in the payment of a debt the described, said Deed of Trust being recorded in Document Number: 2017-00018545, in the DEED OF TRUST Records of Henderson County, Texas;

WHEREAS. default has occurred in the payment of said indebtedness, and the same is now wholly due, and the owner and holder of said debt has requested the undersigned to sell said property at public auction and apply proceeds pursuant to the terms of the Deed of Trust.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, the 5<sup>th</sup> day of April, 2022 the foreclosure sale will be conducted in **Henderson** County in the area of the courthouse designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code, as the place where 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 10:00 a.m. o'clock and must be concluded within three hours of such starting time. Said sale shall be to the highest bidder for cash.

Said Real Estate is described as follows: In the County of **HENDERSON**, State of Texas:

Being lots 16 & 17, Green Tree Acres Subdivision, as recorded in the Plat Records in Cabinet D. Slide 72, Henderson County, Texas.

Signed this 16th day of February, 2022

IOHN BONSAL, SUBSTITUTE TRUSTEE

#### 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 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: April 05, 2022

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: THE SOUTH ENTRANCE OF THE HENDERSON COUNTY COURTHOUSE OR AS DESIGNATED BY

THE COUNTY COMMISSIONERS 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 August 29, 2002 and recorded in Document VOLUME 2223, PAGE 854; AS AFFECTED BY LOAN MODIFICATION AGREEMENT CLERK'S FILE NO. 2015-00001483 real property records of HENDERSON County, Texas, with JOHN BENDER AND SHARON K BENDER, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., ("MERS"), AS NOMINEE, mortgagee.
- 4. Obligations Secured. Deed of Trust or Contract Lien executed by JOHN BENDER AND SHARON K BENDER, securing the payment of the indebtednesses in the original principal amount of \$85,000.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. AJAX MORTGAGE LOAN TRUST 2020-A, MORTGAGE-BACKED SECURITIES, SERIES 2020-A, BY U.S. BANK NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE 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 tien securing the Property referenced above. GREGORY FUNDING LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o GREGORY FUNDING LLC P.O. BOX 230579 TIGARD, OR 97281



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NTSS00000009385642

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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 OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

The undersigned as attorney for the mortgage or mortgage servicer does herby remove the original trustee and all successor substitute trustees and appoints in their steed RANDY DANIEL OR CINDY DANIEL OR JIM O'BRYANT 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.

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Israel Saucedo

Certificat		W	
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My name is		-				
of the HENDERSON County Clerk and caused to be posted at the						
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	-					
Declarants Name:						
Date:						

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Page 2 of 3

0000009385642 HENDERSON



ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE GEORGE ISAAC SURVEY, A388, HENDERSON COUNTY, TEXAS, AND BEING DESCRIBED AS LOT NOS. 12, 12A, & 13, SUNSET RIDGE REVISED, ACCORDING TO THE PLAT RECORDED IN CABINET D, SLIDE 255, PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

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#### 4 - 1

# 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.: 100272-TX

Date: February 22, 2022

County where Real Property is Located: Henderson

ORIGINAL MORTGAGOR: JOHNNY RAY LEWIS AND APRIL MICHELLE LEWIS, HUSBAND

AND WIFE

ORIGINAL MORTGAGEE: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS

BENEFICIARY, AS NOMINEE FOR AMERICAN FINANCIAL

NETWORK, INC., ITS SUCCESSORS AND ASSIGNS

CURRENT MORTGAGEE:

PennyMac Loan Services, LLC

MORTGAGE SERVICER:

PennyMac Loan Services, LLC

DEED OF TRUST DATED 1/31/2020, RECORDING INFORMATION: Recorded on 2/4/2020, as Instrument No. 2020-00001553 and later modified by a loan modification agreement recorded as Instrument 2021-00002316 on 02/05/2021

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE JEREMIAH PACK SURVEY ABSTRACT 636, HENDERSON COUNTY, TEXAS, MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT "A"

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on 4/5/2022, the foreclosure sale will be conducted in **Henderson** 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 10:00 AM, 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.

PennyMac Loan Services, LLC is acting as the Mortgage Servicer for PennyMac Loan Services, LLC who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. PennyMac Loan Services, LLC, as Mortgage Servicer, is representing the Mortgagee, whose address is:

PennyMac Loan Services, LLC 3043 Townsgate Rd, Suite 200 Westlake Village, CA 91361

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.

Page 1 of 2



AP NOS/SOT 08212019

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Matter No.: 100272-TX

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 ROBERT LAMONT, SHERYL LAMONT, HARRIETT FLETCHER, ALLAN JOHNSTON, SHARON ST. PIERRE, 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, Phone: (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.

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

Posted by: <u>Maran Pierre</u> Sharon St. Pierre Substitute Trustee

#### **EXHIBIT "A"**

All that certain lot, tract, or parcel of land situated in the Jeremiah Pack Survey Abstract 636, Henderson County, Texas, and being part of a called 13.079 acre tract described by deed recorded in Instrument 2016-00005806, Deed Records of Henderson County, Texas. Said tract or parcel of land being more fully described by metes and bounds as follows:

Beginning at a set 1/2" iron rod for the southeast corner of this tract N89°43'04"W 28.71 feet from the southeast corner of the above mentioned 13.079 acre tract located in the west margin of a 25 feet road easement and in the north line of the Fraire 15.22 acre tract recorded in Instrument 2017-00005295;

Thence N89°43'04"W 261.86 feet to a set 1/2" iron rod for the southwest corner of this tract;

Thence with the line of directional control N00"16'56"E 253.67 feet to a set 1/2" iron rod for the northwest corner of this tract;

Thence S89°27'16"E 265.89 feet to a set 1/2" iron rod the northeast corner of this tract located in the west margin of said 25 foot road easement;

Thence with said west margin S01\*11'47"W 252.48 feet to the place of beginning and containing 1.53 acres of land.

TRACT TWO: EASEMENT

THE EASTERN 25 FEET OF THE FOLLOWING TRACT OF LAND:

All that certain lot, tract or parcel of land, being part of the JEREMIAH PACK SURVEY, A-636, Henderson County, Texas, being part of that certain called 50 acre tract described in a deed from Mary C. Hammond, Successor Trustee to JSBS Holdings, LLC on October 8, 2013, recorded in County Clerk's File No. 2013-00015105 of the Official Records of Henderson County, Texas, being more completely described as follows, to-wit:

BEGINNING at a corner post for the Southeast corner of the above mentioned 50 acre tract, the Northeast corner of the House Nursery 7 acre tract described in Volume 944, Page 81, in the West line of the Margaret Rounsavall 50,000 acre tract described in Volume 743, Page 856, near the east edge of an asphalt driveway;

THENCE North 89 deg. 55 min. 47 sec. West with the North line of the 7 acre tract, the South line of the 50 acre tract, a distance of 393.06 ft. to a ½" iron rod (set) for corner;

THENCE North 00 deg. 47 min. 00 sec. East a distance of 1502.73 ft. to a 1/2" iron rod (set) for corner in the centerline of County Road No. 3612;

THENCE easterly with the centerline of County Road No. 3612 as follows:

South 82 deg. 27 min. 26 sec. East a distance of 89.82 ft.,

South 79 deg. 07 min. 34 sec. East a distance of 76.88 ft.,

South 72 deg. 20 min. 1S sec. East a distance of 93.34 ft.,

and South 58 deg. 10 min. 36 sec. East a distance of 162.02 ft. to a ¾" iron rod (set) for corner in the East line of the 50 acre tract, the West line of the Joe House tract described in Volume 1969, Page 141, near the east edge of an asphalt driveway;

THENCE South 01 deg. 53 min. 27 sec. West with the East line of the 50 acre tract, the West line of the House tract, a distance of 58.68 ft. to a 1/2" iron rod (found) for the Southwest corner of same, the Northwest corner of the Sue Ann Denton 17.4203 acre tract described in Volume 1320, Page 1990;

THENCE South 00 deg. 51 min. 27 sec. West with the East line of the 50 acre tract, the West line of the 17.4203 acre tract, a distance of 786.86 ft. to a 1/2" iron rod (found) for the Southwest corner of same, the Northwest corner of the 50.000 acre tract:

THENCE South 00 deg. 32 min. 44 sec. West with the East line of the 50 acre tract, the West line of the 50.000 acre tract, a. distance of 517.63 ft. to the PLACE OF BEGINNING, CONTAINING 13.079 ACRES OF LAND.

Our Case No. 16-08120-FC

# APPOINTMENT OF SUBSTITUTE TRUSTEE and NOTICE OF TRUSTEE SALE

THE STATE OF TEXAS COUNTY OF HENDERSON

Deed of Trust Date: July 15, 2011

Property address: 14078 BULL RUN LOG CABIN, TX 75148

Grantor(s)/Mortgagor(s): RHONDA ROBERTS, A SINGLE PERSON

LEGAL DESCRIPTION: Lots 1729, 1730, 1731, 1812, 1813, and 1814, Log Cabin Estates, Section 13, according to the plat recorded in Volume 9, Page 39, and Cabinet C, Slide 274, of the Plat Records of Henderson County, Texas.

Original Mortgagee:

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS BENEFICIARY, AS NOMINEE FOR BANK OF AMERICA, N.A. ITS SUCCESSORS AND **ASSIGNS** 

Current Mortgagee:

PENNYMAC LOAN SERVICES, LLC

Property County: HENDERSON

Recorded on: July 27, 2011

As Clerk's File No.: 2011-00009766

Mortgage Servicer: PENNYMAC LOAN SERVICES, LLC Earliest Time Sale Will Begin: 10:00 AM

Date of Sale: APRIL 5, 2022

Original Trustee: G. TOMMY BASTIAN

Substitute Trustee:

Sharon St. Pierre, Ronnie Hubbard, Allan Johnston, Sheryl LaMont, Robert LaMont, Randy Daniel, Cindy Daniel, Jim O'Bryant, Patrick Zwiers, Jonathan Harrison, Shawn Schiller, Angie Uselton, Ramiro Cuevas, Aurora Campos, Dana Kamin, Auction.com, Meghan Byrne, Robert La Mont, Sheryl La Mont, David Sims, Sharon St. Pierre, Allan Johnston, Ronnie Hubbard, Marinosci Law Group PC

Substitute Trustee Address: c/o Marinosci Law Group, PC 14643 Dallas Parkway, suite 750 Dallas, TX 75254 (972) 331-2300

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 Current Mortgagee under said Deed of Trust, according to the provisions therein set out does hereby remove the original trustee and all successor substitute trustees and appoints in their stead Sharon St. Pierre, Ronnie Hubbard, Allan Johnston, Sheryl LaMont, Robert LaMont, Randy Daniel, Cindy Daniel, Jim O'Bryant, Patrick Zwiers, Jonathan Harrison, Shawn Schiller, Angie Uselton, Ramiro Cuevas, Aurora Campos, Dana Kamin, Auction.com, Meghan Byrne, Robert La Mont, Sheryl La Mont, David Sims, Sharon St. Pierre, Allan Johnston, Ronnie Hubbard, Marinosci Law Group PC, 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 Mortgagee therein.

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due and the owner and bolder has requested to sell said property to satisfy said indebtedness

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, APRIL 5, 2022 between ten o'clock AM and four o'clock PM and beginning not earlier than 10:00 AM or not later than three hours thereafter. The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will be conducted at the George Allen Courts Building, 600 Commerce Street, Dallas, TX 75202 as designated by the Commissioners' Court, of said county pursuant to Section 51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this notice was posted.

PENNYMAC LOAN SERVICES, LLC, who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. 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 debt.

**ACTIVE MILITARY SERVICE NOTICE** 

Assert and protect your rights as a member of the armed forces of the Unites States. If you 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.

January 3, 2072 WITNESS MY HAND, & MARINOSCI LAW GROLO SAMMX HODDY MANAGING ATTORNEY THE STATE OF TEXAS COUNTY OF DALLAS , the undersigned officer, on this, the 315th day of January 2022, personally appeared SAMMY HOODA, I known to me, who identified herself/himself to be the MANAGING ATTORNEY of MARINOSCI LAW GROUP PC, the person and officer whose name is subscribed to the foregoing instrument, and being authorized to do so, acknowledged that (s)he bad executed the foregoing instrument as the act of such corporation for the purpose and consideration described and in the capacity stated. Witness my hand and official seal Notary Public for the State of TEXAS MATTHEW KENNETH KING Notary Public, State of Texas My Commission Expires: 07/16/2024 Comm. Expires 07-16-2024 Matthew

Grantor.

PENNYMAC LOAN SERVICES, LLC 3043 TOWNSGATE ROAD, #200 WESTLAKE VILLAGE, CA 91361 Our File No. 16-08120

Notary ID 129055957

Return to:

Kins

Printed Name and Notary Public

MARINOSCI LAW GROUP, P.C. MARINOSCI & BAXTER 14643 DALLAS PARKWAY, SUITE 750 DALLAS, TX 75254

Posted by: Marsu Diene 212/2022 Sharon St. Pierre

**Substitute Trustee** 

FILES FOR RECORD 2022 FEB -2 PM 3: 24

# Notice of Substitute Trustee Sale

T.S. #: 21-5317

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.

Date, Time, and Place of Sale - The sale is scheduled to be held at the following date, time and place:

Date: 4/5/2022

The sale will begin no earlier than 10:00 AM or no later than three hours thereafter. Time:

The sale will be completed by no later than 1:00 PM

Place: Henderson County Courthouse in ATHENS, Texas, at the following location: 125

N. Prairieville St, Athens, Tx 75751 - or in the area designated by the commissioners court. OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

Property To Be Sold - The property to be sold is described as follows:

#### SEE ATTACHED EXHIBIT A

Instrument to be Foreclosed - The instrument to be foreclosed is the Deed of Trust is dated 4/5/2019 and is recorded in the office of the County Clerk of Henderson County, Texas, under County Clerk's File No 2019-00004704 recorded on 4/8/2019 of the Real Property Records of Henderson County, Texas.

225 JOHN THOMAS DRIVE KEMP, TX 75143

Trustor(s):

Morries Ward

Original Beneficiary: Mortgage Electronic

Registration Systems, Inc., solely as nominee for Wintrust Mortgage, a Division of Barrington Bank and Trust Co., N.A., its

successors and assigns

Wintrust Mortgage, a division

Loan Servicer:

WINTRUST MORTGAGE

Beneficiary:

of Barrington Bank & Trust

Co., N.A.

Current Substituted Auction.com, Sharon St. Pierre, Ronnie Hubbard, Allan Johnston, Sheryl LaMont, Robert LaMont, Meghan Byrne, David Sims, Harriett Fletcher, Rick Snoke, Prestige

Trustees: Default Services, LLC

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

Terms of Sale - 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 beneficiary 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. Pursuant to the Deed of Trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. 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. Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

Type of sale - The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of the sale granted by the deed of trust executed by Morries Ward, an unmarried man. The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

Obligations Secured - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including by not limited to (1) the promissory note in the original principal amount of \$85,500.00, executed by Morries Ward, an unmarried man, and payable to the order of Mortgage Electronic Registration Systems, Inc., solely as nominee for Wintrust Mortgage, a Division of Barrington Bank and Trust Co., N.A., its successors and assigns; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of Morries Ward, an unmarried man to Morries Ward. Wintrust Mortgage, a division of Barrington Bank & Trust Co., N.A. is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbranees, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

Questions concerning the sale may be directed to the undersigned or to the beneficiary:

Wintrust Mortgage, a division of Barrington Bank & Trust Co., N.A. c/o WINTRUST MORTGAGE 9700 W. HIGGINS ROAD, SUITE 725 ROSEMONT, IL 60018 800-999-2649

Dated: February 2, 2022 Auction.com, Sharon St. Pierre, Ronnie Hubbard, Allan Johnston, Sheryl La Mont, Robert La Mont, Meghan Byrne, David Sims, Harriett Fletcher, Rick Snoke, Prestige Default Services, LLC

T.S. #: 21-5317

Prestige Default Services, LLC 9720 Coit Road, Suite 220-228 Plano, Texas 75025 Phone: (972) 893-3096 ext. 1035 Fax: (949) 427-2732

AFTER RECORDING, PLEASE RETURN TO: Prestige Default Services, LLC 9720 Coit Road, Suite 220-228 Plano, Texas 75025 Attn: Trustee Department

# NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

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. Sender is: Codilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

#### INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated March 14, 2017 and recorded under Clerk's File No. 2017-00003700, in the real property records of HENDERSON County Texas, with Hollis A Johnson and Linda Marie Johnson, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Prime Source Mortgage, Inc., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Hollis A Johnson and Linda Marie Johnson, husband and wife securing payment of the indebtedness in the original principal amount of \$73,641.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Hollis A Johnson. THE MONEY SOURCE INC. is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

The Mortgagee 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. The Money Source Inc. is acting as the Mortgage Servicer for the Mortgagee. The Money Source Inc., is representing the Mortgagee, whose address is: 500 South Broad Street, Suite #100A, Meriden, CT 06450.

#### Legal Description:

LOTS 14 AND 15 OF GREAT OAKS RESORT, A SUBDIVISION IN HENDERSON COUNTY, TEXAS, OUT OF THE BANTISTO MEDRO SURVEY, A-483, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET C, SLIDE 87, PLAT RECORDS, HENDERSON COUNTY, TEXAS.

#### SALE INFORMATION

Date of Sale: 04/05/2022

Earliest Time Sale Will Begin: 10:00 AM

Location of Sale: The place of the sale shall be: HENDERSON County Courthouse, Texas at the following location: On the porch to the south entrance of the Henderson 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

#### **TERMS OF SALE**

A 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.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Pursuant to the Deed of Trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. 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.

44-21-1050 HENDERSON



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The sale will begin at the earliest time stated above, or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney.

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.

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 Robert LaMont, Sheryl LaMont, Harriett Fletcher, David Sims, Aurora Campos, Ramiro Cuevas, Allan Johnston, Jonathan Harrison, Patrick Zwiers, Kristopher Holub, Sharon St. Pierre, Ronnie Hubbard, Shawn Schiller, Angie Uselton, Bobby Howell, Cindy Daniel, Dana Kamin, Jim O'Bryant, Jon Howell, Lisa Bruno, Susan Swindle, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com, as Substitute Trustee.

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is: Codilis & Moody, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

Executed on <del>01/24/2022.</del> • OI/25/2022.

/s/ Lisa Collins SBOT No. 24115338, Attorney at Law Codilis & Moody, P.C. 400 N. Sam Houston Pkwy E, Suite 900A Houston, TX 77060 (281) 925-5200

Posted and filed by: Aharan Biene

Printed Name: Sharon St. Pierre 1-25. 2022

C&M No. 44-21-1050