

Lawrence E. Johnson, as Trustee or to the successor trustee of the Johnson Living Trust dated February 4, 2014 as Transferee of an undivided 9.190% senior interest, and Equity Trust Company Custodian FBO Jonathan Sikes IRA as Transferee of an undivided 5.328% senior interest, and Amanda Hudson, legal owner via non-trust custodial IRA with AET as Transferee of an undivided 26.128% senior interest, and Sunwest Trust FBO Carinn Ormson IRA as Transferee of an undivided 8.271% senior interest, and BTF3803 Trust as Transferee of an undivided 12.866% senior interest, and Marcos A. Lavrador as Transferee of an undivided 21.217% senior interest, and CMFM LLC, a Wyoming limited liability company as Transferee of an undivided 17.000% subordinate interest, collectively as an undivided 100% interest,

Noteholder

August REI, LLC, Loan Servicing Company  
Ghrist Law Firm PLLC (hereinafter "Attorney")

Christopher Banks

Debra Butler

112 Timber Rd. Mabank, TX 75156

Sent via first class mail and CMRR # 9171 9690 0935 0285 8323 24 on 11/14/2022

FILED FOR RECORD  
2022 NOV 15 PM 12:46  
MARTIN COUNTY CLERK  
HENDERSON COUNTY, TEXAS

### NOTICE OF TRUSTEE'S SALE

WHEREAS Christopher Banks and Debra Butler executed a Deed of Trust conveying to the initial trustee, the real estate hereinafter described, in payment of a debt therein described. The Deed of Trust was filed in the real property records of Henderson County, Texas and is recorded under Clerk's File/Instrument Number 2020-00003607, to which reference is made for all purposes.

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

WHEREAS, the undersigned has been, will be, or is hereby appointed Substitute Trustee in the place of the said original Trustee, upon contingency and in the manner authorized by said Deed of Trust; and

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the following:

1. Date, Place, and Time of Sale:

Date: Tuesday, the 6<sup>th</sup> day of December, 2022

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

Place: The foreclosure sale will be conducted at public venue in the area designated by the Henderson County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by

the Commissioner's Court, the sale will be conducted at the area immediately adjacent to the location where the Notice of Trustee's Sale (this notice) was posted.

2. Property to be Sold:

All these certain lots, tracts or parcels of land, in the J.M. Mendoza Survey, A-487, Henderson County, Texas and being Lot No. ONE HUNDRED THIRTEEN (113), Lot No. ONE HUNDRED FOURTEEN (114), and Lot No. ONE HUNDRED FIFTEEN (115), BLOCK "A" of the TIMBER BAY SUBDIVISION, according to the Plat thereof, recorded in Volume 6, Page 22 also known as Cabinet B, Slide 102, of the Plat Records of Henderson County, Texas, and more commonly known as a single family home located at 112 Timber Rd. Mabank, TX 75156.

3. Name and Address of Sender of Notice:

Ghrist Law Firm, PLLC, Ian Ghrist, 4016 Gateway Drive, Suite 130, Colleyville, Texas, 76034.

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.

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 MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.

Pursuant to Section 51.0025 of the Texas Property Code, the mortgage servicer or Attorney are entitled to administer the foreclosure due to the fact that the servicer, noteholder or Lender, and Attorney have entered into an agreement granting authority to service the mortgage and administer foreclosure proceedings.

GHRIST LAW FIRM PLLC



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Ian Ghrist, Sarah Dill, Richard Ramsey or Fran Rodebaugh  
Substitute Trustee(s)  
4016 Gateway Drive, Suite 130  
Colleyville, Texas 76034  
Phone: (817) 778-4136

NOTICE OF SUBSTITUTE TRUSTEE'S SALE FOR RECORD

2022 NOV 10 PM 12:10

STATE OF TEXAS §  
COUNTY OF TARRANT §

KNOW ALL MEN BY THESE PRESENTS  
MARY ANN ROBERTS TRUSTEES  
HENDERSON COUNTY, TEXAS

**WHEREAS**, by that one certain Deed of Trust Home Equity dated July 17, 2012, and recorded as Instrument No. 2012-00010629, Real Property Records, Henderson County, Texas (the "Deed of Trust"), John Dukes ("Grantor") conveyed to Jim Minge, Trustee ("Trustee"), for the benefit of Texas Trust Credit Union ("Beneficiary"), the real property situated in Henderson County, Texas, as more particularly described on Exhibit "A" attached hereto and incorporated herein for all purposes (the "Property"), to secure the payment of a Note and Disclosure Statement July 17, 2012, in the original principal amount of \$94,600.00, executed by Grantor and made payable to the order of Beneficiary (the "Note"); and

**WHEREAS**, default occurred under the terms of the Note and the Deed of Trust; and

**WHEREAS**, demand for payment of all amounts owed under the Note and the Deed of Trust was made, and all required notices have been given, including notice of intent to accelerate and notice of acceleration, all in accordance with the Note, the Deed of Trust and applicable law; and

**WHEREAS**, the indebtedness evidenced by the Note and secured by the Deed of Trust is now wholly due and payable; and

**WHEREAS**, the outstanding balance due under the Note and the Deed of Trust has not been paid; and

**WHEREAS**, the County Court of Law of Henderson County, Texas entered a Default Order Granting Application for Order for Foreclosure of Home Equity Lien (the "Order") in a case styled, *In re: Order For Foreclosure Concerning 510 Tidmore Street, Malakoff, Texas 75148 Under Tex. R. Civ. P. 736 and Ruby DeLois Dukes Pagitt, As Independent Executrix of the Estate of John Dukes, Deceased and Gary Don Pagitt, Cause No. 197-2019CCL*, in the County Court of Law, Henderson County, Texas, a conformed copy of which is attached hereto as Exhibit "B;" and

**WHEREAS**, Jim Minge, Trustee in the aforesaid Deed of Trust, was removed as Trustee, and the undersigned or Matthew Taplett or Lee F. Christie or Jeremy L. Harmon or Michael L. Atchley or Cheyenne Haddad were appointed as Substitute Trustee in the place and stead of the said Jim Minge, said removal and appointment being in the manner authorized by the Deed of Trust; and

**WHEREAS**, Beneficiary, the current owner and holder of said indebtedness and the current beneficiary under the Deed of Trust, has requested the undersigned or Matthew Taplett or Lee F. Christie or Jeremy L. Harmon or Michael L. Atchley or Cheyenne Haddad, as acting Substitute Trustee, to sell the Property to satisfy the indebtedness.

**NOW, THEREFORE, NOTICE IS HEREBY GIVEN** that on Tuesday, the 6th day of December, 2022, between the hours of 10:00 A.M. and 4:00 P.M., the undersigned or Matthew Taplett or Lee F. Christie or Jeremy L. Harmon or Michael L. Atchley or Cheyenne Haddad will sell the Property at public auction on the south entrance porch of the Henderson County Courthouse, or in the area designated by the Henderson County Commissioners Court, if different, to the highest bidder for cash, subject to the right of Beneficiary to have its bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale. Said sale will begin no earlier than 10:00 A.M. and no later than three hours after that time.

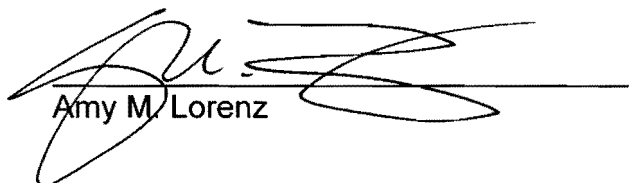
**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES, IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.**

The Sender of this notice and his contact information is as follows:

Amy M. Lorenz  
Pope, Hardwicke, Christie, Schell, Kelly & Taplett, L.L.P.  
500 W. 7<sup>th</sup> Street, Suite 600  
Fort Worth, Texas 76102  
817/332-3245

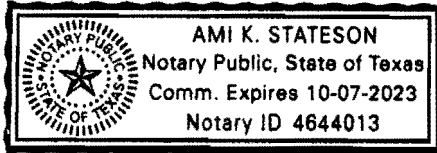
WITNESS MY HAND this 9th day of November, 2022.

SUBSTITUTE TRUSTEE:

  
Amy M. Lorenz

STATE OF TEXAS       §  
                                  §  
COUNTY OF TARRANT §

This instrument was acknowledged before me on the 9th day of November, 2022, by Amy M. Lorenz, Substitute Trustee, who acknowledged to me that he executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.



*Ami K. Stateson*  
\_\_\_\_\_  
Notary Public for the State of Texas

**NAME, ADDRESS AND TELEPHONE  
NUMBER OF MORTGAGEE:**

Texas Trust Credit Union  
c/o Mr. Robert Kubiak  
P.O. Box 2109  
Mansfield, Texas 76063  
(800) 527.3600

**NAME, ADDRESS AND PHONE  
NUMBER OF SUBSTITUTE  
TRUSTEE:**

Amy M. Lorenz  
Matthew T. Taplett  
Lee F. Christie  
Michael L. Atchley  
Jeremy Lee Harmon  
Cheyenne Haddad  
Pope, Hardwicke, Christie, Schell,  
Kelly & Taplett, L.L.P.  
500 W. 7<sup>th</sup> Street, Suite 600  
Fort Worth, Texas 76102  
(817) 332-3245

## EXHIBIT A

Property (including any improvements):

All that certain lot, tract, or parcel of land situated in the Thomas Tuton Survey Abstract 763, Henderson County, Texas and being the same land described in the deed recorded In Volume 634, Page 517, being Tracts 1 & 2, and City of Malakoff. Said tract or parcel of land being more fully described by meter and bounds as follows:

BEGINNING at the northwest corner of the above mentioned Lot 5 of Morningolde Addition, a 1/2" iron rod found for corner;

THENCE EAST 55.00 feet to a 1/2" iron rod found for corner;

THENCE N00°30'E 100.70 feet with the west line of the above mentioned tract of land described in Volume 634, Page 517, to the northwest corner of this tract, a 1/2" iron rod found for corner, being located on the south line of Tidmore Street;

THENCE EAST 133.00 feet with the south line of Tidmore Street to the northeast corner of this tract, a 1/2" iron rod found for corner;

THENCE SOUTH 180.00 feet with the west line of Olive Street to the southeast corner of this tract, a 3/4" pipe found for corner;

THENCE S89°36'33"W 189.60 feet to the southwest corner of this tract, a 1/2" iron rod found for corner;

THENCE N00°30'E 80.60 feet to the place of beginning and containing 0.656 Acre of land.

which has a commonly known street address of 510 E. Tidmore Street, Malakoff, Texas 75148.

FILED FOR RECORD  
 at my office on the 27 day  
 Oct 2022 11:07 AM  
 MARY MARGARET WRIGHT  
 County Clerk, Henderson County, Texas

**CAUSE NO. 197-2019CCL**

**IN RE: ORDER FOR FORECLOSURE §  
 CONCERNING 510 TIDMORE STREET, §  
 MALAKOFF, TEXAS 75148 UNDER §  
 TEX. R. CIV. P. 736 §  
 AND §  
 RUBY DELOIS DUKES PAGITT, AS §  
 INDEPENDENT EXECUTRIX OF THE §  
 ESTATE OF JOHN DUKES, §  
 DECEASED AND GARY DON PAGITT §**

**IN THE COUNTY COURT  
 OF LAW  
 HENDERSON COUNTY, TEXAS**

**DEFAULT ORDER GRANTING APPLICATION  
 FOR ORDER FOR FORECLOSURE OF HOME EQUITY LIEN**

On this day came to be considered the Application for Order for Foreclosure (the "Application") in the above-entitled and numbered cause. The Court, having reviewed the record, finds the following:

- (a) The Application complies with the requirements of Rule 736.1 of the Texas Rules of Civil Procedure;
- (b) The Respondent Ruby DeLois Dukes Pagitt ("Ruby"), as Independent Executrix of the Estate of John Dukes, Deceased, has been properly served with the Application in accordance with Rule 736.3 of the Texas Rules of Civil Procedure;
- (c) The Respondent, Gary Don Pagitt ("Gary"), who is believed to be the sole occupant of the property, has been properly served with the Application in accordance with Rule 736.3 of the Texas Rules of Civil Procedure;
- (d) The returns of service have been on file with the Clerk of the Court for at least ten days prior to the date of the entry of this Order;
- (e) Respondent, Ruby's last known address is 411 E. Dewey, Malakoff, Texas 7518, and she is the person who is obligated to pay, and the mortgagor of, the loan agreement, contract and lien sought to be foreclosed as set forth in the Application;

- (f) Respondent, Gary's last known address is 510 E. Tidmore Street, Malakoff, Texas 75148, and he received title to the property subject to the loan agreement, contract and lien sought to be foreclosed as set forth in the Application from Ruby, as Independent Executrix of the Estate of John Dukes, Deceased;
- (g) The property to be foreclosed by commonly known mailing address and legal description is:

All that certain lot, tract, or parcel of land situated in the Thomas Tuton Survey Abstract 763, Henderson County, Texas and being the same land described in the deed recorded In Volume 634, Page 517, being Tracts 1 & 2, and City of Malakoff. Said tract or parcel of land being more fully described by meter and bounds as follows:

BEGINNING at the northwest corner of the above mentioned Lot 5 of Morningolde Addition, a 1/2" iron rod found for corner;

THENCE EAST 55.00 feet to a 1/2" iron rod found for corner;

THENCE N00°30'E 100.70 feet with the west line of the above mentioned tract of land described in Volume 634, Page 517, to the northwest corner of this tract, a 1/2" iron rod found for corner, being located on the south line of Tidmore Street;

THENCE EAST 133.00 feet with the south line of Tidmore Street to the northeast corner of this tract, a 1/2" iron rod found for corner;

THENCE SOUTH 180.00 feet with the west line of Olive Street to the southeast corner of this tract, a 3/4" pipe found for corner;

THENCE S89°36'33"W 189.60 feet to the southwest corner of this tract, a 1/2" iron rod found for corner;

THENCE NO0°30'E 80.60 feet to the place of beginning and containing 0.656 Acre of land.

which has a commonly known street address of 510 E. Tidmore Street, Malakoff, Texas 75148

- (h) Decedent, John Dukes executed a Texas Home Equity Security Document whereby a lien was created under Article XVI, Section 50(a)(6) of the Texas Constitution, which is filed as Document No. 2012-00010629, Real Property Records of Henderson County, Texas; and



- (i) Despite Respondent's default under the terms of the loan agreement, contract, and lien sought to be foreclosed, and despite the filing of the Application and the service of the Application in accordance with Texas Rule of Civil Procedure 736.3, Respondents have failed to file a timely response to the Application.

IT IS, THEREFORE, ORDERED that Petitioner, Texas Trust Credit Union, its successors and assigns, if any, be and hereby are authorized to serve a notice of sale upon Respondents and to proceed to foreclosure sale under the terms of the security instrument and § 51.002 of the Texas Property Code of the following described real property referenced within the Application:

All that certain lot, tract, or parcel of land situated in the Thomas Tuton Survey Abstract 763, Henderson County, Texas and being the same land described in the deed recorded In Volume 634, Page 517, being Tracts 1 & 2, and City of Malakoff. Said tract or parcel of land being more fully described by meter and bounds as follows:

BEGINNING at the northwest corner of the above mentioned Lot 5 of Morningolde Addition, a 1/2" iron rod found for corner;

THENCE EAST 55.00 feet to a 1/2" iron rod found for corner;

THENCE N00°30'E 100.70 feet with the west line of the above mentioned tract of land described in Volume 634, Page 517, to the northwest corner of this tract, a 1/2" iron rod found for corner, being located on the south line of Tidmore Street;

THENCE EAST 133.00 feet with the south line of Tidmore Street to the northeast corner of this tract, a 1/2" iron rod found for corner;

THENCE SOUTH 180.00 feet with the west line of Olive Street to the southeast corner of this tract, a 3/4" pipe found for corner;

THENCE S89°36'33"W 189.60 feet to the southwest corner of this tract, a 1/2" iron rod found for corner;

THENCE N00°30'E 80.60 feet to the place of beginning and containing 0.656 Acre of land.

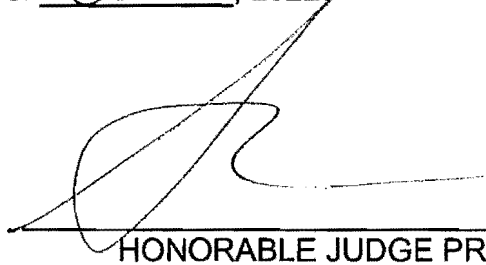
which has a commonly known street address of 510 E. Tidmore Street, Malakoff, Texas 75148

IT IS FURTHER ORDERED that a copy of this Order shall be sent to the Respondents Ruby DeLois Dukes Pagitt, as Independent Executrix of the Estate of John Dukes, Deceased and Gary Don Pagitt with the notice of sale.

IT IS FURTHER ORDERED that Petitioner, Texas Trust Credit Union, its successors and assigns, if any, may communicate with the Respondents Ruby DeLois Dukes Pagitt, as Independent Executrix of the Estate of John Dukes, Deceased and Gary Don Pagitt and all third parties reasonably necessary to conduct the foreclosure sale.

If Respondents are represented by counsel the notice of foreclosure sale shall also be mailed to counsel by certified mail.

SIGNED this 27 day of October, 2022.



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HONORABLE JUDGE PRESIDING

**NOTICE OF FORECLOSURE SALE**  
**(Substitute Trustee's Sale)**

FILED FOR RECORD  
2022 NOV -9 PM 4:00

MARY MARGARET WRIGHT  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

**Notice is hereby given of a public non-judicial foreclosure sale.**

**Notice to Member(s) of Armed Forces:** 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 the 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. The address of the sender of this notice is set forth below.

1. **Property To Be Sold.** The real property to be sold is described as follows, *to wit:* All of the real property described on **Exhibit "A"** attached hereto and incorporated herein for all purposes (the "Property").

2. **Date, Time, and Place of Sale.** The foreclosure sale (the "Sale") is scheduled to be held at the following date, time, and place:

**Date:** Tuesday, December 6, 2022

**Time:** The Sale shall begin no earlier than 1:00 P.M., or no later than three hours thereafter. The Sale shall be completed by no later than 4:00 P.M.

**Place:** at or around the south entrance steps of the Henderson County courthouse located at 100 East Tyler Street, Athens, Henderson County, Texas, 75751, or as prescribed by the Commissioner's Court of Henderson County, Texas.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the Sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be re-posted and re-filed in accordance with the posting and filing requirements of the Texas Property Code. Such re-posting or re-filing may be after the date originally scheduled for this Sale.

3. **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 promissory note (the "Note") up to the amount of the unpaid debt secured by the Deed of Trust at the time of the Sale. 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. The Property shall be sold on an "AS IS, WHERE IS" basis. THERE WILL BE NO WARRANTY RELATING TO TITLE,

POSSESSION, QUIET ENJOYMENT, OR THE LIKE FOR THE PERSONAL PROPERTY, IF ANY, IN THIS DISPOSITION.

A contingency stated in the Deed of Trust as a condition precedent for the appointment of a Substitute Trustee occurred, and David K. Waggoner was appointed by that certain Appointment of Substitute Trustee instrument executed by Powell State Bank, dated October 1, 2022, and recorded among the Official Public Records of Henderson County, Texas.

Those desiring to purchase the Property will need to demonstrate their ability to pay cash on the day the property is sold. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

The Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. Pursuant to Section 51.0075 of the Texas Property Code, the Substitute 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 Substitute Trustee.

**4. 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 sale granted by the Deed of Trust executed by Robert Winston and Cindy Winston. The Deed of Trust is dated June 18, 2009, recorded in the office of the County Clerk of Henderson County, Texas, in/under Clerk's Instrument Number 2009-00009356, of the Official Public Records of Henderson County, Texas.

**5. Obligations Secured.** The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively, the "Obligations") including but not limited to: (1) the Note in the original principal amount of **\$26,000.00**, executed by Robert Winston and Cindy Winston, and payable to the order of Powell State Bank; (2) all renewals and extensions of the Note; and (3) any and all present and future indebtedness of Robert Winston and Cindy Winston to Powell State Bank, who is the current owner and holder of the Obligations and is the Beneficiary under the Deed of Trust.

**6. Default and Request To Act.** Default has occurred under the Deed of Trust and the Beneficiary has requested me, as the duly appointed Substitute Trustee, to conduct the Sale. Notice is given that before the Sale the Beneficiary may appoint another person as Substitute Trustee to conduct the Sale.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT (DEED OF TRUST) IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY AUTHORIZED TO CONDUCT THE FORECLOSURE SALE ON BEHALF OF THE MORTGAGEE (BENEFICIARY) .

Executed this 9th day of November, 2022.



David K. Waggoner, Substitute Trustee

SBN: 50511604

Attorney At Law

321 North 12th Street

P.O. Box 3075

Corsicana, Texas 75110

254-580-0265

877-582-5950 (Fax)

Info@WaggonerLawFirm.net

## EXHIBIT "A"

Page 1 of 1

### **Property (including any improvements):**

All that certain lot, tract or parcel of land situated in Henderson County, State of Texas, on the Nathaniel Addison Survey, A-17, and being a part of the called 35.606 acre tract conveyed to Henry F. Warren, by Robert B. Trotman, ETAL, by Warranty Deed recorded in Volume 479, Page 365, of the Henderson County Deed Records, and a part of Block 2, and a part of the street adjoining Block 2 on the West side, of the H. F. Warren Subdivision to the City of Trinidad, Texas as shown by plat recorded in Volume 2, Page 37, now shown in Cabinet A, Slide 141, of the Henderson County Plat Records. Said lot, tract or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a 2" iron pipe found for corner in the North ROW line of State HWY. No. 31, at the Southerly Southeast corner of Block 2, and at an angle corner of the called 35.606 acre tract;

THENCE SOUTH 67 degrees 07 minutes 13 seconds West along the North ROW line of State HWY. No. 31, 267.41 feet to a ½" iron rod found for corner at the Southwest corner of the said street, at the Southeast corner of Block 1, of the said H. F. Warren Subdivision and at the Southeast corner of the Bennie L. McGriff 0.32 acre tract recorded in Volume 1977, Page 222, of the Henderson County Real Property Records;

THENCE NORTH 00 degrees 43 minutes 56 seconds West along the West ROW line of the said street, the East line of Block 1, and the East line of the said 0.32 acre tract, 149.57 feet to a ½" iron rod found for corner at the Northeast corner of the said 0.32 acre tract;

THENCE NORTH 65 degrees 09 minutes 44 seconds East 241.97 feet to a 5/8" iron rod set for corner at an angle corner of Block 2, and at an angle corner of the called 35.606 acre tract;

THENCE SOUTH 11 degrees 01 minutes 44 seconds East along the Southerly East line of Block 2, 150.00 feet to the place of beginning and containing 0.830 acre of land.

**NOTICE OF FORECLOSURE 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 OR 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. *Property to Be Sold.* The property to be sold is described as follows: TRACT 1: LOTS 258 & 259, SECTION III, GOLDEN OAKS SUBDIVISION, AS SHOWN BY THE MAP OR PLAT THEREOF RECORDED IN VOLUME D, SLIDE 11, PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

TRACT 2: LOT 260, SECTION III, GOLDEN OAKS SUBDIVISION, AS SHOWN BY THE MAP OR PLAT THEREOF RECORDED IN VOLUME D, SLIDE 11, PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

TRACT 3: LOT 261, SECTION III, GOLDEN OAKS SUBDIVISION, AS SHOWN BY THE MAP OR PLAT THEREOF RECORDED IN VOLUME D, SLIDE 11, PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 07/02/2021 and recorded in Document 2021-00012709 real property records of Henderson County, Texas.

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

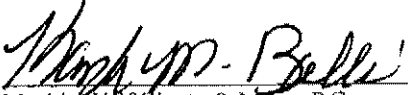
- Date: 12/06/2022
- Time: 10:00 AM
- Place: Henderson County, Texas at the following location: THE SOUTH ENTRANCE PORCH OF THE HENDERSON COUNTY COURT HOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

4. *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 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.

5. *Obligations Secured.* The Deed of Trust executed by ROBERT ALAN CAMPBELL, provides that it secures the payment of the indebtedness in the original principal amount of \$137,655.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. NexBank is the current mortgagee of the note and deed of trust and NEXBANK is mortgage servicer. A servicing agreement between the mortgagee, whose address is NexBank c/o NEXBANK, 1 Corporate Dr., Ste. 360, Lake Zurich, IL 60047 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Substitute Trustee(s) Appointed to Conduct Sale.* In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**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.**

  
 Mackie Wolf Zientz & Mann, P.C.  
 Brandon Wolf, Attorney at Law  
 L. Keller Mackie, Attorney at Law  
 Michael Zientz, Attorney at Law  
 Lori Liane Long, Attorney at Law  
 Chelsea Schneider, Attorney at Law  
 Ester Gonzales, Attorney at Law  
 ✓ Karla Balli, Attorney at Law  
 Parkway Office Center, Suite 900  
 14160 Dallas Parkway  
 Dallas, TX 75254

FILED FOR RECORD  
 2022 NOV -3 AM 8:08  
 HENDERSON COUNTY CLERK  
 HENDERSON COUNTY, TEXAS

Certificate of Posting

I am \_\_\_\_\_ whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office of the Henderson County Clerk and caused it to be posted at the location directed by the Henderson County Commissioners Court.

# NOTICE OF TRUSTEE'S SALE

## DEED OF TRUST INFORMATION:

|                       |   |                    |                  |
|-----------------------|---|--------------------|------------------|
| Grantor(s)            | Mary Jim Parker   | Deed of Trust Date | July 13, 2015    |
| Original Mortgagee    | Mortgage Electronic Registration Systems, Inc. ("MERS"), solely as nominee for Reverse Mortgage Solutions, Inc., its successors and assigns | Original Principal | \$202,500.00     |
| Recording Information | Instrument #: 2015-00009951 in Henderson County, Texas  | Original Trustee   | G. Tommy Bastian |
| Property Address      | 8867 Pheasant Dr., Chandler, TX 75758   | Property County    | Henderson        |

## MORTGAGE SERVICER INFORMATION:

|                     |  |                           |   |
|---------------------|--|---------------------------|---|
| Current Mortgagee   | Mortgage Assets Management, LLC F/K/A Reverse Mortgage Solutions, Inc. | Mortgage Servicer         | PHH Mortgage Corporation                                    |
| Current Beneficiary | Mortgage Assets Management, LLC F/K/A Reverse Mortgage Solutions, Inc. | Mortgage Servicer Address | 1661 Worthington Road, Suite 100, West Palm Beach, FL 33409 |

## SALE INFORMATION:

|                              |  |
|------------------------------|--|
| Date of Sale                 | 12/06/2022   |
| Time of Sale                 | 10:00 AM or no later than 3 hours thereafter   |
| Place of Sale                | The South entrance porch of the Courthouse County Courthouse in Henderson County, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the Henderson County Commissioner's Court.   |
| Substitute Trustees          | 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, Randy Daniel, Cindy Daniel, Jim O'Bryant, Sharon St. Pierre, Robert LaMont, Sheryl LaMont, Harriet Fletcher, David Sims, Allan Johnston, Ronnie Hubbard, Selim Taherzadeh, Mo Taherzadeh, or Michael Linke, any to act |
| Substitute Trustees' Address | 15851 N. Dallas Parkway, Suite 410, Addison, TX 75001  |

## PROPERTY INFORMATION:

|   |
|---|
| Legal Description as per the Deed of Trust:<br>LOT NO. EIGHTEEN (18), BLOCK TWO (2), OF PHOENIX SOUTH SUBDIVISION, AN ADDITION IN HENDERSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN SLIDE D, CABINET 83, OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS. |
|---|

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Default has occurred under the Deed of Trust and all sums secured by the Deed of Trust were declared immediately due and payable. The Beneficiary has, or caused another to, removed the Original Trustee and appointed Substitute Trustees. On behalf of the Mortgagee, Mortgage Servicer, and Substitute Trustees, the undersigned is providing this Notice of Trustee's 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.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all other matters of record affecting the property.



## NOTICE OF TRUSTEE'S SALE

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any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released from the lien of the Deed of Trust. 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 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. Purchasers will buy the property "at the purchaser's own risk" and "at his/her peril", and no representation is made concerning the quality of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property.

Pursuant to 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.

The Deed of Trust permits the Beneficiary to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee, or any subsequently appointed Trustee, need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

Interested parties are encouraged to consult counsel of their choice prior to participating in the sale of the property.

**Assert and protect your rights as a member of the armed forces of the United 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.**

**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.**

Dated October 28, 2022.

/s/ Selim H. Taherzadeh

Selim H. Taherzadeh  
15851 N. Dallas Parkway, Suite 410  
Addison, TX 75001  
(469) 729-6800

Return to: TAHERZADEH, PLLC  
15851 N. Dallas Parkway, Suite 410, Addison, TX 75001



(a) Petitioner is the holder of a Texas Home Equity Conversion Note secured by a lien created under Texas Constitution Article XVI, Section 50(k). A debt exists.

(b) The obligation secured by the lien sought to be foreclosed is in default.

(c) The requisite notice to cure the default has been mailed to each person as required under applicable law and the loan agreement, contract, or lien sought to be foreclosed and the opportunity to cure has expired. Before the Application was filed, any other action required under applicable law and the loan agreement, contract, or lien sought to be foreclosed was performed.

IT IS THEREFORE ORDERED that:

1. Mortgage Assets Management, LLC F/K/A Reverse Mortgage Solutions, Inc., together with its successors and assigns, is hereby authorized to serve Notice of Sale on each Respondent and may proceed with a foreclosure sale in accordance with the security agreement and Texas Property Code Section 51.002 concerning the property with a commonly known mailing address of 8867 Pheasant Dr., Chandler, TX 75758 and legal description as described in the Real Property Records of Henderson County, Texas as follows:

LOT NO. EIGHTEEN (18), BLOCK TWO (2), OF PHOENIX SOUTH SUBDIVISION, AN ADDITION IN HENDERSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN SLIDE D, CABINET 83, OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

2. The name and last known address of each respondent subject to the order are:

Mary Jim Parker  
109 Saskatchewan Road  
Roland, OK 74954

3. The recording or indexing information of each lien to be foreclosed is as follows:

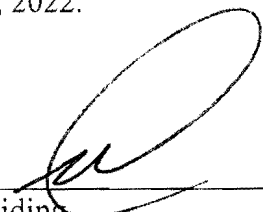
Instrument #: 2015-00009951 in the Real Property Records of Henderson County, Texas.

4. A conformed copy of an Order Allowing Foreclosure must be attached to the Trustee or Substitute Trustee's Foreclosure Deed in accordance with TRCP 736.12.

5. Petitioner may communicate with each Respondent and all third parties as reasonably necessary to conduct a foreclosure sale.

6. Notice of Foreclosure Sale must be mailed to respondent's counsel by certified mail if a respondent is represented by counsel.

Signed, this \_\_\_\_ day of 8/8, 2022.

  
\_\_\_\_\_  
Judge Presiding

FILED FOR RECORD  
2022 NOV -3 AM 8:08  
CLERK OF COURT  
HENDERSON COUNTY, TEXAS

## 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 February 28, 2008 and recorded under Vol. 2852, Page 312, or Clerk's File No. 003540, in the real property records of HENDERSON County Texas, with Allan S. Fox and Sandra Jean Fox, Husband and wife, as community property as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Taylor, Bean & Whitaker Mortgage Corp., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Allan S. Fox and Sandra Jean Fox, Husband and wife, as community property securing payment of the indebtedness in the original principal amount of \$43,500.00 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 Allan S. Fox. Nationstar Mortgage LLC is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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. Mr. Cooper is acting as the Mortgage Servicer for the Mortgagee. Mr. Cooper, is representing the Mortgagee, whose address is: 8950 Cypress Waters Boulevard, Coppell, TX 75019.

#### Legal Description:

**ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE JOSEPH MATHEW SURVEY, A-548, HENDERSON COUNTY, TEXAS AND BEING DESCRIBED AS LOT NO. 16, PECAN RIDGE SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN CABINET E, SLIDE 32, PLAT RECORDS OF HENDERSON COUNTY, TEXAS.**

### SALE INFORMATION

**Date of Sale: 12/06/2022**

**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.

44-22-2028  
HENDERSON



4763342

ServiceLink

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, Jonathan Harrison, Patrick Zwiers, Kristopher Holub, Sharon St. Pierre, Ronnie Hubbard, Shawn Schiller, Angie Useton, 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 10/25/2022.

/s/ Nicole M. Barte SBOT No. 24001674, 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:



Printed Name: Sheryl La Mont, October 27, 2022

C&M No. 44-22-2028

HENDERSON COUNTY, TEXAS  
COUNTY CLERK  
MARKETPLACE RIGHT  
2022 OCT 27 PM 12:19  
FILED FOR RECORD

**NOTICE OF SUBSTITUTE TRUSTEE SALE**

**Deed of Trust Date:**  
8/5/2005

**Grantor(s)/Mortgagor(s):**  
CARLTON ECHOLS AND MARY JO ECHOLS

**Original Beneficiary/Mortgagee:**  
NEW CENTURY MORTGAGE CORPORATION

**Current Beneficiary/Mortgagee:**  
U.S. Bank National Association, as trustee, on behalf of the  
holders of the Asset Backed Securities Corporation Home  
Equity Loan Trust, Series NC 2005-HE8, Asset Backed  
Pass-Through Certificates, Series NC 2005-HE8  
**Property County:**  
ENDERSON

**Recorded in:**  
**Volume:** 2567  
**Page:** 703  
**Instrument No:** 0015146

**Mortgage Servicer:**  
Select Portfolio Servicing, Inc. is representing the Current  
Beneficiary/Mortgagee under a servicing agreement with the  
Current Beneficiary/Mortgagee.

**Mortgage Servicer's Address:**  
3217 S. Decker Lake Dr.,  
Salt Lake City, UT 84119

**Legal Description:** ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE THOMAS O. MEUX SURVEY, A-553, HENDERSON COUNTY, TEXAS, AND BEING DESCRIBED AS ALL OF LOT NO. 6 AND THE WEST ONE-HALF (1/2) OF LOT NO. 4, TOWERING OAK SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN CABINET D, SLIDE 103, PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

**Date of Sale:** 12/6/2022

**Earliest Time Sale Will Begin:** 10am

**Place of Sale of Property:** THE SOUTH ENTRANCE PORCH OF THE HENDERSON COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.

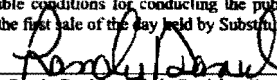
The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will begin at the earliest time stated above or within three (3) hours after that time.

The Property will be sold "AS IS," without any express or implied warranties, except as to warranties of title, and at the purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Substitute Trustee reserves the right to set further reasonable conditions for conducting the public auction. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

**Notice Pursuant to Tex. Prop. Code § 51.002(f):**

Assert and protect your rights as member of the armed forces of the United States. If you or your spouse are serving on active military duty, including active military duty as a member of the Texas National 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.

  
\_\_\_\_\_  
Randy Daniel or Cindy Daniel or Jim O'Bryant  
or Thuy Frazier  
or Cindy Mendoza  
or Catherine Allen-Rea  
or Cole Patton, Substitute Trustee  
McCARTHY & HOUTHUS, LLP  
1255 WEST 15TH STREET, SUITE 1060  
PLANO, TX 75075

MH File Number: TX-21-79517-POS  
Loan Type: Conventional Residential

FILED FOR RECORD  
2022 OCT 27 AM 9:21  
NORTH HAVEN, TEXAS  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

22-01909

6060 WHISPER LANE, CHANDLER, TX 75758

~~FILED FOR RECORD~~

**NOTICE OF FORECLOSURE SALE AND  
APPOINTMENT OF SUBSTITUTE TRUSTEE**

2022 OCT 20 PM 4:14

FRANK J. SWEENEY WRIGHT  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

Property:

The Property to be sold is described as follows:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE MIGUEL CORTINAS SURVEY, A-5, HENDERSON COUNTY, TEXAS, AND BEING DESCRIBED AS LOT NO. 32, CAPE TRANQUILITY SUBDIVISION, UNIT NO. 1, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 95, NOW KNOWN AS CABINET C, SLIDE 80, PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

"BEING THAT CERTAIN REAL PROPERTY STATED AS LOT, TRACT AND PARCEL OF LAND BEING CALLED BY PHYSICAL ADDRESS AS 6060 WHISPER LANE, CHANDLER, TEXAS, 75758", IS MISSING IN THE LEGAL DESCRIPTION AS PER CERTAIN DEED RECORDED IN INST # 2015-00011810.

Security Instrument:

Deed of Trust dated July 9, 2020 and recorded on July 13, 2020 at Instrument Number 2020-00009725 in the real property records of HENDERSON County, Texas, which contains a power of sale.

Sale Information:

December 6, 2022, at 10:00 AM, or not later than three hours thereafter, at the porch to the south entrance of the Henderson County Courthouse, or as designated by the County Commissioners Court.

Terms of Sale:

Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured:

The Deed of Trust executed by ROBERT SWEENEY secures the repayment of a Note dated July 9, 2020 in the amount of \$0.00. PENNYMAC LOAN SERVICES, LLC, whose address is c/o PennyMac Loan Services, LLC, P.O. Box 30597, Los Angeles, CA 90030, is the current mortgagee of the Deed of Trust and Note and PennyMac Loan Services, LLC is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee:

In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

**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.**

**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**



4762395

ServiceLink



**ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL**

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De Cubas & Lewis, Schwartz, P.A.  
Kirk Schwartz, Attorney at Law  
1999 N University Drive, Suite 204  
Coral Springs, FL 33071

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Substitute Trustee(s): 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,  
Kristopher Holub, Harriett Fletcher  
c/o De Cubas & Lewis, Schwartz, P.A.  
1999 N University Drive, Suite 204  
Coral Springs, FL 33071

**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.**

*Kirk Schwartz*

Certificate of Posting

I, Sheryl La Mont, declare under penalty of perjury that on the 20th day of  
October, 2022, I filed and posted this Notice of Foreclosure Sale in accordance with the  
requirements of HENDERSON County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

  
Posted by Sheryl La Mont, October 20, 2022

FILED FOR RECORD  
2022 OCT 20 AM 8:08  
PARTY FILED  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

## Notice of [Substitute] Trustee 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:** 12/06/2022

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

**Place:** Henderson County, Texas at the following location: **THE SOUTH ENTRANCE PORCH OF THE HENDERSON COUNTY COURT HOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS**

**Property Address:** 117 LINDEN DRIVE, ATHENS, TX 75751

**2. 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 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. Any conveyance of the property is subject to all matters of record affecting the property.

**3. Instrument to be Foreclosed:** The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 04/23/2004 and recorded 04/28/2004 in Book 2412 Page 811 Document 0007550, real property records of Henderson County, Texas, with **MICHAEL LEHR AND WIFE, JENNIFER LEHR** grantor(s) and **LONG BEACH MORTGAGE COMPANY, A CORPORATION** as Lender, Deutsche Bank National Trust Company as Trustee for Long Beach Mortgage Loan Trust 2004-3, Asset-Backed Certificates, Series 2004-3 as Beneficiary.

**4. Appointment of Substitute Trustee:** In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**5. Obligation Secured:** Deed of Trust or Contract Lien executed by **MICHAEL LEHR AND WIFE, JENNIFER LEHR**, securing the payment of the indebtedness in the original principal amount of \$52,800.00, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **Deutsche Bank National Trust Company as Trustee for Long Beach Mortgage Loan Trust 2004-3, Asset-Backed Certificates, Series 2004-3** is the current mortgagee of the note and deed of trust or contract lien.

## **Notice of [Substitute] Trustee Sale**

**6. Default:** A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

**7. Property to be sold:** The property to be sold is described as follows:

**All that certain lot, tract or parcel of land situated in the R. A. Clark Survey, Abstract 171, Henderson County, Texas, and being a portion of Lots 12 and 13, of Block 1, of Sunrise Addition to the City of Athens which is shown of record in Cabinet A, Slide 111, of the Plat Records of Henderson County, and being the residue of a certain tract described in Deed from Ruby L. Key to John H. Tanner, Jr., dated April 23, 1960, and recorded in Volume 474, Page 482, of the Deed records of Henderson County, Texas. Said tract or parcel of land being more particularly described by metes and bounds as follows: BEGINNING at the original Northwest corner of the said Tanner tract, a ½" I.R. set along the East line of Linden Drive; Thence East with the North line of said tract and along a present chain link fence 150.0 feet, a ½" I.R. set for the Northeast corner of this tract; Thence South with the East line of this tract 84.0 feet to the North line of Lila Lane, a ½" I.R. set for the Southeast corner of this tract; Thence South 87° 07' 07" West with the North line of Lila Lane 150.19 feet a ½" I.R. set at the intersection of the North line of Lila Lane and the East line of Linden Drive for the Southwest corner of this tract; Thence North with the East line of Linden Drive 91.55 feet to the Place of Beginning, and containing 0.302 acres of land, more or less;**

**8. 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. **PHH Mortgage Corporation**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

**C/O PHH Mortgage Corporation**

**1 Mortgage Way Mt. Laurel, NJ 08054**

**Phone: 877-744-2506**

TS No.: 2022-00992-TX  
20-000729-673

## Notice of [Substitute] Trustee Sale

**9. Limitation of Damages:** 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.**

**Date: October 11, 2022**

  
\_\_\_\_\_  
Rebecca Browne, Trustee Sale Assistant

Carnisha Scott, Iman Walcott, Tanesha Humphrey, Claire Buxton, Glenda Hamilton, Rebecca Browne – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

C/O Power Default Services, Inc.  
2300 Lakeview Parkway, Suite 756  
Alpharetta, GA 30009  
Telephone: 855-427-2204  
Fax: 866-960-8298

**POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.**

### Certificate of Posting

I am \_\_\_\_\_ whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office of the Henderson County Clerk and caused it to be posted at the location directed by the Henderson County Commissioners Court.

**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.**

**NOTICE OF SALE**

PURSUANT TO AUTHORITY conferred upon the Trustee by that certain Deed of Trust dated October 10, 2018, executed by **SAMUEL RAY FEAGINS AND AMBER LEIGH FEAGINS, HUSBAND AND WIFE** ("Mortgagor") to K. Clifford Littlefield, Trustee, for the benefit of **VANDERBILT MORTGAGE AND FINANCE, INC.** ("Mortgagee"), filed for record under Instrument No. 2018-00014630, Official Public Records of Henderson County, Texas, Mortgagee appoints K. Clifford Littlefield, Alexander J. Tiffany, Mara E. Schechter or Norma Jean Hesselstine, whose address is listed below, Randy Daniel or Cindy Daniel or Jim O'Bryant, whose business address is 14800 Landmark Blvd., Suite 850, Dallas, Texas 75254, under said Deed of Trust, in order to satisfy the indebtedness secured thereby and at the request of the holder of said indebtedness, default having been made in the covenants of the Deed of Trust, to sell on **Tuesday, December 6, 2022**, (that being the first Tuesday of the month), at public auction to the highest bidder for cash, at the Henderson County Courthouse at the place designated by the Commissioner's Court for such sales in Henderson County, Texas, (on the steps of the county courthouse or as designated by the County Commissioner), the sale to begin at 10:00 o'clock a.m. or not later than three (3) hours after such time on that date, selling all of the property as an entirety or in such parcels as the Trustee acting may elect the property offered for sale, more particularly described on Exhibit "A" attached hereto and made a part hereof, together with any and all improvements constructed upon, affixed to or located upon the above described real property, including but not limited to a 2012 CMH Manufactured Home, Serial No. CSS012810TXAB.

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.

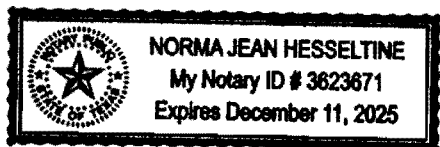
EXECUTED this 17 day of October, 2022.

*K. Littlefield*  
K. CLIFFORD LITTLEFIELD, Mortgagee Attorney  
UPTON, MICKITS & HEYMANN, L.L.P.  
802 N. Carancahua, Suite 450  
Corpus Christi, Texas 78401  
Telephone: (361) 884-0612  
Facsimile: (361) 884-5291  
Email: [clittlefield@umhlaw.com](mailto:clittlefield@umhlaw.com)

FILED FOR RECORD  
2022 OCT 19 PM 12:05  
MARY TERRY WRIGHT  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

THE STATE OF TEXAS §  
COUNTY OF NUECES §

SUBSCRIBED and SWORN TO BEFORE ME, the undersigned Notary Public, **K. CLIFFORD LITTLEFIELD**, this 17 day of October, 2022, to certify which witness my hand and official seal.



*[Signature]*  
NOTARY PUBLIC, STATE OF TEXAS

EXHIBIT "A"

**BEING ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND LOCATED IN THE J.H. RUSHING SURVEY, A-671, HENDERSON COUNTY, TEXAS, BEING DESCRIBED AS PART OF A CALLED 10.00 ACRE TRACT (FIRST TRACT) OF LAND AND A 12.00 ACRE TRACT (SECOND TRACT) OF LAND DESCRIBED IN DEED TO DAVID A. AND NELDA JUNE DAVIS RECORDED IN VOLUME 1938, PAGE 29, OF THE DEED RECORDS HENDERSON COUNTY, TEXAS (DRHCT). SAID LOT TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING** at a point in the south line of County Road 1122, being the southeast corner of this tract, which bears S 89° 44' 10" W, 299.78 feet from the southeast corner of the Davis 12.00 acre tract (second tract);

**THENCE, S 89° 44' 10" W (Control Line), 192.04 feet through County Road 1122, passing the southwest corner of the Davis 12.00 acre tract to a point in the south line of the Davis 10.00 acre tract (first tract), being the southwest corner of this tract;**

**THENCE, through the Davis 10.00 acre tract (first tract) as follows; N 00° 15' 26" W, passing a 1/2" iron rod set with a plastic cap stamped #4207 at 39.15 feet and continuing a total distance of 927.23 feet to a 1/2" iron rod set with a plastic cap stamped #4207; S 89° 44' 34" W, 368.94 feet to a 1/2" iron rod set with a plastic cap stamped #4207; N 00° 15' 27" W, 156.28 feet to a 1/2" iron rod set with a plastic cap stamped #4207; N 89° 44' 34" E, 605.97 feet passing the west line of the Davis 12.00 acre tract (second tract) to a 1/2" iron rod set with a plastic cap stamped #4207, being the northeast corner of this tract;**

**THENCE, through the Davis 12.00 acre tract (second tract) as follows; S 00° 15' 26" E, 873.10 feet to a 1/2" iron rod set with a plastic cap stamped #4207; S 89° 44' 34" W, 45.00 feet to a 1/2" iron rod set with a plastic cap stamped #4207; S 00° 15' 26" E, passing a 1/2" iron rod set with a plastic cap stamped #4207 at 171.24 feet and continuing a total distance of 210.39 feet to the POINT OF BEGINNING and CONTAINING 7.00 ACRES OF LAND MORE OR LESS.**

**NOTICE OF SUBSTITUTE TRUSTEE SALE**

**Deed of Trust Date:**  
2/27/2004

**Grantor(s)/Mortgagor(s):**  
LANNY FLOYD, A MARRIED PERSON, AND  
MARGARET E. FLOYD, SIGNING PRO FORMA TO  
PERFECT LIEN ONLY

**Original Beneficiary/Mortgagee:**  
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS.  
INC. ("MERS") SOLELY AS A NOMINEE FOR BSM  
FINANCIAL, L.P. DBA BANKSOURCE MORTGAGE. ITS  
SUCCESSORS AND ASSIGNS

**Current Beneficiary/Mortgagee:**  
U.S. Bank National Association, not in its individual  
capacity but solely as trustee for the RMAC Trust, Series  
2018 G-CIT

**Recorded in:**  
**Volume:** 2393  
**Page:** 637  
**Instrument No:** 0003802

**Property County:**  
HENDERSON

**Mortgage Servicer:**  
Rushmore Loan Management Services, LLC is representing the  
Current Beneficiary/Mortgagee under a servicing agreement  
with the Current Beneficiary/Mortgagee.

**Mortgage Servicer's Address:**  
15480 Laguna Canyon Road, Suite 100,  
Irvine, CA 92618

**Legal Description:** ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE WILLIAM N.  
HARDEMAN SURVEY, A-290, HENDERSON COUNTY, TEXAS, AND BEING DESCRIBED AS LOT NO. 50, SPRING  
CREEK SUBDIVISION, ACCORDING TO THE PLAT RECORDED IN CABINET D, SLIDE 67, PLAT RECORDS OF  
HENDERSON, TEXAS.

**Date of Sale:** 12/6/2022

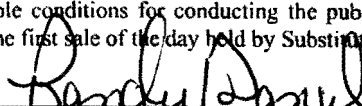
**Earliest Time Sale Will Begin:** 10:00:00 AM

**Place of Sale of Property:** 100 E. Tyler, Athens, Henderson, TX, 75751 OR IN THE AREA DESIGNATED BY THE  
COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.

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 begin at the earliest time stated above or within three (3) hours after that time.

The Property will be sold "AS IS," without any express or implied warranties, except as to warranties of title, and at the  
purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009. Prospective bidders are advised to conduct  
an independent investigation of the nature and physical condition of the Property.

Substitute Trustee reserves the right to set further reasonable conditions for conducting the public auction. Any such further  
conditions shall be announced before bidding is opened for the first sale of the day held by 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, Randy Daniel or Cindy Daniel or Jim O'Bryant  
or Thuy Frazier  
or Cindy Mendoza  
or Catherine Allen-Rea  
or Cole Patton, Substitute Trustee  
MCCARTHY & HOLTHUS, LLP  
1255 WEST 15TH STREET, SUITE 1060  
PLANO, TX 75075

**Notice Pursuant to Tex. Prop. Code § 51.002(i):**

**Assert and protect your rights as member of  
the armed forces of the United States. If you  
or your spouse are serving on active military duty,  
including active military duty as a member of the  
Texas National 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.**

**MH File Number:** TX-22-94353-POS  
**Loan Type:** FHA

HENDERSON COUNTY, TEXAS  
COUNTY CLERK  
2022 OCT 13 AM 11:54  
FILED FOR RECORD





21-093940

**Notice of Substitute Trustee's Sale**

**Notice Concerning Military Duty: 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. Tex. Prop. Code § 51.002(i)**

|  |   |
|--|---|
| <b>Deed of Trust Date:</b> April 24, 2014  | <b>Original Mortgagor/Grantor:</b> CHARLES E. LANSDALE AND LINDA LANSDALE       |
| <b>Original Beneficiary / Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS BENEFICIARY AS NOMINEE FOR ONE REVERSE MORTGAGE, LLC., ITS SUCCESSORS AND ASSIGNS | <b>Current Beneficiary / Mortgagee:</b> REVERSE MORTGAGE FUNDING LLC            |
| <b>Recorded in:</b><br><b>Volume:</b> N/A<br><b>Page:</b> N/A<br><b>Instrument No:</b> 2014-00005430   | <b>Property County:</b> HENDERSON   |
| <b>Mortgage Servicer:</b> Compu-link Corporation d/b/a Celink  | <b>Mortgage Servicer's Address:</b> 101 West Louis Henna Blvd, Austin, TX 78728 |

\* 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.

**Secures:**Note in the original principal amount of \$559,500.00, executed by CHARLES E LANSDALE; LINDA LANSDALE and payable to the order of Lender.

**Property Address/Mailing Address:** 6158 DORSEY CIRCLE, ATHENS, TX 75752

**Legal Description of Property to be Sold:** TAX ID NUMBER(S): 380000000060000

LAND SITUATED IN THE COUNTY OF HENDERSON IN THE STATE OF TX

TRACT 1:

LOT 5, PENINSULA POINT SUBDIVISION, LOCATED IN HENDERSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN VOLUME 6, PAGE 14 AND CABINET B, SLIDE 100 OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

TRACT 2:

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND SITUATED IN THE A.M. BUTLER SURVEY, ABSTRACT 94, HENDERSON COUNTY, TEXAS, AND BEING ALL OF LOT 6 AND 7B OF PENINSULA POINT, A SUBDIVISION LOCATED ON LAKE ATHENS AND RECORDED IN CABINET 8, SLIDE 100 OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS. SAID LOT OR PARCEL OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE ABOVE MENTIONED LOT 6, ALSO BEING THE NORTHWEST CORNER OF LOT 5 LOCATED ON ALONG THE SOUTH LINE OF A CUL-DE-SAC AT THE END OF DORSEY LANE AN IRON ROD FOUND FOR CORNER;



THENCE S22° 04' 00" E 115.50 FEET WITH THE COMMON LINE BETWEEN LOTS 5 AND 6 TO THE SOUTHEAST CORNER OF THIS LOT AN IRON ROD FOUND ON THE SHORELINE OF ATHENS CITY LAKE;

THENCE ALONG SAID LINE AS FOLLOWS: S77° 28' 00"W PASSING THE SOUTH-WEST CORNER OF LOT 6 AT 110.00 FEET AND CONTINUING IN ALL 141.80 FEET AND N72° 34' 00"W 32.65 FEET TO A FOUND IRON ROD FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N19° 16' 34"E 20.74 FEET WITH THE CUTOFF LINE OF LOT 7, TO AN IRON ROD FOR AN ANGLE CORNER OF THIS TRACT;

THENCE N30° 50' 57"E 142.18 FEET TO A POINT ON THE SOUTH LINE OF DORSEY LANE FOR THE NORTHWEST CORNER FOUND IRON ROD;

THENCE IN AN EASTERLY DIRECTION WITH THE NORTH LINE OF A CUL-DE-SAC WITH 5 RADIUS OF 50 FEET A TOTAL DISTANCE OF 50.00FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.34 ACRES OF LAND.

NOTE:THE COMPANY IS PROHIBITED FROM INSURING THE AREA OR QUANTITY OF THE LAND. THE COMPANY DOES NOT REPRESENT THAT ANY ACREAGE OR FOOTAGE CALCULATIONS ARE CORRECT, REFERENCES TO QUANTITY ARE FOR IDENTIFICATION PURPOSES ONLY.

COMMONLY KNOWN AS: 6158 DORSEY CIRCLE, ATHENS, TX 75752

|  |  |
|--|--|
| <b>Date of Sale:</b> December 06, 2022 | <b>Earliest time Sale will begin:</b> 10:00 AM |
|--|--|

**Place of sale of Property:** THE SOUTH ENTRANCE PORCH OF THE HENDERSON COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

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 begin at the earliest time stated above or within three (3) hours after that time.

**Appointment of Substitute Trustee:** Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *REVERSE MORTGAGE FUNDING LLC*, the owner and holder of the Note, has requested Randy Daniel or Cindy Daniel or Jim O'Bryant whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254 , to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

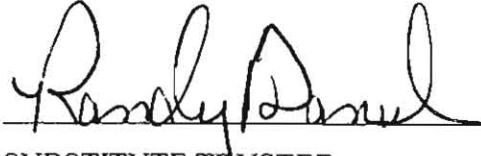
**Terms of Sale:** The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that *REVERSE MORTGAGE FUNDING LLC* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (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(a) of the Texas Property Code, Randy Daniel or Cindy Daniel or Jim O'Bryant whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254 , Trustee reserves the right to set further reasonable

conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Randy Daniel or Cindy Daniel or Jim O'Bryant whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254 , Trustee.

**Limitation of Damages:** 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 Mortgagor, the Mortgagee, or the Mortgagee's attorney.



SUBSTITUTE TRUSTEE

Randy Daniel or Cindy Daniel or Jim O'Bryant, Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,  
10700 Abbott's Bridge Road, Suite 170, Duluth, Georgia  
30097; PH: (470)321-7112

FILED FOR RECORD  
2022 OCT 13 AM 11:54  
MARY J. SULLIVAN WRIGHT  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

### Notice of [Substitute] Trustee 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:** 12/06/2022

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

**Place:** Henderson County, Texas at the following location: **THE SOUTH ENTRANCE PORCH OF THE HENDERSON COUNTY COURT HOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE AS THE PLACE WHERE FORECLOSURE SALES ARE TO TAKE PLACE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS**

**Property Address:** 726 SOUTHWOOD DRIVE, ATHENS, TX 75751

**2. 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 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. Any conveyance of the property is subject to all matters of record affecting the property.

**3. Instrument to be Foreclosed:** The instrument to be foreclosed is the Deed of Trust or Contract Lien dated 07/08/2019 and recorded 07/15/2019 in Document 2019-00009630 , real property records of Henderson County, Texas, with **BROOKE D. HALL, JOINED HEREIN PRO FORMA BY HER SPOUSE, MICHAEL HALL** grantor(s) and **HIGHLANDS RESIDENTIAL MORTGAGE, LTD.** as Lender, **MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.** as Beneficiary.

**4. Appointment of Substitute Trustee:** In accordance with Texas Property Code Sec. 51.0076, the undersigned authorized agent for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston, TX 77056, Substitute Trustee to act under and by virtue of said Deed of Trust.

**5. Obligation Secured:** Deed of Trust or Contract Lien executed by **BROOKE D. HALL, JOINED HEREIN PRO FORMA BY HER SPOUSE, MICHAEL HALL**, securing the payment of the indebtedness in the original principal amount of **\$128,561.00**, and obligations therein described including but not limited to the promissory note; and all modifications, renewals and extensions of the promissory note. **PHS MORTGAGE CORPORATION** is the current mortgagee of the note and deed of trust or contract lien.

FILED FOR RECORD

2022 SEP 29 AM 8:52

HENDERSON COUNTY CLERK  
HENDERSON COUNTY, TEXAS

### Notice of [Substitute] Trustee Sale

**6. Default:** A default has occurred in the payment of indebtedness, and the same is now wholly due, and the owner and holder has requested to sell said property to satisfy said indebtedness.

**7. Property to be sold:** The property to be sold is described as follows:

All that certain lot, tract, or parcel of land situated in the Thomas Parmer Survey Abstract 782, Henderson County, Texas, being part of Lot 11, Block 3 of the Miller Addition as shown of record in Cabinet B, Slide 34 and being all of Lot 21, Block 1 of the Southwood Addition as shown of record in Cabinet D, Slide 219 of the Plat Records of Henderson County, Texas, the same tract described by deed recorded in Instrument 2012-00012884 of the Official Records of said county. Said tract or parcel of land being more fully described by metes and bounds as follows: BEGINNING on a found 5/8" iron rod for the southeast corner of the above mentioned Lot 21 and the southwest corner of Lot 20 located in the north line of Southwood Drive; THENCE with said north line S 89° 49' 10" W 71.80 feet to a found 1/2" iron rod for the southwest corner of Lot 21 and the southeast corner of Lot 22; THENCE N 00° 27' 33" W 100.21 feet to a found 1/2" iron rod for the northwest corner of Lot 21 and the northeast corner of Lot 22 located on the south line of said Lot 11 of the Miller Addition; THENCE with said south line N 89° 56' 44" W 16.88 feet to a found 1/2" iron rod for the most westerly southwest corner of this tract and being the southeast corner of a tract recorded in Instrument 2011-00013044; THENCE through Lot 11 N 00° 05' 53" E 116.13 feet to a found 1/2" iron rod for the northwest corner of this tract located on the south line of Ruth Street; THENCE with said south line S 89° 50' 56" 68.64 feet to a found 1/2" iron rod for the northeast corner of Lot 11 and the northwest corner of Lot 10; THENCE S 00° 24' 58" W 115.58 feet to a found 1/2" iron rod for the southeast corner of Lot 11 and the southwest corner of Lot 10 located on the north line of Lot 21 of the Southwood Addition; THENCE with said north line S 88° 22' 37" E 21.14 feet to a found 1/2" iron rod for the northeast corner of Lot 21 and the northwest corner of Lot 20; THENCE S 00° 12' 18" E 99.77 feet to the place of beginning and containing 0.35 acres of land.

**8. 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. **PHH Mortgage Corporation**, as Mortgage Servicer, is representing the current mortgagee, whose address is:

**C/O PHH Mortgage Corporation  
1 Mortgage Way Mt. Laurel, NJ 08054  
Phone: 877-744-2506**

### Notice of [Substitute] Trustee Sale

**9. Limitation of Damages:** 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.**

**Date:** September 23, 2022

  
\_\_\_\_\_  
Rebecca Browne, Trustee Sale Assistant

Camisha Scott, Iman Walcott, Tanesha Humphrey, Claire Buxton, Glenda Hamilton, Rebecca Browne – Attorney or Authorized Agent of The Mortgagee or Mortgage Servicer

C/O Power Default Services, Inc.  
2300 Lakeview Parkway, Suite 756  
Alpharetta, GA 30009  
Telephone: 855-427-2204  
Fax: 866-960-8298

**POWER DEFAULT SERVICES, INC. MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.**

Certificate of Posting

I am \_\_\_\_\_ whose address is c/o AVT Title Services, LLC, 5177 Richmond Avenue, Suite 1230, Houston, TX 77056. I declare under penalty of perjury that on \_\_\_\_\_ I filed this Notice of Foreclosure Sale at the office of the Henderson County Clerk and caused it to be posted at the location directed by the Henderson County Commissioners Court.