

**Notice of Foreclosure Sale**

September 11, 2023

Deed of Trust ("Deed of Trust"):

Dated: December 31, 2020

Grantor: Jose Alejandro Lopez Muniz and Rosa Calles (Pro Forma)

Trustee: J. Mark Riebe

Lender: Texas Bank Financial dba Texas Bank Mortgage Co.

Recorded in: Instrument No. 2021-0000069 of the real property records of Henderson County, Texas

Legal Description: All that certain tract or parcel of land being a part of the Mathew Goliher Survey, Abstract No. 9, Henderson County, Texas, also being a part of that certain called 187 acre tract conveyed to Clyde Hunter Bell, et ux, by Elsie Lee Bell, et ux, August 7, 1975, recorded in Volume 762, Page 473, and also including all of that certain called 4,76 acre tract conveyed to Kenneth E. Evans, et ux, by Clyde Hunter Bell, et ux, September 4, 1987, recorded in Volume 1211, Page 529, of the Deed Records of Henderson County, Texas and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes

FILED FOR RECORD  
 2023 SEP 12 PM 1:57  
 MARY MARGARET BRIGIT  
 COUNTY CLERK  
 HENDERSON COUNTY, TEXAS

Which currently has the address of: 10012 County Road 4221, Frankston, TX 75763

Secures: Promissory Note ("Note") in the original principal amount of \$237,600.00, executed by Jose Alejandro Lopez Muniz and Rosa Calles (Pro Forma) ("Borrower") and payable to the order of Lender

Substitute Trustees: Craig C. Lesok, Sharon St. Pierre, Sheryl LaMont, Harriett Fletcher, Robert LaMont

Substitute Trustees' Address: 226 Bailey Ave, Ste 101, Fort Worth, TX, 76107

Beneficiary/  
Nominee for Lender: Mortgage Electronic Registration Systems, Inc. ("MERS")



Beneficiary/  
Nominee for Lender's  
Address: P.O. Box 2026, Flint, MI, 48501

Foreclosure Sale:

Date: Tuesday, October 3, 2023

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three hours thereafter.

Place: 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: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Texas Bank Financial dba Texas Bank Mortgage Co.'s bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Texas Bank Financial dba Texas Bank Mortgage Co., the owner and holder of the Note, has requested Substitute Trustee to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Texas Bank Financial dba Texas Bank Mortgage Co.'s election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Texas Bank Financial dba Texas Bank Mortgage Co.'s rights and remedies under the Deed of Trust and section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Texas Bank Financial dba Texas Bank Mortgage Co. passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure 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 Foreclosure 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. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Texas Bank Financial dba Texas Bank Mortgage Co.. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

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.

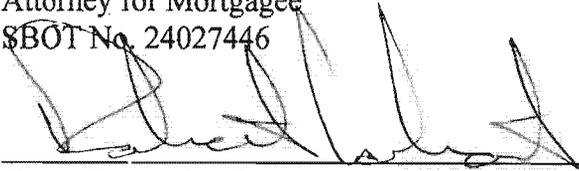
Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

**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.**

**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 BENEFICIARY/ NOMINEE FOR LENDER.**

/s/ Craig C. Lesok

Craig C. Lesok  
Attorney for Mortgagee  
SBOT No. 24027446

  
Craig C. Lesok, Sharon St. Pierre, Sheryl LaMont,  
Harriett Fletcher, Robert LaMont September 12, 2023  
226 Bailey Ave, Ste 101  
Fort Worth, TX 76107  
Telephone: (817) 882-9991  
Telecopier: (817) 882-9993  
E-mail: craig@lesoklaw.com



**EXHIBIT "A"**  
**Property Description**

Closing Date: December 31, 2020  
 Buyer(s): Jose Alejandro Lopez Monte  
 Property Address: 10112 County Road 4221, Frankston, TX 75763

**PROPERTY DESCRIPTION:**

All that certain tract or parcel of land being a part of the Mathew Collier Survey, Abstract No. 2, Henderson County, Texas, also being a part of that certain called 187 acre tract conveyed to Clyde Hunter Bell, et ux, by Elsie Lee Bell, et ux, August 7, 1975, recorded in Volume 762, Page 473, and also including all of that certain called 4.76 acre tract conveyed to Kenneth E. Evans, et ux, by Clyde Hunter Bell, et ux, September 4, 1987, recorded in Volume 1211, Page 529, of the Deed Records of Henderson County, Texas and completely described as follows, to wit:

BEGINNING at a 1/2" Iron Rod set for corner in the East line of said 187 acre tract, the West line of a called 457.1 acre tract described in a deed to J.B. Cain recorded in Volume 187, Page 369, and in County Road No. 4221, said corner bears N 0° 31' 51" E - 1406.76 feet from the Southern corner of said 187 acre tract, the Southwest corner of said 457.1 acre tract;

THENCE S 85° 46' 10" W, at 827.90 feet passing the most southerly Southeast corner of said 4.76 acre tract, continuing a total distance of 1330.89 feet to a 1/2" Iron Rod set for corner at the Southwest corner of said 4.76 acre tract.

THENCE N 0° 09' 38" E, with the West line of said 4.76 acre tract (called N 0° 09' 38" E - 367.80 feet), a distance of 367.77 feet to a 1/2" Iron Rod set for corner at the Northwest corner of said 4.76 acre tract.

THENCE N 86° 26' 04" E, partially with the North line of said 4.76 acre tract (called N 86° 26' 04" E - 499.48 feet), at 499.73 feet passing the most northerly Northwest corner of said 4.76 acre tract, continuing a total distance of 1332.09 feet to a 1/2" Iron Rod set for corner in the East line of said 187 acre tract, the West line of said 457.1 acre tract, and in County Road No. 4221.

THENCE S 0° 31' 31" W, with the East line of said 187 acre tract, the West line of said 457.1 acre tract, and with County Road No. 4221, a distance of 252.50 feet to the place of beginning, containing 10.978 acres of land, of which 0.10 of an acre is in County Road No. 4221.



## 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. LOT 13, BLOCK 3, OF EASTERN HILLS ADDITION, AN ADDITION IN THE CITY OF ATHENS, HENDERSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 93, OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 03/09/2018 and recorded in Document 2018-00004016 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: 10/03/2023

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 SHARON LIGHTFOOT AND ANGIE HOPE AND SUE COOPER AND CHARLOTTE HEIFNER, provides that it secures the payment of the indebtedness in the original principal amount of \$237,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Carrington Mortgage Services, LLC is the current mortgagee of the note and deed of trust and CARRINGTON MORTGAGE SERVICES LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is Carrington Mortgage Services, LLC c/o CARRINGTON MORTGAGE SERVICES LLC, 1600 South Douglass Road, Suite 200-A, Anaheim, CA 92806 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

6. *Order to Foreclose.* Carrington Mortgage Services, LLC obtained a Order from the 173rd District Court of Henderson County on 07/05/2022 under Cause No. CV22-0228-173. The mortgagee has requested a Substitute Trustee conduct this sale pursuant to the Court's Order.

7. *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

For additional sale information visit: [www.mwzmlaw.com/tx-investors](http://www.mwzmlaw.com/tx-investors)

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

FILED FOR RECORD  
2023 SEP 12 AM 8:28  
MARY MARQUANT WRIGHT  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

FILED FOR RECORD

2023 SEP 12 AM 8:30

MARY MARLENE WRIGHT  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

0000009637083

21581 WATERWOOD DRIVE  
CHANDLER, TX 75758-5316

**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 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: October 03, 2023

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 October 12, 2012 and recorded in Document INSTRUMENT NO 2012-00016977; AS AFFECTED BY LOAN MODIFICATION AGREEMENT CLERK'S FILE NO. 2022-00003767 real property records of HENDERSON County, Texas, with STEPHANIE A JOHNSON A SINGLE PERSON, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

**4. Obligations Secured.** Deed of Trust or Contract Lien executed by STEPHANIE A JOHNSON A SINGLE PERSON, securing the payment of the indebtednesses in the original principal amount of \$80,612.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. LAKEVIEW LOAN SERVICING, LLC 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 lien securing the Property referenced above. LOANCARE, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o LOANCARE, LLC  
3637 SENTARA WAY  
VIRGINIA BEACH, VA 23452



**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 mortgagee or mortgage servicer does hereby remove the original trustee and all successor substitute trustees and appoints in their stead RANDY DANIEL, CINDY DANIEL, JIM O'BRYANT, PATRICK ZWIERS, JONATHAN HARRISON, ANGIE USELTON, RAMIRO CUEVAS, AURORA CAMPOS, DANA KAMIN, MERYL OLSEN, MISTY MCMILLAN OR AUCTION.COM 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.



Israel Saucedo

Certificate of Posting

My name is \_\_\_\_\_, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on \_\_\_\_\_ I filed at the office of the HENDERSON County Clerk and caused to be posted at the HENDERSON County courthouse this notice of sale.

\_\_\_\_\_

Declarants Name: \_\_\_\_\_

Date: \_\_\_\_\_

21581 WATERWOOD DRIVE  
CHANDLER, TX 75758-5316

00000009637083

00000009637083

HENDERSON

**EXHIBIT "A"**

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE HILLHOUSE SURVEY, A-283, AND BEING KNOWN AS LOTS 118 & 119, OF SECTION D IN WESTWOOD BEACH SUBDIVISION, AS SHOWN IN PLAT RECORDED IN VOLUME 9, PAGE 17 AND CABINET C, SLIDE 251 OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

COPY

NOTICE OF 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 duty including active military duty 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.”*

Date: August 28, 2023

FILED FOR RECORD  
2023 AUG 30 PM 1:13  
MARY THASARAJEY FRIGHT  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

CONTRACT FOR DEED

DATE: March 19, 2017,

GRANTOR: Gerardo Lopez Alvarado and Marisela Estrada

GRANTOR’S ADDRESS: Gerardo Lopez Alvarado and Marisela Estrada  
952 Roe Garden Ave  
Dallas, Texas 75217

SELLER: Landco Investments, Inc

COUNTY WHERE PROPERTY IS LOCATED: Henderson

PROPERTY: Lot: 27 A1, Samuel B. Giles Survey

HOLDER: Landco Investments, Inc.  
PO Box 490069  
Key Biscayne, Florida 33149

TRUSTEE: Robert J. Rockett or Rebecca Martinez

SENDER OF NOTICE: Robert J. Rockett  
307 W. 7<sup>th</sup> Street #1719  
Fort Worth, Texas 76102

DATE of PROPERTY SALE: (First Tuesday of the Month): October 3, 2023

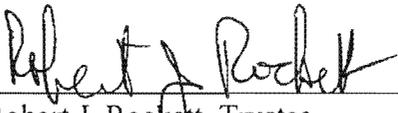
EARLIEST TIME OF SALE OF PROPERTY: **10:00 AM**

PLACE OF PROPERTY SALE: 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 Commisioner's Court in HENDERSON COUNTY, TEXAS... or a, designated by the County Commissioner.

Default has occurred in the Contract for Deed. Buyer has failed to cure the default after notice, and the period to cure has expired. Seller, the owner, and holder of the Contract for Deed,

has designated Trustee to post, file, and serve notice of the sale and conduct the sale as prescribed by section 51.002 of the Texas Property Code.

Trustee will sell the Property at public auction to the highest bidder for cash at the Place of Sale on the Date of Sale to satisfy the unpaid balance of the Contract for Deed. The earliest time the sale will begin is the Time of Sale, and the sale will be conducted no later than three hours after that time.

  
\_\_\_\_\_  
Robert J. Rockett, Trustee

Robert J. Rockett  
307 West 7<sup>th</sup> St Ste. 1719  
Fort Worth, Texas 76102  
817-332-2434

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on the 25th day of February, 2022, MICHAEL GEORGE WALLACE executed a Deed of Trust conveying to Tom Carpenter, Trustee, the Real Estate hereinafter described to secure CTEN HOLDINGS, LLC in the payment of a debt therein described; and

WHEREAS, Default has occurred in the payment of said indebtedness, and the same is now wholly due, and CTEN HOLDINGS, LLC, the present owner and holder of said debt has requested the undersigned as Substitute Trustee, to sell said property to satisfy said indebtedness.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN That on Tuesday, the 3rd day of October, 2023, between ten o'clock A.M. and four o'clock P.M., I will sell the Real Estate at the south door of the County Courthouse in Henderson County, Texas to the highest bidder for cash. Such sale will occur no earlier than 10:00 A.M.

Said Real Estate is described as follows, in the County of Henderson, State of Texas:

All that certain lot, tract or parcel of land situated in the GEORGE T. WALTERS SURVEY, A-794, Henderson County, Texas, and being described as LOT NO. 4, BLOCK NO. 1 of PRAIRIE HILL ESTATES, according to the plat recorded in Volume 7, Page 57, now known as Cabinet B, Slide 130, Plat Records of Henderson County, Texas.

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.

WITNESS MY HAND this 21st day of August, 2023.

  
\_\_\_\_\_  
DAVID J. NOWELL, Substitute Trustee

FILED FOR RECORD  
2023 AUG 23 PM 4:43  
MARK J. THOMPSON, CLERK  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

FILED FOR RECORD  
2023 AUG 17 AM 11:37  
HARRY MARGARET WRIGHT  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

**DATE:** August 17, 2023

**NOTE:** described as follows:

Date: May 26, 2020  
Maker: Jojuan Martel Clemons  
Payee: Success Mortgage Corporation  
Original Principal Amount: \$179,703.00

**DEED OF TRUST:** described as follows:

Date: May 26, 2020  
Grantor: Jojuan Martel Clemons and Patricia Davis Clemons  
Trustee: Brett M. Shanks  
Beneficiary: Success Mortgage Corporation  
Recorded: filed for record on June 2, 2020, in the Real Property Records of Henderson County, Texas under Instrument No. 2020-00007217

**LENDER:** CooperZadeh, LLC, a Texas limited liability company, Transferee, through an Assignment of Deed of Trust dated May 26, 2020, and filed for record on June 2, 2020, with the Deed Records of Henderson County, Texas under Instrument No. 2020-0007219.

**BORROWER:** Jojuan Martel Clemons and Patricia Davis Clemons

**PROPERTY:** The real property described as follows:

Being Lot 52, of SPRING CREEK ESTATES, SECTION I, an addition to the Mabank, Henderson County, Texas, according to the plat recorded in Cabinet F, Slide 314, of the Plat Records of Henderson County, Texas, and more commonly known as 101 Springleaf Lane, Mabank, Texas 75147, together with all improvements, easements, personal property, intangibles, rents, revenues, contracts, and rights appurtenant to the real property, as described in the Deed of Trust.

**DATE AND TIME OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:**

October 3, 2023, the first Tuesday of the month, to commence at 1:00 p.m. or within three (3) hours after that time.

**PLACE OF SUBSTITUTE TRUSTEE'S SALE OF PROPERTY:**

The sale will occur on the porch to the south entrance of the Henderson County Courthouse or in the area designated by the County Commissioners pursuant to Section 51.022 of the Texas Property Code.

## NOTICE

**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.**

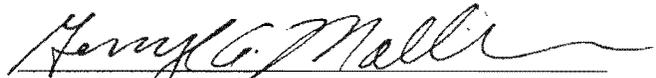
## RECITALS

Default has occurred in the payment of the Note and in the performance of the obligations under the Deed of Trust that secures the Note. Because of this default, Lender, the owner and holder of the Note and the Deed of Trust lien under Texas Property Code section 51.002, has requested that Substitute Trustee sell the Property according to the terms of the Deed of Trust and applicable law.

The Deed of Trust may encumber both real and personal property. Formal notice is now given of Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust, consistent with Lender's rights and remedies under the Deed of Trust and Texas Business and Commerce Code section 9.604(a).

Therefore, notice is given that on the Date and Time of Substitute Trustee's Sale of Property and at the Place of Substitute Trustee's Sale of Property, Substitute Trustee, or any other substitute trustee Lender may appoint, will sell the Property by public sale to the highest bidder for cash or acceptable certified funds, according to the Deed of Trust and applicable law. The sale and conveyance of the Property will be subject to all matters of record applicable to the Property that are superior to the Deed of Trust and to any permitted exceptions to title described in the Deed of Trust. Substitute Trustee has not made and will not make any covenants, representations, or warranties about the Property other than providing the successful bidder at the sale with a deed to the Property containing any warranties of title required by the Deed of Trust. The Property will be sold **AS IS, WHERE IS, AND WITH ALL FAULTS.**

EXECUTED as of August 17, 2023.

  
George A. Maller, Substitute Trustee

**ACKNOWLEDGEMENT**

**STATE OF TEXAS**

§

**COUNTY OF COLLIN**

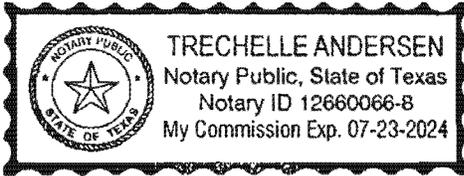
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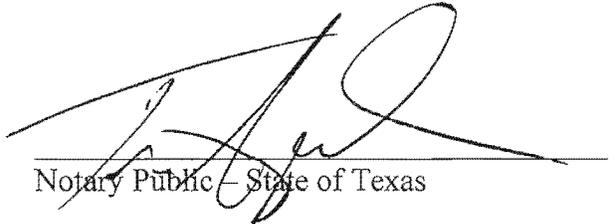
§

This instrument was acknowledged before me on August 17, 2023, by George A. Mallers. The acknowledging person personally appeared by:

physically appearing before me.

appearing by an interactive two-way audio and video communication that meets the requirements for online notarization under Texas Government Code chapter 406, subchapter C.



  
Notary Public - State of Texas

FILED FOR RECORD

2023 AUG 15 PM 3:26

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

JAMES W. STEWART  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

**APPOINTMENT OF  
SUBSTITUTE  
TRUSTEE:**

WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Jack O'Boyle, Chris Ferguson, Travis Gray, 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, Travis Gray, Chris Ferguson, or Jack O'Boyle, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

**SUBSTITUTE  
TRUSTEE'S  
ADDRESS:**

c/o JACK O'BOYLE & ASSOCIATES, PLLC, Mailing Address: P.O. Box 815369, Dallas, TX 75381; Physical Address: 12300 Ford Road, Suite 212, Dallas, TX 75234.

**NOTICE OF  
SUBSTITUTE  
TRUSTEE SALE:**

WHEREAS, 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.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **October 03, 2023** between the hours of 10am-1pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**LOCATION OF  
SALE:**

The place of the sale shall be: 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 in HENDERSON County, Texas or as designated by the County Commissioners.

**INSTRUMENT TO  
BE FORECLOSED:**

Deed of Trust or Contract Lien dated 06/15/2020 and recorded under Volume, Page or Clerk's File No. DOC# 2020-00008683 in the real property records of Henderson County Texas, with LOUIE WATSON AND LINDA WATSON, HUSBAND AND WIFE as Grantor(s) and Cardinal Financial Company, Limited Partnership as Original Mortgagee.



**OBLIGATIONS SECURED:** Deed of Trust or Contract Lien executed by LOUIE WATSON AND LINDA WATSON, HUSBAND AND WIFE securing the payment of the indebtedness in the original principal amount of \$146,500.00 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by LOUIE WATSON, LINDA WATSON. CARDINAL FINANCIAL COMPANY, LIMITED PARTNERSHIP is the current mortgager (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

**MORTGAGE SERVICING 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 property securing the above referenced loan. Cardinal Financial Company, Limited Partnership is acting as the Mortgage Servicer for CARDINAL FINANCIAL COMPANY, LIMITED PARTNERSHIP who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. Cardinal Financial Company, Limited Partnership, as Mortgage Servicer, is representing the Mortgagee, whose address is:

CARDINAL FINANCIAL COMPANY, LIMITED PARTNERSHIP  
c/o Cardinal Financial Company, Limited Partnership  
1 Corporate Drive, Suite 360  
Eagle Zurich, IL 60047

**LEGAL DESCRIPTION OF PROPERTY TO BE SOLD:**

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE THOMAS FARMER SURVEY, ABSTRACT 782, HENDERSON COUNTY, TEXAS, AND BEING PART OF LOTS 5 AND 6, BLOCK 16 OF PARK HIGHLANDS SUBDIVISION AS DESCRIBED IN CABINET A, SLIDE 78 OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS, AND BEING THE SAME TRACT CALLED 0.276 ACRES DESCRIBED BY DEED RECORDED IN INSTRUMENT 2018-00007024, SAID TRACT OR PARCEL OF LAND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
BEGINNING AT A FOUND 5/8" IRON ROD FOR THE SOUTHEAST CORNER OF THIS TACT AND THE SOUTHEAST CORNER OF THE ABOVE MENTIONED 0.276 ACRE TRACT IN THE WEST LINE OF LOT 17;  
THENCE WITH THE LINE OF DIRECTIONAL CONTROL WEST 109.48 FEET TO A FOUND 1/2" IRON ROD FOR THE SOUTHWEST CORNER OF THIS TRACT LOCATED ON THE EAST LINE OF MARYLAND DRIVE;  
THENCE WITH SAID EAST LINE N-00° 44' 51" W 109.73 FEET TO A SET 1/2" IRON ROD FOR THE NORTHWEST CORNER OF THIS TRACT;  
THENCE S89° 52' 07" E 108.60 FEET TO A SET 1/2" IRON ROD FOR THE NORTHEAST CORNER OF THIS TRACT;  
THENCE S 01° 12' 35" E 109.50 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.27 ACRES OF LAND (the "Property")

**REPORTED PROPERTY** 907 MARYLAND DR, ATHENS, TX 75751



**ADDRESS:**

**TERMS OF SALE:** The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

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 and the priority of the lien being foreclosed.

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 Mortgagee and/or Mortgage Servicer 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.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

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. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and/or Mortgage Servicer, or its attorney(s).

The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein 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 refiled may be after the date originally scheduled for this 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.

DT: NOS AND APPT (SVC) 230715

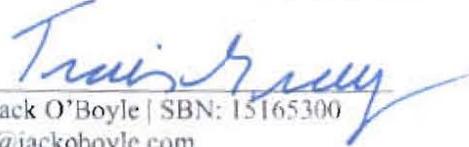
AT: 907 MARYLAND DR



Signed on the 13 day of August, 2023

Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC



\_\_\_\_ Jack O'Boyle | SBN: 15165300

jack@jackoboyle.com

✓ Travis H. Gray | SBN: 24044965

travis@jackoboyle.com

\_\_\_\_ Chris Ferguson | SBN: 24069714

chris@jackoboyle.com

P.O. Box 815369

Dallas, Texas 75381

P: 972.247.0653 | F: 972.247.0642

ATTORNEYS FOR MORTGAGEE AND/OR ITS  
MORTGAGE SERVICER



CERTIFICATE OF POSTING

My name is Sheryl LaMont, and my address is c/o 12300 Ford Rd, Ste. 212, Dallas, TX 75234.

I declare under the penalty of perjury that on August 15, 2023 I filed at the office of the Henderson County Clerk and caused to be posted at the Henderson County courthouse (or other designated place) this notice of sale.

Signed: *Sheryl LaMont*

Declarant's Name: Sheryl LaMont

Date: August 15, 2023



## 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., 20405 State Highway 249, Suite 170, Houston, TX 77070**

### INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated January 12, 2017 and recorded under Clerk's File No. 2017-00000674, in the real property records of **HENDERSON County Texas**, with Jesus Santos, IV and Ramelle Santos, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Plaza Home Mortgage Inc., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Jesus Santos, IV and Ramelle Santos, husband and wife securing payment of the indebtedness in the original principal amount of \$254,308.00 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 Jesus Santos IV, Ramelle Santos. PennyMac Loan Services, 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. PennyMac Loan Services, LLC is acting as the Mortgage Servicer for the Mortgagee. PennyMac Loan Services, LLC, is representing the Mortgagee, whose address is: 3043 Townsgate Road, Suite 200, Westlake Village, CA 91361.

#### Legal Description:

**BEING ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND LOCATED IN THE T. MEUX SURVEY, A-552, HENDERSON COUNTY, TEXAS, BEING DESCRIBED AS ALL OF A CALLED 14.63 ACRE TRACT OF LAND DESCRIBED IN DEED TO CITIMORTGAGE INC. RECORDED IN INSTRUMENT NO. 2012-00001804, OF THE REAL PROPERTY RECORDS OF HENDERSON COUNTY, TEXAS (RPRHCT). SAID LOT TRACT OR PARCEL OF LAND AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:**

### SALE INFORMATION

**Date of Sale: 10/03/2023**

**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.

FILED FOR RECORD  
2023 AUG 15  
3:27 PM  
HENDERSON COUNTY CLERK  
HENDERSON COUNTY, TEXAS



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.

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 Randy Daniel, Cindy Daniel, Jim O'Bryant, Patrick Zwiers, Jonathan Harrison, Angie Uselton, Ramiro Cuevas, Aurora Campos, Dana Kamin, Meryl Olsen, Misty McMillan, Auction.com, 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.  
20405 State Highway 249, Suite 170  
Houston, TX 77070  
(281) 925-5200

Executed on 08/14/2023.

/s/ Olufunmilola Oyekan SBOT No. 24084552, Attorney at  
Law  
Codilis & Moody, P.C.  
20405 State Highway 249, Suite 170  
Houston, TX 77070  
(281) 925-5200

Posted and filed by:



Printed Name: Sheryl LaMont, August 15, 2023

C&M No. 44-23-0748

## EXHIBIT "A"

Order No.: 2200811600314

Being all that certain lot tract or parcel of land located in the T. Meux Survey, A-552, Henderson County, Texas, being described as all of a called 14.63 acre tract of land described in Deed to Citimortgage Inc. recorded in Instrument No. 2012-00001804, of the Real Property Records of Henderson County, Texas (RPRHCT). Said lot tract or parcel of land being more particularly described as follows:

Beginning at a 1" iron pipe found at the southwest corner of this tract and being the southeast corner of the Silvino and Bessie Guerrero 29.42 acre tract of land described in deed recorded in Volume 2532, Page 868 of the RPRHCT and being in the north line of Seven Points Village Subdivision the plat thereof recorded in Cabinet D, Slide 4 of the Plat Records of Henderson County, Texas;

THENCE, NORTH (REFERENCE BEARING), 1731.72 feet along the west line of this tract and the east line of the Guerrero tract with a barbwire fence to a 1" iron pipe found in the south line of West Jess Hinton Road (County Road 2100) and being the northwest corner of this tract;

THENCE, S 89° 54' 16" E, 367.26 feet along the north line of this tract and the southern line of West Jess Hinton Road to a 3/4" iron pipe found at the northwest corner of the John K. Brown 14.719 acre tract of land described in deed recorded in Volume 1954, Page 510 of the RPRHCT, being the northeast corner of this tract;

THENCE, S 00° 00' 50" E, 1735.99 feet along the east line of this tract and the west line of the Brown tract to a 1/2" iron rod found in the north line of Seven Points Village at the southeast corner of this tract;

THENCE, N 89° 14' 23" W, 367.71 feet along the south line of this tract and the north line of Seven Points Village to the POINT OF BEGINNING and CONTAINING 14.63 ACRES OF LAND MORE OR LESS.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

23-00598  
908 MCENTIRE RD, TRINIDAD, TX 75163

FILED FOR RECORD  
2023 JUL 27 PM 2:55  
MARY MARGARET WRIGHT  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS

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

Property: The Property to be sold is described as follows:

All that certain lot, tract or parcel of land situated in the North Addison Survey, A-17, Henderson County, Texas, and being described as Lot Nos. 10 and 12, Block No. 1 of the PULLEY ADDITION in the town of Trinidad, Henderson County, Texas, according to the plat recorded in Volume 1, Page 30, now known as Cabinet A, Slide 27, Plat Records of Henderson County, Texas

Security Instrument: Deed of Trust dated June 30, 2020 and recorded on July 7, 2020 at Instrument Number 2020-00009406 in the real property records of HENDERSON County, Texas, which contains a power of sale.

Sale Information: October 3, 2023, 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 RONALD CARL ZILLS II AND KENDRA ZIMMERMAN secures the repayment of a Note dated June 30, 2020 in the amount of \$68,732.00. 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 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.**



4791899

*Arthur Jones*

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De Cubas & Lewis, P.C.  
Arthur Jones, Attorney at Law  
14425 Torrey Chase Blvd., Suite 130,  
Houston, TX 77014

*Sheryl LaMont*

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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, Meryl Olsen, Misty McMillan, Jim O'Bryant and Auction.com employees included but not limited to those listed herein. Posted July 27, 2023.

c/o De Cubas & Lewis, P.C.  
14425 Torrey Chase Blvd., Suite 130,  
Houston, TX 77014

Certificate of Posting

I, Sheryl LaMont, declare under penalty of perjury that on the 27th day of July, 2023, 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).

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Sheryl LaMont, July 27, 2023

### 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> October 5, 2015	<b>Original Mortgagor/Grantor:</b> CHARLES E. CAIN
<b>Original Beneficiary / Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR URBAN FINANCIAL OF AMERICA, LLC., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary / Mortgagee:</b> FINANCE OF AMERICA REVERSE
<b>Recorded in:</b> <b>Volume:</b> N/A <b>Page:</b> N/A <b>Instrument No:</b> 2015-00014908	<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

FILED FOR RECORD  
 2023 AUG 10 AM 9:16  
 MARY HARGREAVE WRIGHT  
 COUNTY CLERK  
 HENDERSON COUNTY, TEXAS

\* 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 \$225,750.00, executed by CHARLES CAIN and payable to the order of Lender.

**Property Address/Mailing Address:** 11683 COUNTY ROAD 1117, ATHENS, TX 75751

**Legal Description of Property to be Sold:** ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN HENDERSON COUNTY, STATE OF TEXAS ON THE JAMES MITCHAM SURVEY, A-511, AND BEING ALL OF THE CALLED 11.13 ACRE LOT NO. 9 MENTIONED IN PARTITION DEED BETWEEN LILLIAN PHILLIPS, ET AL, DATED JULY 3, 1971, AND RECORDED IN VOLUME 666, PAGE 818, OF THE HENDERSON COUNTY DEED RECORDS, AND SHOWN BY PLAT OF SAID PARTITION RECORDED IN VOLUME 7, PAGE 80, NOW SHOWN IN CABINET C SLIDE 141, OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS, AND BEING THE SAME LAND CONVEYED TO CHARLES E. CAIN, AND WIFE MARGARET ANN CAIN, BY CHARLES H. CAIN, AND WIFE MARGIE L. CAIN, BY WARRANTY DEED WITH VENDOR'S LIEN DATED JANUARY 15, 1988, AND RECORDED IN VOLUME 1224, PAGE 666 OF THE HENDERSON COUNTY DEED RECORDS. SAID LOT, TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A RAILROAD SPIKE FOUND FOR CORNER IN COUNTY ROAD NO. 1117 AT THE NORTHWEST CORNER OF THE SAID 11.13 ACRE LOT 9, AT THE SOUTHWEST CORNER OF THE MIKE SMITH 6.164 ACRE TRACT RECORDED IN VOLUME 1467, PAGE 549 OF THE REAL PROPERTY RECORDS OF HENDERSON COUNTY, TEXAS, IN THE EAST LINE OF THE 7.81 ACRE TRACT CONVEYED TO DARREL W. HARPER BY DEED RECORDED IN VOLUME 976, PAGE 757, OF THE HENDERSON COUNTY DEED RECORDS, AND BEING IN THE CENTER LINE OF A 50' ROAD EASEMENT AS SHOWN ON THE ABOVE MENTIONED PARTITION PLAT, FROM WHENCE A 1/2" IRON ROD FOUND BEARS NORTH 89 DEGREES 50 MINUTES 25 SECONDS EAST 16.21 FEET AND A 2" IRON PIPE FENCE CORNER BEARS SOUTH 61 DEGREES 08 MINUTES 02 SECONDS EAST 19.54 FEET;



THENCE NORTH 89 DEGREES 50 MINUTES 25 SECONDS EAST ALONG THE NORTH LINE OF THE SAID LOT 9 AND THE SOUTH LINE OF THE MIKE SMITH TRACT, AT 795.19 FEET PASS THE SOUTHEAST CORNER OF THE SMITH TRACT AND IN ALL 1074.83 FEET TO A 5/8" IRON ROD FOUND FOR CORNER AT THE NORTHEAST CORNER OF LOT 9, AT THE SOUTHEAST CORNER OF THE RESIDUE OF LOT 8, SET ASIDE TO LILLIAN PHILLIPS BY THE SAID PARTITION DEED RECORDED IN VOLUME 666, PAGE 818, OF THE HENDERSON COUNTY DEED RECORDS, AND IN THE WEST LINE OF THE JAMES E. KING TRACT RECORDED IN VOLUME 900, PAGE 80 OF THE HENDERSON COUNTY DEED RECORDS;

THENCE SOUTH 0 DEGREES 29 MINUTES 50 SECONDS EAST ALONG THE EAST LINE OF LOT 9, WEST LINE OF THE SAID JAMES E. KING TRACT AND ALONG FENCE 450.59 FEET TO A 5/8" IRON ROD FOUND FOR THE CORNER AT THE SOUTHEAST CORNER OF LOT 9 AND THE NORTHEAST CORNER OF THE 11.13 ACRE LOT 10, AS CONVEYED TO MARCUS D. REYNOLDS BY DEED RECORDED IN VOLUME 734, PAGE 738 OF THE HENDERSON COUNTY DEED RECORDS, FROM WHENCE A 14" POST OAK BEARS NORTH 1 DEGREE WEST 16.65 FEET MARKED X WITH 2 HACKS ABOVE AND BELOW THE X;

THENCE SOUTH 89 DEGREES 45 MINUTES 09 SECONDS WEST ALONG THE SOUTH LINE OF LOT 9 AND THE NORTH LINE OF THE MARCUS D. REYNOLDS LOT 10, 1075.20 FEET TO A 5/8" IRON ROD SET FOR CORNER IN COUNTY ROAD NO. 1117 AT THE SOUTHWEST CORNER OF LOT 9, THE NORTHWEST CORNER OF LOT 10, IN THE CENTER LINE OF THE SAID 50' ROAD EASEMENT AND IN THE EAST LINE OF THE CALLED 11.15 ACRE LOT 3, SET ASIDE TO F.D. DOSSER, BY PARTITION DEED RECORDED IN VOLUME 666, PAGE 818 OF THE HENDERSON COUNTY DEED RECORDS, FROM WHENCE A 3/4" GALVANIZED IRON PIPE 18" HIGH BEARS NORTH 89 DEGREES 45 MINUTES 09 SECONDS EAST 18.45 FEET;

THENCE NORTH 0 DEGREES 26 MINUTES 55 SECONDS WEST ALONG COUNTY ROAD NO. 1117, THE CENTER LINE OF THE SAID 50' ROAD EASEMENT, THE WEST LINE OF LOT 9, AND THE EAST LINE OF LOT 3, AT 226.50 FEET PASS THE NORTHEAST CORNER OF THE SAID LOT 3, AND THE SOUTHEAST CORNER OF THE DARREL W. HARPER 7.81 ACRE TRACT, AND IN ALL 452.24 FEET TO THE PLACE OF BEGINNING AND CONTAINING 11.14 ACRES OF LAND, MORE OR LESS.

THE COMPANY IS PROHIBITED FROM INSURING THE AREA OR QUANTITY OF THE LAND DESCRIBED HEREIN. THEREFORE, THE COMPANY DOES NOT REPRESENT THAT THE ACREAGE OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT. REFERENCES TO QUANTITY ARE FOR INFORMATIONAL PURPOSES ONLY.

<b>Date of Sale:</b> October 03, 2023	<b>Earliest time Sale will begin:</b> 10:00 AM
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**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.

**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, *FINANCE OF AMERICA REVERSE 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 *FINANCE OF AMERICA REVERSE 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.

A handwritten signature in black ink that reads "Randy Daniel". The signature is written in a cursive style and is positioned above a horizontal line.

SUBSTITUTE TRUSTEE

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

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,  
13010 Morris Rd, Suite 450, Alpharetta, Georgia 30004  
PH: (470)321-7112

## 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: LOT 121, INDIAN HARBOR SUBDIVISION, SECTION C, LOCATED IN HENDERSON COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET C, SLIDE 332, OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS.
- 2. Instrument to be Foreclosed.** The instrument to be foreclosed is the Deed of Trust dated 05/22/2014 and recorded in Document 2014-00006621 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: 10/03/2023  
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 LANCE STEAGALL, provides that it secures the payment of the indebtedness in the original principal amount of \$68,240.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. Truist Bank, formerly known as Branch Banking and Trust Company is the current mortgagee of the note and deed of trust and TRUIST BANK is mortgage servicer. A servicing agreement between the mortgagee, whose address is Truist Bank, formerly known as Branch Banking and Trust Company c/o TRUIST BANK, 1001 Seemes Ave. Richmond, VA 23224 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, L.L.C., 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

For additional sale information visit: [www.mwzmlaw.com/tx-investors](http://www.mwzmlaw.com/tx-investors)

### 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 8-10-23 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.

FILED FOR RECORD  
2023 AUG 10 AM 9:16  
MARY MARGARET WRIGHT  
COUNTY CLERK  
HENDERSON COUNTY, TEXAS