# NOTICE OF FORECLOSURE SALE ("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.

**DATE OF NOTICE:** 

June 10, 2024

**INSTRUMENT TO BE FORECLOSED:** 

Deed of Trust ("Deed of Trust")

December 8, 2022

**GRANTOR:** 

DATED:

Mariano Rodriguez

TRUSTEE:

Derek Long

LENDER:

JMSR Enterprises LLC, a Texas Limited Liability

Company

CURRENT

**HOLDER:** 

JMSR Enterprises LLC, a Texas Limited Liability

Company

**RECORDED IN:** 

Deed of Trust is recorded under Instrument Number

2022-00022249 of the real property records of Henderson

County, Texas

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

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN HENDERSON COUNTY, TEXAS, IN THE G. MARTINEZ SURVEY, A-482, AND BEING LOT 3, BLOCK 5, TIMBER TRAILS ESTATES AS SHOWN BY PLAT OF RECORD IN VOLUME 2, PAGE 53 AND/OR CABINET B, SLIDE 40, PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

(MORE COMMONLY KNOWN AS: 405 FOREST LANE, GUN BARREL CITY, TEXAS, 75156)

#### **OBLIGATION SECURE:**

Deed of Trust or Contract Lien executed by Mariano Rodriguez, securing the payment of the indebtedness in the original principal amount of \$105,000.00, and obligations therein described including but not limited to (a) the Promissory Note and (b) any and all modifications, renewals, and extensions of the Promissory Note. JMSR Enterprises LLC, is the current mortgagee of the Promissory Note and Deed of Trust.

#### **FORECLOSURE SALE:**

**DATE:** July 2, 2024

TIME: The earliest time the sale will begin is 1:00 P.M., but not later than

three (3) hours after such time

PLACE: THE SOUTH ENTRANCE OF THE HENDERSON COUNTY

COURTHOUSE OR AS DESIGNATED BY THE COUNTY

**COMMISSIONERS** 

**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 the Current Lender/Holder's herein may bid and such bid may be credited against the indebtedness secured by the lien of the Deed of

Trust and any and all modifications thereof.

<u>SUBSTITUTE TRUSTEE(S)</u>: Ashleigh Renfro, AND/OR Ashley Tarver AND/OR Joseph Juarez

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, JMSR Enterprises LLC, the owner and holder of the Note, has requested the Substitute Trustee named herein to sell the Property.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of JMSR Enterprises LLC's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with JMSR Enterprises LLC'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, the Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law. If JMSR Enterprises LLC, 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 JMSR Enterprises LLC 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, any Trustee or 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 Trustee.

THIS INSTRUMENT HEREBY 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.

#### Name and Address of Sender of Notice:

Renfro Law, PLLC By: Ashleigh Renfro 10226 Midway Road Dallas, Texas 75229 Phone: 972-708-4425

Fax: 972-521-6413

## Notice Pursuant to Section 51.0025 of the Texas Property Code

DIA Servicing, LLC, pursuant to a written servicing agreement, represents your Lender, JMSR Enterprises LLC This agreement grants DIA Servicing, LLC, with the authority to service your mortgage loan and to administer, or cause to be administered, any necessary steps or actions related to the potential foreclosure of your property subject to foregoing requirements contained in this letter. DIA Servicing, LLC, has retained Renfro Law, PLLC, to carry out any necessary actions that may be required under all applicable state and federal laws and the services of this law firm are being carried out on behalf of DIA Servicing, LLC, and your Lender, JMSR Enterprises LLC Contact information for DIA Servicing, LLC, may be found below:

DIA Servicing, LLC 10226 Midway Road Dallas, Texas 75229 Phone: 1.844.222.9450 or 972.708.4425 Email: info@diaservicingtx.com Renfro Law, PLLC

By: Ashleigh Renfro Attorney/Substitute Trustee Texas Bar No. 24093029 10226 Midway Road Dallas, Texas 75229 Telephone (972) 708-4425 Fax (972) 521-6413 ashleigh@renfrolawtx.com

# **CERTIFICATION OF MAILING**

Mariano Rodriguez 405 Forest Lane Gun Barrel City, Texas, 75156

DATE SENT: JUNE 10, 2024

VIA USPS FIRST-CLASS MAIL &

VIA CMRRR #1589-0710-5270-1294-4963-92

BY:

I HEREBY CERTIFY THAT ON JUNE 10, 2024, TRUE AND CORRECT COPIES OF THIS DOCUMENT WERE SENT TO THE RECIPIENTS AT THE ADDRESS AND BY THE METHOD(S) DESCRIBED ABOVE.

Ashleigh Renfro

## Notice of Foreclosure Sale

FILED FOR RECORD

1. *Property to Be Sold*. The property to be sold is described as follows:

2024 JUN 10 AM 10: 39

See Exhibit "A" attached hereto and made part hereof for all purposes.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the deed of trust recorded under County Clerk's Instrument Number 2023-00008482, in the 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: Tuesday, July 2, 2024

Time: The sale will begin no earlier than 1:00 p.m. or no later than three hours thereafter.

The sale will be completed by no later than 4:00 p.m.

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

SOUTH ENTRANCE.

The deed of trust permits the beneficiaries 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 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.

4. 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 beneficiaries 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 cash on the day the property is sold.

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 nature and extent of such matters, if any.

Pursuant to the deed of trust, the beneficiaries have the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property.

Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the deed of trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property.

Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

- 5. Type of Sale. The sale is a nonjudicial deed-of-trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by KEVIN LIGHTFOOT and STEPHANIE LIGHTFOOT.
- 6. Obligations Secured. The deed of trust provides that it secures the payment of the indebtednesses and obligations therein described (collectively, the "Obligations") including but not limited to the promissory note in the original principal amount of \$160,000.00, executed by KEVIN LIGHTFOOT and STEPHANIE LIGHTFOOT and payable to the order of BOBBY LEIGH ROGERS and PHIL W. ROGERS, JR. BOBBY LEIGH ROGERS and PHIL W. ROGERS, JR. are the current owners and holders of the Obligations and are the beneficiaries under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiaries, BOBBY LEIGH ROGERS and PHIL W. ROGERS, JR.

7. Default and Request to Act. Default has occurred under the deed of trust, and the beneficiaries have requested me, as trustee, to conduct this sale. Notice is given that before the sale the beneficiaries may appoint another person substitute trustee to conduct the sale.

Dated: June 7, 2024.

RICHARD H. HUGHÉS 3535-C South Broadway Tyler, Texas 75701

Telephone (903) 534-5922 Telecopier (903) 561-4112

# NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public nonjudicial foreclosure sale.

1. <u>Deed of Trust</u>. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the following described deed of trust:

Date:

October 28, 2019

Grantor(s):

Juan Andres Palacio Rodriguez

Beneficiary:

Austin Bank, Texas N.A.

Substitute Trustee:

Drew Gillen

Recording Information:

Deed of Trust recorded in Document No. 201900015200, of the Official Public Records of

Henderson County, Texas.

2. <u>Property to be Sold</u>. The property to be sold (the "Property") is described as follows:

All of that certain lot, tract or parcel of land situated in Henderson County, Texas which is more particularly described on what is attached hereto as Exhibit "A" and incorporated therein for all purposes.

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

Date:

July 2, 2024

Time:

The sale shall begin no earlier than 1:00 p.m. or no later than three (3) hours thereafter. The sale shall be completed by no later than 4:00

p.m.

Place:

Henderson County Courthouse in Athens, Texas, at the following

location:

In the area of such Courthouse designated by the Henderson County Commissioners' Court as the area where foreclosure sales shall take place, or, if no such area has been designated, then within 25 feet at or near and including the outside steps and the main hall of the west entrance of the Henderson County Courthouse, in Athens, 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 reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. Such reporting or refiling may be after the date originally scheduled for this sale.

4. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the date the property is sold.

The sale will be made expressly subject to unpaid ad valorem taxes and 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, if any, to the extent that they remain in force and effect and have not been subordinated to 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.

A purchaser at the sale of the Property "acquires the Property "AS IS" without any expressed or implied warranties" (except as to the warranties of title from the grantor identified in the deed of trust described below). Any purchaser acquires the Property "at the purchaser's own risk." Texas Property Code §51.009. Nothing set forth in this Notice is an express or implied representation or

NOTICE OF FORECLOSURE

PAGE 2

warranty regarding the Property, all of which are specifically disclaimed by the undersigned and by the beneficiary of the herein described deed of trust.

5. Type of Sale. The sale is a nonjudicial deed of trust lien foreclosure sale being conducted pursuant to the power of sale granted by the deed of trust executed by Juan Andres Palacio Rodriguez. The deed of trust is dated October 28, 2019, and is recorded in the office of the County Clerk of Henderson County, Texas, in Document No. 201900015200, of the Official Public Records

of Henderson County, Texas.

6. 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 October 28, 2019 promissory note in the original principal amount of \$61,200.00, executed by Juan Andres Palacio Rodriguez, and payable to the order of Austin Bank, N.A.; (2) all renewals and extensions of the note; (3) all interest, late charges, fees and other expenses payable under said note on the herein described deed of trust; and (4) all other debts and obligations described in the deed of trust (including all debts secured by any cross-collateralization clause in the deed of trust). Austin Bank, N.A. is the current owner and holder of the Obligations and is the beneficiary under the deed of trust.

Questions concerning the sale may be directed to the undersigned or to the beneficiary, Austin Bank, N.A., Attention: Shannon Seay, telephone 903-759-3828.

7. <u>Default and Request to Act</u>. Default has occurred under the deed of trust, and the beneficiary has asked me, as substitute trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

DATED:	, 2024

Orew Gillen Substitute Trustee

Drew Gillen, Substitute Trustee 2381 Oak Alley

Tyler, Texas 75703 Tel: (903) 535-2900 Fax: (903) 533-8646 drew@gillenandgillen.com

# Notice to Members of the Armed Forces of the United States:

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.

# EXHIBIT "A"

Being 0.413 acre of land situated in the CITY OF CHANDLER, Henderson County, Texas, all of that land described in a deed to Jack Beard in Volume 1682, Page 611, Deed Records of Henderson County, Texas, said 0.413 acre tract being more fully described as follows:

BEGINNING at a 1-1/2" iron bar found at the Southeast corner of this tract in the North Right-of-Way line of Walnut Street, said place of beginning being at the Southwest corner of a tract described in a deed to Robert Vallerie in Volume 2090, Page 75, Deed Records of Henderson County, Texas, a 3/8" iron rod found at the Southeast corner of the said Vallerie tract bears South 89° 42' 04" East a distance of 76.29 feet;

THENCE North 88° 35' 23" West a distance of 100.00 feet to a 1/2" iron rod set at the Southeast corner of a tract described in a deed to A.D. Smith in Volume 670, Page 843, Deed Records of Henderson County, Texas;

THENCE North 00° 15' 00" West a distance of 178.42 feet to a 1/2" iron rod set at the Northeast corner of the Smith tract;

THENCE North 89° 50' 02" East a distance of 100.00 feet to a 1/2" iron rod found at the Northwest corner of the said Vallerie tract;

THENCE South 00° 14′ 12″ East a distance of 181.17 feet to the PLACE OF BEGINNING, CONTAINING 0.413 ACRES OF LAND.

# FILED FOR RECORD 2024 MAY 30 AM II: 44

6700 COUNTY ROAD 3414 CHANDLER, TX 75758 HENDERSZM COUNTY TEXAS

00000010091528

#### 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: July 02, 2024

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 March 22, 2019 and recorded in Document CLERK'S FILE NO. 2019-00004604 real property records of HENDERSON County, Texas, with CORNELIUS COOK, A SINGLE MAN, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.
- 4. Obligations Secured. Deed of Trust or Contract Lien executed by CORNELIUS COOK, A SINGLE MAN, securing the payment of the indebtednesses in the original principal amount of \$142,500.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS, LLC F/K/A QUICKEN LOANS INC. 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. ROCKET MORTGAGE, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o ROCKET MORTGAGE, LLC 635 WOODWARD AVE. DETROIT, MI 48226



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NTSS00000010091528

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 herby remove the original trustee and all successor substitute trustees and appoints in their steed 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.

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Israel Saucedo

Declarants Name:

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My nam	e is	KANSY				_		and	my	address	is c/o	4004	Belt	Line	Road,	Suite	100,
Addison,	Texas	75001-4320.	I declare	under	penalty	of	perjury	that	on	7-12	حلفحا	<b>\</b>	********		filed a	it the	office
of the HE	NDER.	SON County C	lerk and cau	sed to be	e posted :	at th	e HEND	ERS	ON (	County cou	ırthouse	this no	otice o	f sale.			

0000010091528 HENDERSON

# EXHIBIT "A"

BEING ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND LOCATED IN THE R.C. MORRIS SURVEY, A-546, CITY OF CHANDLER, HENDERSON COUNTY, TEXAS, BEING DESCRIBED AS PART OF A CALLED 9.50 ACRE TRACT OF LAND DESCRIBED IN DEED TO JESSICA DIANE TAYLOR-DRILLER IN INSTRUMENT #2017-00013235, CORRECTED IN INSTRUMENT #2017-00017488 OF THE REAL PROPERTY RECORDS HENDERSON COUNTY, TEXAS (RPRHCT). SAID LOT TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

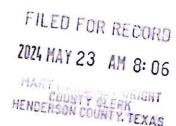
BEGINNING AT A 1/2" IRON ROD FOUND IN THE CALLED CENTERLINE COUNTY ROAD 3414, THE EAST CORNER OF RAYMOND C. COOK 27.00 ACRE TRACT OF LAND AS DESCRIBED IN DEED RECORDED IN VOLUME 1769, PAGE 712 OF THE RPRHCT, BEING THE NORTHEAST CORNER OF THE ABOVE MENTIONED TAYLOR-DILLER TRACT AND THIS TRACT;

THENCE, S 01 °21' 26" E, 642:62 FEET ALONG THE COUNTY ROAD 3414 TO A 1/2." IRON ROD FOUND IN THE NORTH LINE OF F.M. 317, BEING THE SOUTHEAST CORNER OF THE TAYLOR-DILLER TRACT AND THIS TRACT;

THENCE, ALONG THE NORTH LINE F.M. 317 AS FOLLOWS: S 69° 48' 15" W, 187.63 FEET TO A 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED #4207; S 70° 03' 02" W, 195.37 FEET TO A 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED #4207; S 64° 21' 56" W, 99.12 FEET A 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED #4207; S 76° 26' 53" W, 53.00 FEET TO A 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED #4207 IN THE SOUTH LINE OF THE TAYLOR-DILLER TRACT, BEING THE SOUTHWEST CORNER OF THIS TRACT;

THENCE, THROUGH THE TAYLOR-DILLER TRACT AS FOLLOWS: N 15° 48' 57" E, 258.23 FEET TO A 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED #4207; N 12° 47' 24" W, 101.28 FEET TO A 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED #4207; S 75° 03' 16" W, 111.63 FEET TO A 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED #4207 IN THE WEST LINE OF THE TAYLOR-DILLER TRACT, THE EAST LINE OF THE COOK 27.00 ACRE TRACT, BEING THE MOST WESTERLY SOUTHWEST CORNER OF THIS TRACT;

THENCE, ALONG THE COMMON LINE OF THE COOK 27.00 ACRE TRACT AND THIS TRACT AS FOLLOWS: N 01° 34' 17" W (CONTROL LINE) 499.79 FEET TO A 1/2" IRON ROD FOUND; N 88°51'26" E, 559.12 FEET TO THE POINT OF BEGINNING AND CONTAINING 8.72 ACRES OF LAND MORE OR LESS.



#### RECORDING REQUESTED BY:

#### WHEN RECORDED MAIL TO:

Randy Daniel, Cindy Daniel, Jim O'Bryant c/o Malcolm Cisneros/Trustee Corps 17100 Gillette Avenue Irvine, CA 92614 (949) 252-8300

TS No TX14000152-23-1

APN 261774

TO No FIN-23007554

#### NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on March 21, 2012, SAMUEL AND SUSAN FAULKNER, HUSBAND AND WIFE as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of FRANCISCO VALENTIN, JR. as Trustee, UNITED STATES OF AMERICA ACTING THROUGH THE RURAL HOUSING SERVICE OR

SUCCESSOR AGENCY, UNITED STATES DEPARTMENT OF AGRICULTURE

as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$129,200.00, payable to the order of United States Department of Agriculture as current Beneficiary, which Deed of Trust recorded on March 27, 2012 as Document No. 2012-00004135 in Henderson County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

#### APN 261774

WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed Randy Daniel, Cindy Daniel, Jim O'Bryant or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and United States Department of Agriculture, the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust.

NOW THEREFORE, NOTICE IS HEREBY GIVEN that on Tuesday, July 2, 2024 at 10:00 AM, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Henderson County, Texas, at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a Deed of Trust or other contract lien as follows: 100 E. Tyler, Athens TX 75751; 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 Court.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of and United States Department of Agriculture's election to proceed against and sell both the real property and any personal property described in said Deed of Trust in accordance with and United States Department of Agriculture's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

NOTICE IS FURTHER GIVEN, that except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition. Conveyance of the Property shall be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters and are advised to conduct an independent investigation of the nature and physical condition 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 expressed or implied warranties, except as to the warranted.

Tranky Land

y. Randy Daniel Cindy Daniel, Jim O'Bryant

Dev of

Substitute Trustee(s)

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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.

SALE INFORMATION CAN BE OBTAINED ONLINE AT www.insourcelogic.com FOR AUTOMATED SALES INFORMATION PLEASE CALL: In Source Logic AT 702-659-7766

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300

To the extent your original obligation was discharged or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

# **EXHIBIT "A"**

ALL THAT CERTAIN TRACT, LOT OR PARCEL OF LAND SITUATED IN HENDERSON COUNTY, TEXAS A PART OF THE T. S. MITCHELL SURVEY, A-488 AND BEING KNOWN AS LOT 6 BLOCK 2 OF LAKEWAY ESTATES, AS SHOWN ON PLAT RECORDED IN VOLUME 3 PAGE 103 AND CABINET B SLIDE 71, PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

#### NOTICE OF SUBSTITUTE TRUSTEE SALE

Deed of Trust Date:	Grantor(s)/Mortgagor(s):					
8/22/2022	OFFER LLC, A TEXAS LIMITED LIABILITY COMPANY					
Original Beneficiary/Mortgagee:	Current Beneficiary/Mortgagee:					
CIVIC FINANCIAL SERVICES, LLC, A CALIFORNIA LIMITED	FVX LLC in trust for Morgan Stanley Bank, N.A.					
LIABILITY COMPANY						
Recorded in:	Property County:					
Volume: N/A	HENDERSON					
Page: N/A						
Instrument No: 2022-00016449						
Mortgage Servicer:	Mortgage Servicer's Address:					
Fay Servicing, LLC is representing the Current Beneficiary/Mortgagee	1600 LBJ Freeway,					
under a servicing agreement with the Current Beneficiary/Mortgagee.	Farmers Branch, TX 75234					
Date of Sale: 7/2/2024	Earliest Time Sale Will Begin: 10am					
Place of Sale of Property: THE SOUTH ENTRANCE PORCH OF THE	HENDERSON COUNTY COURTHOUSE OR AS DESIGNATED					
THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIG	NATED BY THE COMMISSIONER'S COURT, PURSUANT TO					

SECTION 51.002 OF THE TEXAS PROPERTY CODE.

Legal Description: LOT 98, DEED WATER BAY SUBDIVISION IN HENDERSON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF,

RECORDED IN VOLUME 4, PAGE 60, CABINET 'A' SLIDE 305, PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

In accordance with TEX. PROP. CODE §51.0076 and the Deed of Trust referenced above, the undersigned as attorney for Mortgage Servicer does hereby remove the original Trustee and all successor substitute trustees and appoints in their stead, Randy Daniel or Cindy Daniel or Jim O'Bryant, Cole Patton, Myra Homayoun, Thuy Frazier, McCarthy & Holthus, LLP, as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original Trustee under there 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

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 1S," 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.

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 PURSUANT TO TEX. PROP. CODE § 51.002(1): 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.

Dated: 5/15/2024

Thuy Frazier, Attorney

McCarthy & Holthus, LLP 1255 West 15th Street, Suite 1060 Plano, TX 75075

Attorneys for Fay Servicing, LLC

Substitute Trustee

c/o Tejas Trustee Services 1255 West 15th Street, Suite 1060

Plano, TX 75075

MH File Number: TX-23-100429-POS

Loan Type: Commercial

FILED FOR RECORD

2024 MAY 16 AM 9: 2

HAM COUNTY CLEAN



278 SUNSET PT MABANK, TX 75156 00000010124527

#### NOTICE OF |SUBSTITUTE| TRUSTEE'S SALE

Assert and protect vour rights as a member of the armed forces of the United States. If you are or vour 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: July 02, 2024

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

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

THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

- 3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated August 01. 2014 and recorded in Document CLERK'S FILE NO. 2014-00010279 real property records of HENDERSON County, Texas, with J. LANCE COLEMAN AND STACEY A. COLEMAN, A MARRIED COUPLE, grantor(s) and JPMORGAN CHASE BANK, N.A., mortgagee.
- 4. Obligations Secured. Deed of Trust or Contract Lien executed by J. LANCE COLEMAN AND STACEY A. COLEMAN, A MARRIED COUPLE, securing the payment of the indebtednesses in the original principal amount of \$559,600.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. JPMORGAN CHASE BANK, NATIONAL ASSOCIATION 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. JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o JPMORGAN CHASE BANK, NATIONAL ASSOCIATION 3415 VISION DRIVE COLUMBUS, OH 43219

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278 SUNSET PT 00000010124527 MABANK, TX 75156

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 berby remove the original trustee and all successor substitute trustees and appoints in their steed 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.

1 8 5 6

Israel Saucedo

Certificate of Posting

Declarants Name

Dan ( 2)

278 SUNSET PT 00000010124527 MABANK, TX 75156

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HENDERSON

## EXHIBIT "A"

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND LOCATED IN THE J.T. CARTER SURVEY, A-158, HENDERSON COUNTY, TEXAS, BEING DESCRIBED AS LOT NO. 278 OF THIRD REVISION, CAROLYNN ESTATES, ACCORDING TO THE PLAT RECORDED IN VOLUME 5, PAGE 90, CABINET C, SLIDE 11 OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS.

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# NOTICE OF SUBSTITUTE TRUSTEE'S SALE

# THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED

AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

Matter No.: 123398-TX

Date: May 6, 2024

County where Real Property is Located: Henderson

ORIGINAL MORTGAGOR:

CODY W CRAIG AND REBEKAH CRAIG, HUSBAND AND WIFE

ORIGINAL MORTGAGEE:

MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS

BENEFICIARY, AS NOMINEE FOR MID AMERICA MORTGAGE, INC,

ITS SUCCESSORS AND ASSIGNS

CURRENT MORTGAGEE:

LAKEVIEW LOAN SERVICING, LLC

MORTGAGE SERVICER:

LOANCARE, LLC

DEED OF TRUST DATED 6/4/2019, RECORDING INFORMATION: Recorded on 6/4/2019, as Instrument No. 2019-00007600

SUBJECT REAL PROPERTY (LEGAL DESCRIPTION): ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND WITHIN THE THOMAS PARMER LEAGUE, A-782, CITY OF ATHENS, HENDERSON COUNTY, TEXAS, AND BEING ALL OF A CALLED 0.388 ACRE TRACT DESCRIBED IN DEED FROM MARTIN R. BENNETT AND WIFE, EILEEN BENNETT TO JOSHUA C. BROACH AND WIFE, JATON N. BROACH AND RECORDED IN FILE 2009-00015545 OF THE OFFICIAL PUBLIC RECORDS OF HENDERSON COUNTY, TEXAS, AND THIS 0.387 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS ON EXHIBIT "A"

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on 7/2/2024, the foreclosure sale will be conducted in Henderson County in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code as the place where the foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted. The trustee's sale will be conducted no earlier than 10:00 AM, or not later than three (3) hours after that time, by one of the Substitute Trustees who will sell, to the highest bidder for cash, subject to the unpaid balance due and owing on any lien indebtedness superior to the Deed of Trust.

LOANCARE, LLC is acting as the Mortgage Servicer for LAKEVIEW LOAN SERVICING, LLC who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. LOANCARE, LLC, as Mortgage Servicer, is representing the Mortgagee, whose address is:

LAKEVIEW LOAN SERVICING, LLC c/o LOANCARE, LLC 3637 SENTARA WAY VIRGINIA BEACH, VA 23452-4262

Page 1 of 2



AP NOS/SOT 08212019

Matter No.: 123398-TX

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

WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE RANDY DANIEL, CINDY DANIEL, JIM O'BRYANT, ROBERT LAMONT, SHERYL LAMONT, HARRIETT FLETCHER, SHARON ST. PIERRE, CASPER RANKIN, LAUREL HANDLEY, CHEYENNE ZOKAIE, JOHN AMORISON or either one of them, as Substitute Trustee, to act, either singly or jointly, under and by virtue of said Deed of Trust and hereby request said Substitute Trustees, or any one of them to sell the property in said Deed of Trust described and as provided therein. The address for the Substitute Trustee as required by Texas Property Code, Section 51.0075(e) is Aldridge Pite, LLP, 8880 Rio San Diego Drive, Suite 725, San Diego, CA 92108-0935, Phone: (866) 931-0036.

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.

Casper J. Rankin, Attorney

Aldridge Pite, LLP

8880 Rio San Diego Drive, Suite 725

Posted by Robert LaMont, May 9, 2024.

San Diego, California 92108

Return to:

ALDRIDGE PITE, LLP 8880 RIO SAN DIEGO DRIVE, SUITE 725 P.O. BOX 17935

SAN DIEGO, CA 92108-0935

FAX #: 619-590-1385 Phone: (866) 931-0036

#### EXHIBIT "A"

All that certain lot, tract or parcel of land within the THOMAS PARMER LEAGUE, A-782, City of Athens, Henderson County, Texas, and being all of a called 0.388 acre tract described in Deed from Martin R. Bennett and wife, Eileen Bennett to Joshua C. Broach and wife, Jaton N. Broach and recorded in File 2009-00015545 of the Official Public Records of Henderson County, Texas, and this 0.387 acre tract being more fully described as follows:

BEGINNING at a X found marked in the south edge of a concrete driveway for the southeast corner of said 0.388 acre tract, the northeast corner of a tract described in Deed to Mary J. Barstow and recorded in Volume 1495, Page 654 and in the west line of South Prairieville Street (90' right-of-way), from which a 1/2" iron rod found, bears S 00° 47' 02" W - 129.02 feet;

THENCE S 89° 38' 46" W, a distance of 156.81 feet, to a 1/2" iron rod found for the southwest corner of said 0.388 acre tract and the southeast corner of a tract described in Deed to W.R. Morgan and recorded in Volume 222, Page 611, from which a fence corner, bears N 87° 24' E - 1.5 feet;

THENCE N 00° 34' 15" E, a distance of 107.35 feet, to a 1/2" iron rod found for the northwest corner of said 0.388 acre tract, in the east line of a called 0.217 acre tract described in Deed to Thurston Rockmore and recorded in Volume 1883, Page 55 and the southwest corner of a tract described in Deed to Central Baptist Church and recorded in Volume 1263, Page 53, from which a fence corner, bears S 89° 24' W - 2.3 feet;

THENCE N 89° 38' 00" B, a distance of 157.24 feet (line used for directional control), to a 1/2" iron rod found for the northeast corner of said 0.388 acre tract, the southeast corner of said Central Baptist Church tract and in the west line of South Prairieville Street, from which a 3/4" iron pipe found, bears 8 09° 16' 00" E - 6.47 feet;

THENCE S 00° 48' 13" W, a distance of 107.39 feet, with the west line of South Prairieville Street, to the POINT OF BEGINNING AND CONTAINING 0.387 OF AN ACRE OF LAND.

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