

Notice of Foreclosure Sale & Appointment of Substitute Trustee

Date: October 15, 2024
Type of Security Instrument: Deed of Trust
Date of Instrument: August 12, 2024
Debtor: Maria Del Rosario Jasso Gonzalez
Original Trustee: Howard F. Carter, Jr.
Substitute Trustee: James N. Richards or Clayton Gaddis
Current Beneficiary: Scotty Gray

County of Property: Henderson County, Texas

Recording Information: Henderson County Real Property Records Document Number 2024-00011172

Property Description: SEE EXHIBIT A

Date of Sale of Property: November 5, 2024

Earliest Time of Sale of Property: The sale shall begin no earlier than 10:00 A.M. and no later than three hours thereafter. The sale shall be completed by no later than 4:00 P.M.

Place of Sale of Property: Henderson County Courthouse, 100 E. Tyler Street, Athens, Texas, 75751 or other place designated by the County Commissioners Court.

Because of default in the performance of the obligations of the Debtor, the (Substitute) Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified to satisfy the debt secured by the Lien. The sale will begin at the earliest time stated above and within three hours after that time.

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 James N. Richards or Clayton Gaddis, either to act, as Substitute Trustee.**

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:

J.N. Richards Law, P.C.
c/o Nate Richards
407 E. Corsicana Street
Athens, Texas 75751
214-559-7387


James N. Richards
407 E. Corsicana Street
Athens, Texas 75751
Ph: 214-559-7387
Fx: 817-518-9286
Email: nate@jnrichardslawpc.com

Executed on October 15, 2024

FILED FOR RECORD
2024 OCT 15 PM 2:38
MARY MAURICE T. FRISHT
COUNTY CLERK
HENDERSON COUNTY, TEXAS

EXHIBIT "A"

Order No.: 1902202400306

Being a 0.520 acre tract or parcel of land situated in the David Muckelroy Survey, Abstract No. 503, Henderson County, Texas, and being all of that certain called 0.522 acre tract of land conveyed to Paul Petty, recorded in Volume 2801, Page 763, Deed Records of Henderson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2 inch iron rod found on the south right of way of State Highway 334, at the northwest corner of said 0.522 acre tract, and at a northeast corner of 3.428 acre tract of land, conveyed to Berryman Shed Properties LLC., recorded in Document No. 2022-8141, Official Public Records of Henderson County, Texas;

Thence North 70 degrees 17 minutes 02 seconds East, with the south right of way State Highway 334 and with the north line of said 0.522 acre tract, a distance of 135.32 feet to a 1/2 inch iron rod set (Rockin B), at the northeast corner of said 0.522 acre tract and at the northwest corner of that certain called 1.58 acre tract of land, conveyed to Noe Castillo, recorded in Document No. 2011-5917, Official Public Records of Henderson County, Texas;

Thence South 04 degrees 45 minutes 18 seconds West, with the east line of said 0.522 acre tract and with the west line of said 1.58 acre tract, a distance of 210.75 feet to a 1/2 inch iron rod found, at the southeast corner of said 0.522 acre tract, at the southwest corner of said 1.58 acre tract, and on a North line of said 3.428 acre tract, from which a 1/2 inch iron rod found bears North 70 degrees 44 minutes 07 seconds East, a distance of 9.68 feet;

Thence with the south lines of said 0.522 acre tract and with a north line of said 3.428 acre tract as follows:

South 71 degrees 07 minutes 05 seconds West, a distance of 11.39 feet to a 1/2 inch iron rod found and South 85 degrees 53 minutes 18 seconds West, a distance of 98.33 feet to a point for corner under a storage building;

Thence North 00 degrees 20 minutes 55 seconds West, with the west line of said 0.522 acre tract and with an east line of said 3.428 acre tract, passing a 60D nail set, at 34.59 feet, continuing on a total distance of 175.11 feet to the Point of Beginning and Containing 0.520 acres of land.

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

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.**

Henderson County Texas Home Equity Security Instrument

Date of Security Instrument: February 24, 2000

Amount: \$31,005.20

Grantor(s): PETE EDISON AND EILEEN EDISON, HUSBAND AND WIFE

Original Mortgagee: CONSECO FINANCE SERVICING CORP

Current Mortgagee: U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, OF THE RICE PARK FINANCING WHOLE LOAN GRANTOR TRUST 2012-1

Original Trustee: RANDALL M. THOMAS

Mortgage Servicer and Address: NewRez LLC D/B/A Shellpoint Mortgage Servicing
55 Beattie Place, Suite 100
Greenville, South Carolina 29601-2743

Recording Information: Recorded on 3/6/2000, as Instrument No. 0003403 in Book 1978 Page 110 Henderson County, Texas

Legal Description: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN HENDERSON COUNTY, STATE OF TEXAS, ON THE WILLIAM WALDRIP SURVEY, ABSTRACT 824, AND BEING A PART OF THE 185.433 ACRE TRACT CONVEYED TO DAMON DOUGLAS BY EUGENE PAUL TURNER BY DEED RECORDED IN VOLUME 725, PAGE 222, HENDERSON COUNTY DEED RECORDS. SAID LOT, TRACT OR PARCEL OF LAND BEING MORE COMPLETELY DESCRIBED IN ATTACHED EXHIBIT "A"

Date of Sale: 11/5/2024

Earliest Time Sale Will Begin: 10:00 AM

Place of Sale: The foreclosure sale will be conducted in the area designated by the **Henderson** County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosures sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

WHEREAS, a Default Order was entered on 8/8/2024, under Cause No. CV24-0330-392, in the 392nd Judicial District Judicial District Court of Henderson County, Texas;



4826378

FILED FOR RECORD
2024 OCT 15 AM 10:15
MARY HANNAH R. WRIGHT
COUNTY CLERK
HENDERSON COUNTY, TEXAS

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, SHARON ST. PIERRE, SHERYL LAMONT, HARRIETT FLETCHER, ROBERT LAMONT, CASPER RANKIN, LAUREL HANDLEY, HOLLIS HAMILTON** 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, 3333 Camino Del Rio South, Suite 225, San Diego, California 92108, (713) 293-3618.

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 state above or within three (3) hours after that time.

NOTICE IS FURTHER GIVEN that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Texas Home Equity Security Instrument, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee, or the Mortgagee's Attorney.

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 the notice immediately.

EXECUTED in multiple originals on 9/11/2024.

By: Hollis Hamilton
Hollis Rose Hamilton, Attorney
Aldridge Pite, LLP
3333 Camino Del Rio South, Suite 225
San Diego, California 92108

Return to:
ALDRIDGE PITE, LLP
3333 Camino Del Rio South, Suite 225
P.O. BOX 17935
SAN DIEGO, CA 92108-0935
FAX #: 619-590-1385
866-931-0036

COMPLAINTS REGARDING THE SERVICING OF YOUR MORTGAGE SHOULD BE SENT TO THE DEPARTMENT OF SAVINGS AND MORTGAGE LENDING, 2601 NORTH LAMAR, SUITE 201, AUSTIN, TX 78705. A TOLL-FREE CONSUMER HOTLINE IS AVAILABLE AT 877-276-5550

Posted by: Sharon St. Pierre
10/15/2024 Sharon St. Pierre
Substitute Trustee

TS Number: 113750-TX

All that certain lot, tract or parcel of land situated in Henderson County, State of Texas, on the William Waldrup Survey, Abstract 824, and being a part of the 185.433 acre tract conveyed to Damon Douglas by Eugene Paul Turner by Deed recorded in Volume 725, Page 222, Henderson County Deed Records. Said lot, tract or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at an iron pin for corner in a North line of the Douglas tract North 88° 57' 30" East 306.5' from the most Westerly Northwest corner of the Douglas Tract. Witness 14" Sweet Gum North 85° East 15' 10" Elm North 10° West 8.4'.

THENCE North 88° 57' 30" East 306.5' to an iron pin for corner. Witness 30" Red Oak South 88° East 16.2' 14" Hackberry South 88° West 32'.

THENCE South 1° 38' 45" East 1492.11' to an iron pin for corner in the middle of a county road. Witness 12" Sweet Gum North 67° West 46.1' 12" Sweet Gum North 40° East 24.4'.

THENCE along middle of road North 83° 31' West 309.6' to an iron pin for corner. Witness 12" Sweet Gum North 30.5' 16" Red Oak South 65° West 28.7'.

THENCE North 1° 38' 45" West 1451.55' to the place of BEGINNING and containing 10.356 acres of land, more or less.

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: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE J.P. BROWN SURVEY, ABSTRACT NO. 59, HENDERSON COUNTY, TEXAS, AND BEING DESCRIBED AS LOTS 540, 541, 542 AND 543, BONITA POINT SUBDIVISION, AN ADDITION TO THE CITY OF GUN BARREL CITY, HENDERSON COUNTY, TEXAS. ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME C, PAGE 333, PLAT RECORDS, HENDERSON COUNTY, TEXAS.

2. Instrument to be Foreclosed. The instrument to be foreclosed is the Deed of Trust dated 11/09/2022 and recorded in Document 2022-00020705 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: 11/05/2024

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 KAS DEVELOPMENTS LIMITED LIABILITY COMPANY, provides that it secures the payment of the indebtedness in the original principal amount of \$125,450.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. PACIFIC ASSET HOLDINGS, LLC is the current mortgagee of the note and deed of trust and FAY SERVICING, LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is PACIFIC ASSET HOLDINGS, LLC c/o FAY SERVICING, LLC, 425 S. Financial Place, Suite 2000, Chicago, IL 60605 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

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

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



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

For additional sale information visit: www.mwzmlaw.com/tx-investors

Certificate of Posting

I am Brandon Wolf 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 10-15-24 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
2024 OCT 15 AM 10:37
MARY HANCOCK WRIGHT
COUNTY CLERK
HENDERSON COUNTY, TEXAS

Notice of Foreclosure Sale & Appointment of Substitute Trustee

Date: October 10, 2024
Type of Security Instrument: Deed of Trust
Date of Instrument: April 4, 2016
Debtor: Lindsey Dee Anderson
Original Trustee: John F. Berry
Substitute Trustee: James N. Richards or Clayton Gaddis
Current Beneficiary: Beth Ann Bailey

FILED FOR RECORD
2024 OCT 11 AM 11:19
MARY HALLGATE I. KNIGHT
COUNTY CLERK
HENDERSON COUNTY, TEXAS

County of Property: Henderson County, Texas

Recording Information: Henderson County Real Property Records Document Number 2016-00005287

Property Description: All that certain lot, tract or parcel of land situated in Henderson County, State of Texas, on the Thomas Parmer League, A-782, and being the called 4.405 acre tract, conveyed to Morris Properties, Inc., by David Colley, as Substitute Trustee, by Trustee's Deed dated September 7, 1999, and recorded in Volume 1939, Page 024, of the Henderson County Real Property Records. Said lot, tract or parcel of land being more particularly described by metes and bounds on the Exhibit "A" attached hereto and incorporated herein by reference.

Date of Sale of Property: 11/05/2024

Earliest Time of Sale of Property: The sale shall begin no earlier than 10:00 A.M. and no later than three hours thereafter. The sale shall be completed by no later than 4:00 P.M.

Place of Sale of Property: Henderson County Courthouse, 100 E. Tyler Street, Athens, Texas, 75751 or other place designated by the County Commissioners Court.

Because of default in the performance of the obligations of the Debtor, the (Substitute) Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified to satisfy the debt secured by the Lien. The sale will begin at the earliest time stated above and within three hours after that time.

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 James N. Richards or Clayton Gaddis, either to act, as Substitute Trustee.**

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:

J.N. Richards Law, P.C.
c/o Nate Richards
407 E. Corsicana Street
Athens, Texas 75751
214-559-7387


James N. Richards
407 E. Corsicana Street
Athens, Texas 75751
Ph: 214-559-7387
Fx: 817-518-9286
Email: nate@jnrichardslawpc.com

Executed on October 10, 2024

Exhibit "A"

All that certain lot, tract or parcel of land situated in Henderson County, State of Texas, on the Thomas Parmer League, A-782, and being the called 4.405 acre tract, conveyed to Morris Properties, Inc. by David Colley, as Substitute Trustee, by Trustee's Deed dated September 7, 1999, and recorded in Volume 1939, Page 024, of the Henderson County Real Property Records. Said lot, tract or parcel of land being more particularly described by metes and bounds as follows:

BEGINNING at a 60d nail found for corner in a concrete driveway at the Southeast corner of the called 4.405 acre tract, in the North ROW line of State HWY. No. 31 and at the Southwest corner of the Mendel Pringler 1.8202 acre tract recorded in Volume 1017, Page 338, of the Henderson County Deed Records;

THENCE SOUTH 67 degrees 55 minutes 25 seconds West along the South line of the called 4.405 acre tract and the North ROW line of State HWY. No. 31, 291.96 feet to a 1 3/4" iron pipe found for corner at the Southerly Southwest corner of the called 4.405 acre tract, at the Southeast corner of the Mendel Pringler called 0.783 acre first tract recorded in Volume 836, Page 29, of the Henderson County Deed Records and at the beginning point of a boundary line agreement recorded in Volume 1309, Page 561, of the Henderson County Deed Records;

THENCE NORTH 08 degrees 54 minutes 28 seconds West along the said boundary line agreement 7.83 feet to a 5/8" iron rod found for corner at the edge of a concrete drive;

THENCE NORTH 02 degrees 23 minutes 27 seconds West along the edge of the said concrete drive 30.75 feet to the point of intersection of the edge of the said concrete drive with the Southeast corner of a concrete walk;

THENCE NORTH 39 degrees 16 minutes 31 seconds West 3.41 feet and North 05 degrees 16 minutes 02 seconds West 1.66 feet to a 1/2" iron rod found for corner at an angle corner of the said boundary line agreement and at an angle corner of the called 4.405 acre tract;

THENCE NORTH 39 degrees 21 minutes 47 seconds West 125.86 feet to a T post found for corner at the end of the said boundary line agreement, at the Westerly Southwest corner of the called 4.405 acre tract, at the North corner of the said Mendel Pringler 0.783 acre first tract, at the Northeast corner of the Mendel Pringler second tract recorded in Volume 836, Page 29, of the Henderson County Deed Records and at the Southeast corner of Lot 4, in Block 1, of the S. J. McCalebs Suburban Heights Addition as shown by plat recorded in Cabinet A, Slide 43, of the Henderson County Plat Records;

THENCE NORTH 01 degree 06 minutes 56 seconds East 455.18 feet to a 3/4" iron pipe found for corner at the Westerly Northwest corner of the called 4.405 acre tract, at the Southwest corner of the Flame Enterprises 1.645 acre tract recorded in Volume 940, Page 600, of the Henderson County Deed Records and in the East line of Lot 1, in Block 4, of the said S.J. McCalebs Suburban Heights Addition;

THENCE NORTH 84 degrees 04 minutes 36 seconds East 192.32 feet to a 1/2" iron rod found for corner at an original angle corner of the called 4.405 acre tract, at the Southeast corner of the said Flame Enterprises 1.645 acre tract and at the Southwest corner of the Clay Estes 0.219 acre tract recorded in Volume 1743, Page 882, of the Henderson County Real Property Records.

THENCE NORTH 84 degrees 00 minutes 36 seconds East 31.41 feet to a 1/2" iron rod found for corner at an original angle corner of the called 4.405 acre tract, at the Southeast corner of the said Clay Estes 0.219 acre tract at the Southwest corner of the Estes and Estes Inc. 0.32 acre tract recorded in Volume 1437, Page 776, of the Henderson County Real Property Records;

THENCE NORTH 85 degrees 00 minutes 43 seconds East 103.05 feet to a 1/2" iron rod found for corner at the Easterly Northeast corner of the called 4.405 acre tract, at the Southeast corner of the residue of a called 0.089 acre tract recorded in Volume 586, Page 579, of the Henderson County Deed Records and in the West line of the Lester Kinabrew, Jr. and W.C. McGuffey, Jr. tract recorded in Volume 531, Page 95, of the Henderson County Deed Records;

THENCE SOUTH 08 degrees 20 minutes 14 seconds East 153.43 feet to a 1/2" iron rod found for corner at an angle corner of the called 4.405 acre tract, at the Southwest corner of the said Lester Kinabrew, Jr.

and W.C. McGuffey, Jr. tract and at the Westerly Northwest corner of the said Mendel Pringler 1.8202 acre tract;

THENCE SOUTH 00 degrees 10 minutes 27 seconds West along the Southerly East line of the called 4.405 acre tract and the Southerly West line of the said Mendel Pringler 1.8202 acre tract 365.69 feet to the place of beginning and containing 4.405 acres of land.

NOTICE OF DEFAULT AND FORECLOSURE SALE

FILED FOR RECORD

2024 OCT -3 AM 8:15

WHEREAS on October 15, 2012 a certain Fixed Rate Home Equity Conversion Deed of Trust ("Deed of Trust") was executed by ROBERT DEWBERRY AND WIFE, BERTHA MAE DEWBERRY as mortgagors to ALAN E. SOUTH, as Trustee, for the benefit of URBAN FINANCIAL GROUP, INC. and was recorded on October 25, 2012 in the Official Public Records of Real Property of HENDERSON County Texas under Document No. Document No. 2012-00014213; and

WHEREAS the Deed of Trust was insured by the United States Secretary of Housing and Urban Development ("the Secretary") pursuant to the National Housing Act for the purpose of providing single family housing; and

WHEREAS the beneficial interest in the Deed of Trust is now owned by the Secretary, pursuant to an assignment dated October 8, 2019, recorded in the Official Public Records of Real Property of HENDERSON County, Texas under Document No. 2019-00014207; and

WHEREAS a default has been made in the covenants and conditions of the Deed of Trust in that a Borrower is deceased and the Property is not the residence of at least one surviving borrower; and

WHEREAS the entire amount delinquent as of June 21, 2024, is \$158,300.66; and

WHEREAS, by virtue of this default, the Secretary has declared the entire amount of the indebtedness secured by the Deed of Trust to be immediately due and payable.

NOW THEREFORE, pursuant to powers vested in me by the Single-Family Mortgage Foreclosure Act of 1994, 12 U.S.C. 3751 et seq., by 24 CFR part 27, subpart B, and by the Secretary's designation of me as Foreclosure Commissioner dated July 22, 2022 and recorded on August 28, 2024 in the Official Public Records of Henderson County, Texas, under Document No. 2024-00012034, on **November 5, 2024**, between the hours of 10:00 a.m. and 1:00 p.m. Central Standard Time, all real and personal property at or used in connection with the following described premises ("Property") will be sold at public auction to the highest bidder:

All that certain lot, tract or parcel of land situated in Henderson County, State of Texas, on the B. C. Walters League, A-797, and being a part of the called 2.50 acre second tract conveyed to Jack Daniel, by Thurman Robinson and Minnie Robinson Hamilton, the only heirs at law of Robert Robinson, deceased, by Warranty Deed dated September 3, 1954, and recorded in Volume 422, Page 133, of the Henderson County Deed Records, being more particularly described by metes and bounds on Exhibit "A" attached hereto and incorporated herein

Commonly known as 1204 N HAMLETT ST, ATHENS, TX 75751

The sale will be held between the hours of 10:00 a.m. and 1:00 p.m. Central Standard Time at public venue in the area designated by the HENDERSON County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place

is designated by the Commissioners Court, the sale will be conducted at the place where this Notice of Default and Foreclosure Sale was posted.

The earliest time the sale will occur is 10:00 a.m. Central Standard Time.

The Secretary of Housing and Urban Development will bid \$164,511.38.

There will be no proration of taxes, rents or other income or liabilities, except that the purchaser will pay, at or before closing, his pro-rata share of any real estate taxes that have been paid by the Secretary to the date of the foreclosure sale.

When making their bids, all bidders except the Secretary must submit a deposit totaling \$16,451.13 [10% of the Secretary's bid] in the form of a certified check or cashier's check made out to the Secretary of HUD. A deposit need not accompany each oral bid. If the successful bid is oral, a deposit of \$16,451.13 must be presented before the bidding is closed.

The deposit is nonrefundable. The remainder of the purchase price must be delivered within 30 days of the sale or at such other time as the Secretary may determine for good cause shown, time being of the essence. This amount, like the bid deposits, must be delivered in the form of a certified or cashier's check. If the Secretary is the highest bidder, he need not pay the bid amount in cash. The successful bidder will pay all conveying fees, all real estate and other taxes that are due on or after the delivery date of the remainder of the payment and all other costs associated with the transfer of title. At the conclusion of the sale, the deposits of the unsuccessful bidders will be returned to them.

The Secretary may grant an extension of time within which to deliver the remainder of the payment. All extensions will be for 15-day increments for a fee of \$500.00, paid in advance. The extension fee shall be in the form of a certified or cashier's check made payable to the Secretary of HUD. If the high bidder closes the sale prior to the expiration of any extension period, the unused portion of the extension fee shall be applied toward the amount due.

If the high bidder is unable to close the sale within the required period, or within any extensions of time granted by the Secretary, the high bidder may be required to forfeit the cash deposit or, at the election of the foreclosure commissioner after consultation with the HUD representative, will be liable to HUD for any costs incurred as a result of such failure. The Commissioner may, at the direction of the HUD representative, offer the property to the second highest bidder for an amount equal to the highest price offered by that bidder.

There is no right of redemption, or right of possession based upon a right of redemption, in the mortgagor or others subsequent to a foreclosure completed pursuant to the Act. Therefore, the Foreclosure Commissioner will issue a Deed to the purchaser(s) upon receipt of the entire purchase price in accordance with the terms of the sale as provided herein. HUD does not guarantee that the property will be vacant.

The scheduled foreclosure sale shall be cancelled or adjourned if it is established, by documented written application of the mortgagor to the Foreclosure Commissioner not less than 3 days before the date of sale, or otherwise, that the default or defaults upon which the foreclosure is based did not

exist at the time of service of this notice of default and foreclosure sale, or all amounts due under the mortgage agreement are tendered to the Foreclosure Commissioner, in the form of a certified or cashier's check payable to the Secretary of HUD, before public auction of the property is completed.

The amount that must be paid if the mortgage is to be reinstated prior to the scheduled sale is \$158,300.66 as of June 21, 2024, plus per diem interest from and after such date until paid in full, plus all other amounts that would be due under the mortgage agreement if payments under the mortgage had not been accelerated, advertising costs and postage expenses incurred in giving notice, mileage by the most reasonable road distance for posting notices and for the Foreclosure Commissioner's attendance at the sale, reasonable and customary costs incurred for title and lien record searches, the necessary out-of-pocket costs incurred by the Foreclosure Commissioner for recording documents, a commission for the Foreclosure Commissioner, and all other costs incurred in connection with the foreclosure prior to reinstatement.

Tender of payment by certified or cashier's check or application for cancellation of the foreclosure sale shall be submitted to the address of the Foreclosure Commissioner provided below.

Date: September 30, 2024

Foreclosure Commissioner

Carolyn A. Taylor
Hughes, Watters & Askanase, LLP
1201 Louisiana Street, 28th Floor
Houston, Texas 77002
(713) 590-4200

Exhibit "A"
Metes and Bounds Legal Description

All that certain lot, tract or parcel of land situated in Henderson County, State of Texas, on the B. C. Walters League, A-797, and being a part of the called 2.50 acre second tract conveyed to Jack Daniel, by Thurman Robinson and Minnie Robinson Hamilton, the only heirs at law of Robert Robinson, deceased, by Warranty Deed dated September 3, 1954, and recorded in Volume 422, Page 133, of the Henderson County Deed Records, all of the land conveyed to Robert Dewberry, by Mrs. Clyde Bowman, a/k/a Betty Bowman, by Warranty Deed dated June 24, 1987, and recorded in Volume 1531, Page 584, of the Henderson County Real Property Records, and all of the land conveyed to Robert L. Dewberry, by William R. Barker, by Special Warranty Deed dated May 30, 2012, and recorded under Instrument Number 2012-00007056 of the Henderson County Real property Records, said tract being the same land conveyed to William Rufus Barker, by Jack Daniel, et-al, by Warranty Deed dated July 15, 1968, and recorded in Volume 649, Page 862, 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 5/8" iron rod set for corner at the Northeast corner of the Barker tract, at the Northwest corner of the Robert Dewberry tract recorded in Volume 1420, Page 454, of the Henderson County Real Property Records, in the South right of way line of Hamlett Street and in the North line of the called 2.50 acre tract South 88 degrees 53 minutes 33 seconds West 440.00 feet from a 3" iron pipe found for corner at the Northeast corner of same;

THENCE SOUTH 04 degrees 51 minutes 40 seconds West 155.01 feet to a 5/8" iron rod set for corner at the Southeast corner of the Barker tract, at the Southwest corner of the said Robert Dewberry tract and in the North line of the Youth Crusade For Christ tract recorded in Volume 861, Page 212, of the Henderson County Deed Records;

THENCE NORTH 89 degrees 57 minutes 23 seconds West 150.00 feet to a 1/2" iron rod found for corner at the Southwest corner of the Robert Dewberry tract recorded in Volume 1531, Page 584, of the Henderson County Real Property Records, at the Southeast corner of the Robert Louis Dewberry tract recorded in Volume 1501, Page 758, of the Henderson County Real Property Records and in the North line of the said Youth Crusade For Christ tract;

THENCE NORTH 04 degrees 55 minutes 56 seconds East 152.00 feet to a 5/8" iron rod

Exhibit "A"
Metes and Bounds Legal Description

**found for corner at the
Northwest corner of the Robert Dewberry tract recorded in Volume 1531, Page 584, of the
Henderson County Real
Property Records, at the Northwest corner of the said Robert Louis Dewberry tract, in the
North line of the called
2.50 acre tract and in the South right of way line of Hamlett Street;
THENCE NORTH 88 degrees 53 minutes 33 seconds East along the North line of the called
2.50 acre tract and the
South right of way line of Hamlett Street, 150.00 feet to the place of beginning and
containing 0.526 acre of land.**

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

NOTICE OF SALE

PURSUANT TO AUTHORITY conferred upon the Trustee by that certain Deed of Trust dated September 5, 2023, executed by **SHERRYLYN LYNN WHITWORTH AND JOHNNY KATO WHITWORTH, II, A MARRIED COUPLE**, ("Mortgagor") to Tim Williams, Trustee, for the benefit of **21ST MORTGAGE CORPORATION** ("Mortgagee"), filed for record under Instrument No. 2023-00013466, Official Public Records of Henderson County, Texas, Mortgagee appoints K. Clifford Littlefield, Alexander J. Tiffany, Mara E. Schechter or Norma Jean Hesselstine, whose address is listed below, or Randy Daniel or Cindy Daniel or Jim O'Bryant, whose business address is 14800 Landmark Blvd., Suite 850, Dallas, Texas 75254, under said Deed of Trust, in order to satisfy the indebtedness secured thereby and at the request of the holder of said indebtedness, default having been made in the covenants of the Deed of Trust, to sell on **Tuesday, November 5, 2024**, (that being the first Tuesday of the month), at public auction to the highest bidder for cash, at the Henderson County Courthouse at the place designated by the Commissioner's Court for such sales in Henderson County, Texas, (on the steps of the county courthouse or as designated by the County Commissioner), the sale to begin at 10:00 o'clock a.m. or not later than three (3) hours after such time on that date, selling all of the property as an entirety or in such parcels as the Trustee acting may elect the property offered for sale, more particularly described on Exhibit "A" attached hereto and made a part hereof, together with any and all improvements constructed upon, affixed to or located upon the above described real property, including but not limited to the 2024 Fleetwood Manufactured Home, Serial No. FLE240TX2349236AB.

Assert and Protect Your Rights as a Member of the Armed Forces of the United States. If You Are or Your Spouse Is Serving on Active Military Duty, Including Active Military Duty as a Member of the Texas National Guard or the National Guard of Another State or as a Member of a Reserve Component of the Armed Forces of the United States, Please Send Written Notice of the Active Duty Military Service to the Sender of this Notice Immediately.

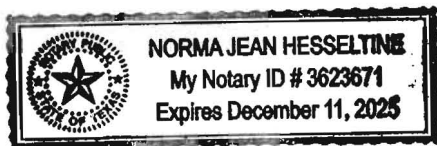
EXECUTED this 27 day of September, 2024.

FILED FOR RECORD
2024 OCT -1 PM 3:57
MARY DANIEL LITTLE
COUNTY CLERK
HENDERSON COUNTY, TEXAS

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

THE STATE OF TEXAS §
COUNTY OF NUECES §

SUBSCRIBED and SWORN TO BEFORE ME, the undersigned Notary Public, by **K. CLIFFORD LITTLEFIELD**, this 27 day of September, 2024, to certify which witness my hand and official seal.



[Signature]
NOTARY PUBLIC, STATE OF TEXAS

EXHIBIT "A"

Lot 82, King's Point Subdivision in Henderson County, Texas, as shown by the plat recorded in Cabinet D, Slide 230, Plat Records, Henderson County, Texas.

FILED FOR RECORD

2024 SEP 26 PM 1:55

MARY MARGARET WRIGHT
COUNTY CLERK
HENDERSON COUNTY, TEXAS

Notice of Substitute Trustee Sale

T.S. #: 24-10810

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately.

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

Date: **11/5/2024**
Time: The sale will begin no earlier than **10:00 AM** or no later than three hours thereafter.
The sale will be completed by no later than **1:00 PM**
Place: **Henderson County Courthouse in ATHENS, Texas, at the following location: 125 N. Prairieville St, Athens, Tx 75751 - or in the area designated by the commissioners court. OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE**

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

LEGAL DESCRIPTION ATTACHED AS "EXHIBIT A"

Instrument to be Foreclosed – The instrument to be foreclosed is the Deed of Trust is dated 4/11/2019 and is recorded in the office of the County Clerk of Henderson County, Texas, under County Clerk's File No 2019-00004934, recorded on 4/12/2019, of the Real Property Records of Henderson County, Texas.
Property Address: 433 EAST JESS HINTON RD KEMP TEXAS 75143

Trustor(s):	BRIAN LOFTIN AND CHRISTINA FAYE LOFTIN	Original Beneficiary:	Mortgage Electronic Registration Systems, Inc. (MERS), as beneficiary, as nominee for JMAC LENDING, INC., its successors and assigns
Current Beneficiary:	Wilmington Savings Fund Society, FSB, not its individual capacity but solely as Owner Trustee for Verus Securitization Trust 2022-4	Loan Servicer:	NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing
Current Substituted Trustees:	Auction.com, Sharon St. Pierre, Ronnie Hubbard, Sheryl LaMont, Robert LaMont, Meghan Byrne, David Sims, Harriett Fletcher, Rick Snoke, Prestige Default Services, LLC		

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

Terms of Sale - The sale will be conducted as a public auction to the highest bidder for cash with funds being made payable to Prestige Default Services, LLC, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale. Prospective bidders are strongly urged to examine the applicable property records to determine the

T.S. #: 24-10810

nature and extent of such matters, if any. Pursuant to the Deed of Trust, the beneficiary has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to section 51.009 of the Texas Property Code, the property will be sold in "as is, where is" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the deed of trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property. Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

Type of sale - The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of the sale granted by the deed of trust executed by BRIAN LEE LOFTIN AND CHRISTINA FAYE LOFTIN, HUSBAND AND WIFE. The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

Obligations Secured - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including by not limited to (1) the promissory note in the original principal amount of \$700,000.00, executed by BRIAN LEE LOFTIN AND CHRISTINA FAYE LOFTIN, HUSBAND AND WIFE, and payable to the order of Mortgage Electronic Registration Systems, Inc. (MERS), as beneficiary, as nominee for JMAC LENDING, INC., its successors and assigns; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of BRIAN LEE LOFTIN AND CHRISTINA FAYE LOFTIN, HUSBAND AND WIFE to BRIAN LOFTIN. Wilmington Savings Fund Society, FSB, not its individual capacity but solely as Owner Trustee for Verus Securitization Trust 2022-4 is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the Note and all other amounts lawfully owing under the Note, the Deed of Trust, and all of the other associated loan documents, including, without limitation, all interest, default interest, late charges, advances, attorneys' fees and other costs and expenses. **All checks must be made payable to Prestige Default Services, LLC**

Questions concerning the sale may be directed to the undersigned or to the beneficiary:
Wilmington Savings Fund Society, FSB, not its individual capacity but solely as Owner Trustee for Verus Securitization Trust 2022-4
c/o NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing
55 Beattie Place, Suite 100
Greenville, South Carolina 29601-2743
800-365-7107

Dated: September 24, 2024 Auction.com, Sharon St. Pierre, Ronnie Hubbard, Sheryl LaMont, Robert LaMont, Meghan Byrne, David Sims, Harriett Fletcher, Rick Snoke, Prestige Default Services, LLC,

Sharon St. Pierre

Prestige Default Services, LLC
16801 Addison Road, Suite 350
Addison, Texas 75001
Phone: (972) 893-3096 ext. 1035
Fax: (949) 427-2732

EXHIBIT "A"

BEING ALL THAT CERTAIN LOT TRACT OR PARCEL OF LAND LOCATED IN THE D.O. WILLIAMS SURVEY, A-840, HENDERSON COUNTY, TEXAS, BEING DESCRIBED AS ALL OF A CALLED 17.90 ACRE TRACT OF LAND AS DESCRIBED IN DEED TO CARL MCLENDON AND WIFE, SHIRLEY MCLENDON RECORDED IN VOLUME 2066, PAGE 231, BEING THE SAME TRACT DESCRIBED IN VOLUME 1795, PAGE 863 OF THE DRHCT, ALSO BEING ALL OF A CALLED 8.339 ACRE TRACT OF LAND DESCRIBED IN DEED TO CARL MCLENDON AND SHIRLEY MCLENDON RECORDED IN DOC# 2012-00008903 OF THE DRHCT, SAID LOT TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a point in the called centerline of E. Jess Hinton Road at the northeast corner of the Randall W. and Tami M. Kearns 16.65 acre tract as described in Deed recorded in Volume 2275, Page 742 of the DRHCT, being the northwest corner of the 8.339 acre tract and this tract;

THENCE, N 88° 40' 29" E (Control Line), 541.68 feet along the called centerline of E. Jess Hinton Road, the north line of the 8.339 acre tract, passing the northwest corner of the 17.90 acre tract, to a 60D nail set in the Deeded 325' Elevation of Cedar Creek Lake, being the northeast corner of the 17.90 acre tract and this tract;

THENCE, along the Deeded 325' Elevation of Cedar Creek Lake as follows; S 11° 20' 53" E, 254.00 feet; S 12° 39' 49" E, 194.52 feet to a 1 1/2" iron pipe found; S 21° 04' 54" E, 273.57 feet; S 32° 07' 53" E, 305.20 feet to a 60D nail found; S 36° 33' 53" E, 256.89 feet to a 1/2" iron rod set with a plastic cap stamped #4207 in the western line of the TRWD 28.37 acre tract for Cedar Creek Lake recorded in Volume 519, Page 597 of the DRHCT;

THENCE, S 00° 38' 19" E, 316.49 feet to a 1/2" iron rod found at the northeast corner of the Kelly P. Austin 8.917 acre tract as described in Deed recorded in Volume 2911, Page 381 of the DRHCT, being the southeast corner of the 17.90 acre tract and this tract;

THENCE, N 87° 23' 53" W, 452.71 feet along the common line of the Austin tract and this tract to a 1/2" iron rod found at the northeast corner of the Tammy G. Young 19.886 acre tract as described in Deed recorded in Doc. 2012-00016652 of the DRHCT;

THENCE, along the common line of the Young tract and this tract as follows; S 89° 24' 43" W, 330.16 feet to a 1/2" iron rod found at the southeast corner of the 8.339 acre tract; S 88° 29' 16" W, 250.12 feet to a 1/2" iron rod found at the southeast corner of the Kearns tract being the southwest corner of the 8.339 acre tract and this tract;

THENCE, N 00° 45' 03" W, along the common line of the Kearns tract and this tract passing a 1/2" iron rod found at 1438.88 feet and continuing a total distance of 1452.37 feet to the POINT OF BEGINNING and CONTAINING 26.24 ACRES OF LAND MORE OR LESS.

FILED FOR RECORD
2024 SEP 26 AM 8:14
MARY MARGARET WRIGHT
COUNTY CLERK
HENDERSON COUNTY, TEXAS

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 TX14000137-24-1

APN 254294 | 2935.0034.0250.53

TO No FIN-24003832

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on May 25, 2012, KEITH AND CHRISTINA RUCKER, 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 June 4, 2012 as Document No. 2012-00007335 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 254294 | 2935.0034.0250.53

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.

TS No TX14000137-24-1

APN 254294 | 2935.0034.0250.53

TO No FIN-24003832

NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, November 5, 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.

WITNESS, my hand this 05th day of SEPTEMBER, 2024.

By: Randy Daniel
Substitute Trustee(s)

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.

TS No TX14000137-24-1

APN 254294 | 2935.0034.0250.53

TO No FIN-24003832

EXHIBIT "A"

All that certain lot, tract or parcel of land located in the L. Navarro Survey, A-578, Henderson County, Texas, being described as Lot 25 Block 34 of Harbor Point, Section 2, according to the plat recorded in Volume 5 Page 26, Cabinet A Slide 350 of the Plat Records of Henderson County, Texas

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: THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN HENDERSON COUNTY, STATE OF TEXAS ON THE JOSEPH MATHEW SURVEY, A-548, AND BEING A PART OF THE CALLED 25.8903 ACRE TRACT CONVEYED TO NABIL N. HALLAK AND WIFE JOSETTE A. HALLAK BY ROBERT W. SNOW AND WIFE, FRANCIS SNOW, BY ASSUMPTION WARRANTY DEED DATED JUNE 26, 1997, AND RECORDED IN VOLUME 1759, PAGE 118, OF THE HENDERSON COUNTY REAL PROPERTY RECORDS. SAID LOT, TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 5/8 INCH IRON ROD FOUND FOR CORNER IN THE WEST ROW LINE OF F. M. HWY. NO. 315, AT THE EASTERLY NORTHEAST CORNER OF THE CALLED 25.8903 ACRE TRACT, AND AT THE SOUTHEAST CORNER OF THE CHARLEY R. ASHCRAFT 0.47 ACRE TRACT RECORDED IN VOLUME 2311, PAGE 673, OF THE HENDERSON COUNTY REAL PROPERTY RECORDS;

THENCE SOUTH 00 DEGREES 40 MINUTES 50 SECONDS EAST 121.00 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER IN THE WEST ROW LINE OF F. M. HWY. NO. 315 AND IN THE EASTERLY EAST LINE OF THE CALLED 25.8903 ACRE TRACT;

THENCE SOUTH 89 DEGREES 52 MINUTES 15 SECONDS WEST 209.56 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

THENCE NORTH 01 DEGREES 04 MINUTES 46 SECONDS WEST 121.01 FEET TO A 5/8 INCH IRON ROD SET FOR CORNER;

THENCE NORTH 89 DEGREES 52 MINUTES 15 SECONDS EAST 210.41 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.583 ACRES OF LAND, MORE OR LESS.

2. *Instrument to be Foreclosed.* The instrument to be foreclosed is the Deed of Trust dated 10/25/2007 and recorded in Book 2823 Page 153 Document: 200721031 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: 11/05/2024

Time: 10:00 AM

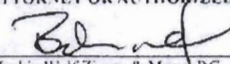
Place: Henderson County, Texas at the following location: THE SOUTH ENTRANCE PORCH OF THE HENDERSON COUNTY COURT HOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE or as designated by the County Commissioners Court.

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 CHARLES M. POWELL AND DEBRA L. POWELL, provides that it secures the payment of the indebtedness in the original principal amount of \$104,000.00, and obligations therein described including but not limited to (a) the promissory note; and (b) all renewals and extensions of the note. NATIONSTAR MORTGAGE LLC is the current mortgagee of the note and deed of trust and NATIONSTAR MORTGAGE LLC is mortgage servicer. A servicing agreement between the mortgagee, whose address is NATIONSTAR MORTGAGE LLC c/o NATIONSTAR MORTGAGE LLC, 8950 Cypress Waters Blvd. Coppell, TX 75019 and the mortgage servicer and Texas Property Code § 51.0025 authorizes the mortgage servicer to collect the debt.

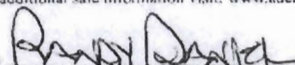
6. *Substitute Trustee(s) Appointed to Conduct Sale.* In accordance with Texas Property Code Sec. 51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint AVT Title Services, LLC, located at 5177 Richmond Avenue Suite 1230, Houston,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

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


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

For additional sale information visit: www.auction.com or (800) 280-2832

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 9-19-24 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
2024 SEP 19 AM 8:26
MARY HARRIET WRIGHT
COUNTY CLERK
HENDERSON COUNTY, TEXAS

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately. Sender is: Codilis & Moody, P.C., 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 and 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: 11/05/2024

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
SEP-5 PM12:41
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 Sharon St. Pierre, Sheryl LaMont, Harriett Fletcher, Robert LaMont, Randy Daniel, Cindy Daniel, Jim O'Bryant, Patrick Zwiers, Jonathan Harrison, Angie Uselton, Ramiro Cuevas, Aurora Campos, Dana Kamin, Meryl Olsen, Misty McMillan, 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 September 3, 2024.

/s/ Juanita Deaver SBOT No. 24126385, Attorney at Law
Codilis & Moody, P.C.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200

Posted and filed by: Sharon St. Pierre

Printed Name: Sharon St. Pierre 9.5.2024

C&M No. 44-24-02233

EXHIBIT "A"

Order No.: 2200611600314

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 888 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' 18" 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.

7353 STATE HIGHWAY 19 S
ATHENS, TX 75751

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: November 05, 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 17, 2021 and recorded in Document INSTRUMENT NO. 2021-00004990 real property records of HENDERSON County, Texas, with DEVONE MORROW, A SINGLE WOMAN, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by DEVONE MORROW, A SINGLE WOMAN, securing the payment of the indebtednesses in the original principal amount of \$165,938.00, 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

FILED FOR RECORD
2024 AUG 9 AM 11:11
HARRY MARGARET WINGARD
COUNTY CLERK
HENDERSON COUNTY, TEXAS
00000010130516



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 Randy Daniel, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 8-29-24 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: Randy Daniel

Date: 8-29-24

7353 STATE HIGHWAY 19 S
ATHENS, TX 75751

00000010130516

00000010130516

HENDERSON

EXHIBIT "A"

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE NELSON BOX SURVEY, A-58 HENDERSON COUNTY, TEXAS, AND BEING DESCRIBED AS LOT NO. 4, BLOCK NO. 1, VIRGINIA PINES ADDITION, ACCORDING TO THE PLAT RECORDED IN VOLUME 3, PAGE 9, NOW KNOWN AS CABINET A, SLIDE 191, PLAT RECORDS OF HENDERSON COUNTY, TEXAS. WHICH CURRENTLY HAS THE ADDRESS OF 7353 STATE HIGHWAY 19 S

NOTICE OF ACCELERATION AND NOTICE OF 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.

DEED OF TRUST INFORMATION:

Date: September 7, 2018
Grantor(s): Lauriann Cruz, unmarried woman
Original Mortgagee: Mortgage Electronic Registration Systems Inc., as nominee for Southwest Stage Funding, LLC DBA Cascade Financial Services
Original Principal: \$88,074.00
Recording Information: 2018-00014433
Property County: Henderson
Property: BEING 0.238 ACRES OF LAND SITUATED IN THE MIGUEL CORTINAS SURVEY, ABSTRACT 5, HENDERSON COUNTY, TEXAS, AND BEING ALL OF LOTS 81 AND 82, BLOCK 17, SUNRISE SHORE SUBDIVISION, AS RECORDED IN CABINET B, SLIDE 140 OF THE PLAT RECORDS OF HENDERSON COUNTY, TEXAS.
Property Address: 20871 Woodwind Drive
Chandler, TX 75758

MORTGAGE SERVICING INFORMATION:

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

Current Mortgagee: Southwest Stage Funding, LLC dba Cascade Financial Services
Mortgage Servicer: Cascade Financial Services
Mortgage Servicer Address: 2701 E Insight Way
Suite 150
Chandler, AZ 85286

SALE INFORMATION:

Date of Sale: November 5, 2024
Time of Sale: 10:00 AM or within three hours thereafter.
Place of Sale: THE SOUTH ENTRANCE PORCH OF THE HENDERSON COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE
Substitute Trustee: Randy Daniel or Cindy Daniel or Jim O'Bryant, Padgett Law Group, Michael J. Burns, Jonathan Smith, Gabrielle A. Davis, or Paige Jones, any to act
Substitute Trustee Address: 546 Silicon Dr., Suite 103
Southlake, TX 76092
TXAttorney@PadgettLawGroup.com

PLG File Number: 24-000962-2

FILED FOR RECORD
2024 AUG 29 AM 11:24
HARRY MARGARET WRIGHT
COUNTY CLERK
HENDERSON COUNTY, TEXAS

APPOINTMENT OF 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.

The undersigned is the attorney for the mortgagee and/or mortgage servicer, and in such capacity does hereby remove the original trustee and all successor substitute trustees under the above-described Deed of Trust and appoints in their place, any to act, those substitute trustees identified in the SALE INFORMATION section of this notice, whose address is c/o Padgett Law Group, 546 Silicon Dr., Suite 103, Southlake, TX 76092 as Substitute Trustee, who shall hereafter exercise all powers and duties to set aside the said original trustee under said Deed of Trust, and further does hereby request, authorize, and instruct said Substitute Trustees to conduct and direct the execution of remedies set aside to the beneficiary therein.

WHEREAS, the above-named Grantor(s) previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared, such default was reported to not have been cured, and all sums secured by such Deed of Trust are declared immediately due and payable.

WHEREAS, the original Trustee and any previously appointed Substitute Trustee under said Deed of Trust has been hereby removed and the herein described Substitute Trustees, have been appointed as Substitute Trustees and authorized by the Mortgage Servicer to enforce the power of sale granted in the Deed of Trust; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note is hereby accelerated, and all sums secured by the Deed of Trust are declared to be immediately due and payable.
2. The herein appointed Substitute Trustees, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien imposed by the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for the particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be sold "AS-IS", purchaser's will buy the property "at the purchaser's own risk" and "at his peril" and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interest of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.
5. 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, the Mortgagee's Attorney, or the duly appointed Substitute Trustee.



Michael J. Burns / Jonathan Smith/ Gabrielle A. Davis/ Paige Jones

CERTIFICATE OF POSTING

My name is Randy Daniel, and my address is c/o Padgett Law Group, 546 Silicon Dr., Suite 103, Southlake, TX 76092. I declare under penalty of perjury that on 8-29-24, I filed at the office of the Henderson County Clerk to be posted at the Henderson County courthouse this notice of sale.

Declarant's Name: Randy Daniel

Date: 8-29-24

Padgett Law Group
546 Silicon Dr., Suite 103

Southlake, TX 76092

TXAttorney@PadgettLawGroup.com
(850) 422-2520