

23-157225

Notice of Substitute Trustee's Sale

**POSTED**

Sharon Ferguson, Brown County Clerk  
Time 3:25 pm.

JAN 04 2024  
*H. Liban*

Notice Concerning Military Duty: Assert and protect your rights as a member of the armed forces of the United States. If you are or your spouse is serving on active military duty, including active military duty as a member of the Texas National Guard or the National Guard of another state or as a member of a reserve component of the armed forces of the United States, please send written notice of the active duty military service to the sender of this notice immediately. Tex. Prop. Code § 51.002(i)

Deed of Trust Date: August 12, 2021	Original Mortgagor/Grantor: JOHNSCOTT LEE DYER
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS BENEFICIARY, AS NOMINEE FOR TEXAS BANK., ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: LAKEVIEW LOAN SERVICING, LLC
Recorded in: Volume: N/A Page: N/A Instrument No: 2105655	Property County: BROWN
Mortgage Servicer: LOANCARE, LLC	Mortgage Servicer's Address: 3637 Sentara Way, Virginia Beach, Virginia 23452

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

Secures: Note in the original principal amount of \$155,138.00, executed by JOHNSCOTT DYER and payable to the order of Lender.

Property Address/Mailing Address: 2301 BERKLEY ST, BROWNWOOD, TX 76801

**Legal Description of Property to be Sold:** BEING A TRACT OF LAND IN THE CITY OF BROWNWOOD, BROWN COUNTY, TEXAS, AND BEING A PORTION OF LOT 5 AND LOT 6, BLOCK NUMBER 2 OF THE CHELTENHAM ADDITION, AN ADDITION TO THE CITY OF BROWNWOOD, BROWN COUNTY, TEXAS RECORDED IN VOLUME 1, PAGE 174 AND VOLUME 1, PAGE 175, PLAT RECORDS OF BROWN COUNTY, TEXAS, AND BEING THAT TRACT OF LAND DESCRIBED TO BETTIE HUMPHRIES RECORDED IN VOLUME 1476, PAGE 326, OFFICIAL PUBLIC RECORDS OF BROWN COUNTY, TEXAS AS FENCED AND OCCUPIED, AND AS AFFECTED BY BOUNDARY LINE AGREEMENT AND SPECIAL WARRANTY DEEDS RECORDED IN BROWN COUNTY CLERKS FILE NUMBERS 2105567 AND 2105568 OF THE OFFICIAL PUBLIC RECORDS OF BROWN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A POINT FOR CORNER ON THE SOUTHWEST LINE OF BERKLEY STREET (50' RIGHT-OF-WAY) BEING THE PROJECTION OF AN ESTABLISHED CHAIN LINK FENCE LINE BETWEEN THAT TRACT OF LAND DESCRIBED TO STARLIA MCREE IN INSTRUMENT NUMBER 2007483, OFFICIAL PUBLIC RECORDS OF BROWN COUNTY, TEXAS, AND SAID BETTIE HUMPHRIES TRACT FROM WHICH A 1/4 INCH IRON ROD CALLED THE NORTH CORNER OF LOT 5 BEARS N 31°00'00" W, 86.11 FEET, AND A 1/2 INCH IRON ROD FOUND FOR WITNESS BEARS N36°10'15" W, 4.00 FEET, AND FROM WHICH THE EAST CORNER OF SAID STARLIA MCKEE TRACT BEARS S 31°00'00" E, 3.88 FEET;

THENCE SOUTH 31 DEGREES 00 MINUTES 00 SECONDS EAST (BASIS OF BEARINGS), WITH THE SOUTHWEST LINE OF BERKLEY STREET, 60.21 FEET TO A 1/2 INCH IRON ROD FOUND, BEING THE



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 Sharon Ferguson, Brown County Clerk  
 Time 3:25 PM  
 JAN 04 2024  
 PAGE 308 OFFICIAL  
 By Deputy H. L. [Signature]

INTERSECTION OF THE PROJECTION OF AN ESTABLISHED CHAIN LINK FENCE LINE AND THE  
 SOUTHWEST LINE OF BERKLEY STREET, FROM WHICH THE NORTH CORNER OF A TRACT OF LAND  
 DESCRIBED TO RICHARD WILLIAMS IN DEED RECORDED IN VOLUME 30 PAGE 308 OFFICIAL  
 PUBLIC RECORDS OF BROWN COUNTY, TEXAS BEARS S 31°00'00" E, 1.44 FEET;

THENCE SOUTH 53 DEGREES 43 MINUTES 03 SECONDS WEST, WITH SAID CHAIN LINK FENCE LINE,  
 99.51 FEET TO A POINT FOR CORNER FROM WHICH THE CHAINLINK FENCE CORNER POST BEARS N  
 53°43'03" E, 2.16 FEET, AND FROM WHICH THE INTERSECTION OF SAID RICHARD WILLIAMS  
 NORTHWEST  
 LINE BEARS N 30°55'04" W, 1.24 FEET;

THENCE NORTH 30 DEGREES 55 MINUTES 04 SECONDS WEST, 65.57 FEET TO A POINT FOR CORNER  
 FROM WHICH A CHAINLINK FENCE CORNER POST BEARS N 56°50'44" E, 1.43 FEET, A 1/2 INCH IRON  
 ROD FOUND WITH PLASTIC CAP STAMPED 'SOLUM' BEARS S 30°55'04" E, 1.53 FEET THE CALLED  
 SOUTH  
 CORNER OF LOT 5 BEARS S 30°55'04", 8.53 FEET, AND FROM WHICH A 3/8 INCH IRON ROD WITH  
 PLASTIC CAP STAMPED 'HAAS' BEARS N 30°40'34" W, 172.24 FEET;

THENCE NORTH 56 DEGREES 50 MINUTES 44 SECONDS EAST, WITH AN ESTABLISHED CHAINLINK  
 FENCE LINE 99.51 FEET TO THE POINT OF BEGINNING AND CONTAINING 6,262 SQUARE FEET OR  
 0.14 OF AN ACRC OF LAND.

Date of Sale: February 06, 2024	Earliest time Sale will begin: 10:00 AM
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**Place of sale of Property:** On the front porch of the Brown 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 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

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

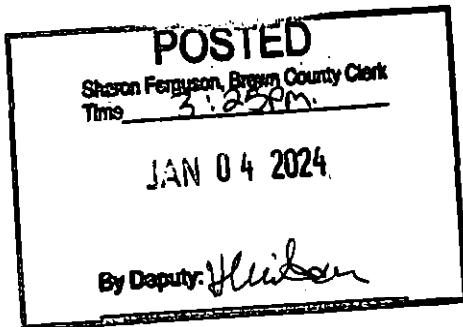
**Appointment of Substitute Trustee:** Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, LAKEVIEW LOAN SERVICING, LLC, the owner and holder of the Note, has requested Lamar Cravens, Christopher D. Brown, and Stephen E. Haynes, Reyn Rossington, Kim Anderson, Ron Anderson, Louis Starzel, Tom Swearingen, Justin Slone whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 OR Alexis Mendoza, Kevin Key, Jay Jacobs, Kim Anderson, Ron Anderson, Ramiro Cuevas, Kristopher Holub, Dylan Ruiz, Auction.com whose address is 1 Mauchly Irvine, CA 92618 OR Kim Anderson, Ron Anderson, Jay Jacobs, Alexis Mendoza or Kevin Key whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

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

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Lamar Cravens, Christopher D. Brown, and Stephen E. Haynes, Reyn Rossington, Kim Anderson, Ron Anderson, Louis Starzel, Tom Swearingen, Justin Slone whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 OR Alexis Mendoza, Kevin Key, Jay Jacobs, Kim Anderson, Ron Anderson, Ramiro Cuevas, Kristopher Holub, Dylan Ruiz, Auction.com whose address is 1 Mauchly Irvine, CA 92618 OR Kim Anderson, Ron Anderson, Jay Jacobs, Alexis Mendoza or Kevin Key whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Lamar Cravens, Christopher D. Brown, and Stephen E. Haynes, Reyn Rossington, Kim Anderson, Ron Anderson, Louis Starzel, Tom Swearingen, Justin Slone whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 OR Alexis Mendoza, Kevin Key, Jay Jacobs, Kim Anderson, Ron Anderson, Ramiro Cuevas, Kristopher Holub, Dylan Ruiz, Auction.com whose address is 1 Mauchly Irvine, CA 92618 OR Kim Anderson, Ron Anderson, Jay Jacobs, Alexis Mendoza or Kevin Key whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

**Limitation of Damages:** If the sale is set aside for any reason, the purchaser at the sale shall be entitled only to a return of the funds paid. The purchaser shall have no further recourse against Mortgagor, the Mortgagee, or the Mortgagee's attorney.



*Kevin Key*

SUBSTITUTE TRUSTEE

*Posted by: Eibura Ortega-Smith*

Lamar Cravens, Christopher D. Brown, and Stephen E. Haynes, Reyn Rossington, Kim Anderson, Ron Anderson, Louis Starzel, Tom Swearingen, Justin Slone OR Alexis Mendoza, Kevin Key, Jay Jacobs, Kim Anderson, Ron Anderson, Ramiro Cuevas, Kristopher Holub, Dylan Ruiz, Auction.com OR Kim Anderson, Ron Anderson, Jay Jacobs, Alexis Mendoza or Kevin Key, Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,  
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30097; PH: (470)321-7112