

## 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 April 06, 2022 and recorded under Clerk's File No. 2202405, in the real property records of Brown County Texas, with Joshua W Dyess and Tori R Cook, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for First National Bank, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Joshua W Dyess and Tori R Cook, husband and wife securing payment of the indebtedness in the original principal amount of \$230,743.00 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 Joshua W. Dyess, Tori R. Cook. Lakeview Loan Servicing, 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. LoanCare, LLC is acting as the Mortgage Servicer for the Mortgagee. LoanCare, LLC, is representing the Mortgagee, whose address is: 3637 Sentara Way, Virginia Beach, VA 23452.

#### Legal Description:

**SURVEY OF 0.94 ACRES OF LAND OUT OF AND PART OF SUBDIVISION NO. 3 OF THE JACOB DUCKWORTH SURVEY NO. 56, ABSTRACT NO. 240, BROWN COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN VOL. 1, PG. 134, PLAT RECORDS, BROWN COUNTY, TEXAS, SAID 0.94 ACRE BEING THAT SAME TRACT OF LAND DESCRIBED IN A DEED TO JAMES D. STACKS ET. UX. RECORDED IN VOL. 1715, PG. 513, REAL PROPERTY RECORDS, BROWN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:**

### SALE INFORMATION

**Date of Sale: 11/04/2025**

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

**Location of Sale:** The place of the sale shall be: Brown County Courthouse, Texas at the following location: 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

### TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Pursuant to the Deed of Trust, the



mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "AS IS," "WHERE IS" condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the Deed of Trust.

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 Alexis Mendoza, Kevin Key, Jay Jacobs, Kim Anderson, Ron Anderson, Ramiro Cuevas, Kristopher Holub, Louis Starzel, Reyn Rossington, Kim Anderson, Ron Anderson, Tom Swearingen, Justin Slone, 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 August 27, 2025.

/s/ Danya F. Gladney SBOT No. 24059786, Attorney at Law  
Codilis & Moody, P.C.  
20405 State Highway 249, Suite 170  
Houston, TX 77070  
(281) 925-5200

Posted and filed by:

Printed Name:

C&M No. 44-25-02143

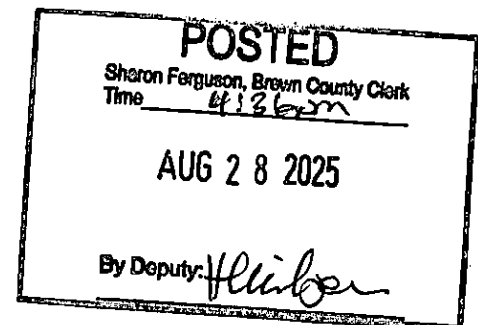


EXHIBIT "A"

Survey of 0.94 acres of land out of and part of Subdivision No. 3 of the Jacob Duckworth Survey No. 56, Abstract No. 240, Brown County, Texas, according to the plat or map thereof recorded in Vol. 1, Pg. 134, Plat Records, Brown County, Texas, said 0.94 acres being that same tract of land described in a deed to James D. Stacks et. ux. recorded in Vol. 1715, Pg. 513, Real Property Records, Brown County, Texas, and being further described by metes and bounds as follows:

Beginning at a ½" rebar rod (control monument) found in the West line of Mistletoe Ln. for a common corner between said Stacks tract and a tract of land described in a deed to Helen Tatum recorded in Vol. 1158, Pg. 199, of said Real Property Records, for the Northeast corner of this described tract; from which a 3/8" rebar rod (control monument) found for the Northeast corner of said Tatum tract bears N 01°46'45" W, 149.56 feet;

Thence S 02°12'02" E, 150.04 feet over and across said Subdivision No. 3 along the common line between said Stacks tract and said Mistletoe Ln. to a ½" rebar rod set with a survey cap stamped RPLS 6224 at the intersection of the West line of said Mistletoe Ln. with the North line of Longhorn Dr. for the Southeast corner of said Stacks tract and this described tract;

Thence S 87°57'58" W, 273.07 feet over and across said Subdivision No. 3 along the common line between said Stacks tract and said Longhorn Dr. to a 3/8" rebar rod with a survey cap stamped Polaski 2276 (control monument) found for a common corner between said Stacks tract and a tract of land described in a deed to Adrian Duane Pruett recorded in Vol. 1626, Pg. 136, of said Real Property Records, for the Southwest corner of this described tract;

Thence N 02°14'56" W, 150.04 feet over and across said Subdivision No. 3 along the common line between said Stacks tract and said Pruett tract to a ½" rebar rod set with a survey cap stamped RPLS 6224 for a common corner between said Stacks tract and previously mentioned Tatum tract, for the Northwest corner of this described tract; from which a 3/8" rebar rod (control monument) found for the Northeast corner of said Pruett tract bears N 02°14'56" W, 287.43 feet;

Thence N 87°57'58" E, 273.20 feet over and across said Subdivision No. 3 along the common line between said Stacks tract and said Tatum tract to the place of beginning and containing 0.94 acres of land.

*NOTE: All bearings were based on GPS observations NAD83, Texas Central 4203 (EPOCH 2011).*

