

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: August 01, 2023

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

Place: THE NORTHSIDE DOOR OF THE CASS COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. Terms of Sale. Cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated October 29, 2010 and recorded in Document INSTRUMENT NO. 2010005501 real property records of CASS County, Texas, with BRIAN P CARRELL A MARRIED MAN JOINED HEREIN BY TAMARA DAWN CARRELL, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. Obligations Secured. Deed of Trust or Contract Lien executed by BRIAN P CARRELL A MARRIED MAN JOINED HEREIN BY TAMARA DAWN CARRELL, securing the payment of the indebtednesses in the original principal amount of \$134,196.00, 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. FLAGSTAR BANK, NA, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o FLAGSTAR BANK, NA
5151 CORPORATE DRIVE
TROY, MI 48098

AMY L. VARRELL
CASS COUNTY CLERK
2023 JUN 22 PM 4:20
FILED FOR RECORD



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 ROBERT LAMONT, HARRIETT FLETCHER, RONNIE HUBBARD, SHERYL LAMONT, ALLAN JOHNSTON, RAMIRO CUEVAS, AURORA CAMPOS, JONATHAN HARRISON, PATRICK ZWIERS, DARLA BOETTCHER, DANA KAMIN, LISA BRUNO, AUCTION.COM, SHANNAH WALKER, KEVIN MCCARTHY, AL DAVIS, MURPHY HOWLE OR BEATRICE CARRILLO whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust; and, further does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein.



Israel Saucedo

Certificate of Posting

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

Declarants Name: _____

Date: _____

EXHIBIT "A"

ALL THAT CERTAIN 3.107 ACRE TRACT OF LAND IN THE SAMUEL W. FRENCH SURVEY, A-353 IN CASS CO., TX. SAID TRACT BEING ALL OF THAT TRACT OF LAND CONVEYED TO KELLY W. HUDSON BY DEED RECORDED IN VOL. 707, PG. 693 OF THE DEED RECORDS OF CASS CO., TX, SAID 3.107 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 3/8" REBAR FOUND IN AN OLD FENCE, THE SOUTH LINE OF A 150 ACRE TRACT OF LAND CONVEYED TO D. W. SPIKES BY WARRANTY DEED RECORDED IN VOL. L-3, PG. 212 FOR THE NORTHWEST CORNER OF A 23.08 ACRE TRACT OF LAND DESCRIBED IN CONTRACT OF SALE AND PURCHASE FOR JAMES K. HUDSON RECORDED IN VOL. 620, PG. 512, THE NORTHEAST CORNER SAID KELLY W. HUDSON TRACTS AND OF THIS DESCRIBED TRACT, FROM WHICH A 12" POST OAK MARKED X (OLD) BEARS WEST, 1.6';

THENCE: S 00°55'10" E (BEARING BASIS NORTH LINE), 300.00' ALONG A LINE TO A 1/2" REBAR SET FOR THE SOUTHEAST CORNER OF THIS DESCRIBED TRACT;

THENCE: WEST, 451.22' ALONG A LINE TO A 1/2" REBAR SET FOR THE SOUTHWEST CORNER OF THIS DESCRIBED TRACT;

THENCE: N 00°55'10" W, AT 84.22' PASS THE EAST END OF THE CENTERLINE OF A HEREINAFTER DESCRIBED 30' WIDE ACCESS EASEMENT, CONTINUING A TOTAL DISTANCE OF 300.00' ALONG A LINE TO A 1/2" REBAR FOUND IN AN OLD FENCE (DOWN) FOR THE NORTHWEST CORNER OF THIS DESCRIBED TRACT, FROM WHICH A 17" PINE MARKED X (OLD) BEARS N 10° E, 2.0';

THENCE: EAST, 451.22' ALONG SAID FENCE TO THE POINT OF BEGINNING, CONTAINING 3.107 ACRES OF LAND, MORE OR LESS.

ACCESS EASEMENT I

THE FOLLOWING DESCRIBED CENTERLINE OF A 30' WIDE ACCESS EASEMENT AND EXISTING GRAVEL DRIVE;

BEGINNING AT A POINT IN THE WEST LINE OF THE ABOVE DESCRIBED TRACT FOR THE EAST END OF SAID EASEMENT, FROM WHICH A 1/2" REBAR SET FOR THE SOUTHWEST CORNER OF THE ABOVE DESCRIBED TRACT BEARS S 00°55'10" E, 84.22;

THENCE: WITH SAID CENTERLINE THE FOLLOWING COURSES S 81°08'34" W, 193.94', S 56°30'24" W, 89.32'; S 29°01'59" W, 90.99'; S 04°45'09" W, 95.36'; S 09°51'14" E, 108.70' AND S 02°52'04" E, 328.65' TO A POINT IN THE CENTER OF AN EXISTING 30' WIDE ACCESS EASEMENT DESCRIBED IN VOL. 620, PG. 499, FROM WHICH A 50D NAIL FOUND FOR THE NORTHEAST CORNER OF TRACT II, A 20.00 ACRE TRACT OF LAND CONVEYED TO KELLY W. HUDSON ET AL, BEARS EAST, 317.50'.

ACCESS EASEMENT II

ALL THAT CERTAIN 30' WIDE ACCESS EASEMENT IN THE SAMUEL FRENCH SURVEY, A-353, CASS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF AN EXISTING 30' WIDE ACCESS EASEMENT DESCRIBED IN VOLUME 620, PAGE 499, FROM WHICH A 50D NAIL FOUND FOR THE NORTHEAST CORNER OF TRACT II, A 20.00 ACRE TRACT OF LAND CONVEYED TO KELLY HUDSON ET AL, BEARS EAST, 317.50 FEET;

THENCE IN AN EASTERLY DIRECTION ALONG AND WITH THE CENTER OF SAID EASEMENT AS FOLLOWS'

THENCE NORTH 79° 25' EAST 258.00 FEET;

THENCE SOUTH 54° 15' EAST 181.00 FEET;

THENCE SOUTH 87° 18' EAST 225.40 FEET;

THENCE NORTH 82° 58' 26" EAST 107.91 FEET,

THENCE NORTH 82° 48' 51" EAST 175.88 FEET;
THENCE NORTH 72° 49' EAST 293.70 FEET;
THENCE SOUTH 83° 50' EAST 196.70 FEET;
THENCE SOUTH 83° 59' EAST 476.60 FEET TO AN IRON PIN SET IN THE CENTERLINE OF THE PUBLIC ROAD FOR THE EAST END OF THE HEREIN DESCRIBED CENTERLINE

BEING AN EASEMENT FOR A ROAD ACROSS A PORTION OF A 23.08 ACRES TRACT OF LAND LOCATED IN THE SAMUEL FRENCH SURVEY, A-353 AND BEING SITUATED APPROXIMATELY NORTH 67° 00' WEST A DISTANCE OF 11 5 MILES FROM THE CITY OF LINDEN, CASS COUNTY, TEXAS. SAID 23.08 ACRES TRACT OF LAND BEING PREVIOUSLY DESCRIBED IN A CONTRACT OF SALE AND PURCHASE FROM THE VETERANS LAND BOARD OF THE STATE OF TEXAS TO KELLY W. HUDSON, DATED FEBRUARY 23, 1979, RECORDED IN VOLUME 620, PAGE 505, DEED RECORDS, CASS COUNTY, TEXAS. SAID ROAD TO BE 30.0 FEET WIDE, LYING 15.0 FEET ON EITHER SIDE OF A CENTERLINE, SAID CENTERLINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS'

BEGINNING AT A POINT FOR THE NORTH END OF THE HEREIN DESCRIBED CENTERLINE. SAID POINT BEING SOUTH 39° 55' 05" WEST A DISTANCE OF 391.15 FEET FROM THE NORTHEAST CORNER OF THE SAID 23.08 ACRES TRACT OF LAND;

THENCE: SOUTH A DISTANCE OF 632.0 FEET TO A POINT IN THE SOUTH LINE OF THE SAID 23.08 ACRES TRACT OF LAND FOR THE SOUTH END OF THE HEREIN DESCRIBED CENTERLINE.