

Freestone
County
Renee Reynolds
Freestone County
Clerk

Instrument Number: 2402043

Foreclosure Posting

NOTICE OF FORECLOSURE

Recorded On: April 15, 2024 03:59 PM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$8.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2402043
Receipt Number: 20240415000029
Recorded Date/Time: April 15, 2024 03:59 PM
User: Jamie M
Station: CCLERK01

Record and Return To:

FORECLOSURE SERVICES



STATE OF TEXAS
COUNTY OF FREESTONE

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Freestone County, Texas.

Renee Reynolds
Freestone County Clerk
Freestone County, TX

Renee Reynolds

NOTICE OF FORECLOSURE SALE

Notice is hereby given of a public non-judicial foreclosure sale.

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

All property (real, personal or otherwise) described in the deed of trust (as hereinafter defined as the "Deed of Trust"), together with the rights, appurtenances and improvements thereto, including, but not limited to, the real property described on Exhibit A attached hereto and made a part hereof. In the event any property encumbered by the Deed of Trust has been released by Lender (or its predecessor in interest, as applicable), then said released property shall be excluded from the property sold at foreclosure.

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

Date: **Tuesday, May 7, 2024.**

Time: The sale shall begin no earlier than **11:00 a.m.** or no later than three hours thereafter. The sale shall be completed by no later than **2:00 p.m.**

Place: **The sale will take place at the Freestone County Courthouse at the place designated by the Freestone County Commissioner's Court.**

The Deed of Trust permits the Lender (as hereinafter defined) to postpone, withdraw, or reschedule the sale for another day. In that case, the trustee or substitute trustee under the Deed of Trust need not appear at the date, time, and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code and/or Texas Business and Commerce Code. Such reposting or refiling may be after the date originally scheduled for this sale.

3. Terms of Sale. The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Lender to have the bid credited up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

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

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

FILED FOR RECORD

At 4 o'clock P M

APR 15 2024

Notice of Foreclosure Sale - Page 1

File No. 1909.555

RENEE REYNOLDS
Clerk, County Court, Freestone County, Texas
By 

4. Type of Sale. The sale is a non-judicial foreclosure sale being conducted pursuant to the power of sale granted by that certain Deed of Trust (the "Deed of Trust") recorded under Instrument No. 2301784 in the Real Property Records of Freestone County, Texas, and executed by Stephen Victor Johnson aka Stephen Johnson and Patricia Lynn Johnson aka Patricia Johnson (whether one or more, the "Grantor"), for the benefit of 21st Mortgage Corporation ("Lender"), covering the property described above.

5. Obligations Secured. The Deed of Trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Indebtedness") including but not limited to the unpaid principal and interest owing on: that certain Consumer Loan Note, Security Agreement and Disclosure Statement (the "Note") dated on or about May 2, 2023, executed by the Grantor and payable to the order of Lender, and all renewals, modifications and extensions of the Note. Lender is the current owner and/or holder of the Note and the Indebtedness and is the beneficiary under the Deed of Trust.


Questions concerning the sale may be directed to the undersigned or to the Lender:

21st Mortgage Corporation
620 Market Street One Center Square
Knoxville, TN 37902
Phone: 800-955-0021
Fax: 866-231-4851

6. Default and Request To Act. Default has occurred under the Deed of Trust, and Lender has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale Lender may appoint another person as substitute trustee to conduct the sale.

7. Armed Forces Notice. 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.

DATED: April 10, 2024.


Richard A. McKinney, Substitute Trustee
Higier Allen & Lautin, P.C.
The Tower at Cityplace
2711 N. Haskell Ave., Suite 2400
Dallas, Texas 75204
Telephone: (972) 716-1888
Fax: (972) 716-1899

*****PLEASE FAX ALL COMMUNICATIONS REGARDING THIS MATTER TO THE
SUBSTITUTE TRUSTEE AT 972-716-1899 (FAX), NOTE THE SUBSTITUTE
TRUSTEE'S NAME ON YOUR COVER SHEET AND CONTACT THE SUBSTITUTE
TRUSTEE AT 972-716-1888 (PHONE) TO CONFIRM RECEIPT. PLEASE ASSUME
YOUR FAX HAS NOT BEEN RECEIVED UNTIL YOU VERBALLY CONFIRM
RECEIPT THEREOF WITH OUR OFFICE. THANKS IN ADVANCE FOR YOUR
COOPERATION.*****

EXHIBIT A

PROPERTY DESCRIPTION

[FOLLOWS THIS COVER PAGE]

EXHIBIT "A"



**STANGER
SURVEYING
TYLER, LLC**

1595 E. Grande Blvd.
Tyler, TX. 75703
903.534.0174 Ph.
903.534.8060 Fax
www.stangercorp.com
TBPELS Firm No.: 10025700

**THOMAS W. BUNDICK SURVEY
ABSTRACT NO. 107
FREESTONE COUNTY, TEXAS
T210390**

TRACT 11

METES AND BOUNDS DESCRIPTION

BEING 10.08 acres of land situated in the Thomas W. Bundick Survey, Abstract No. 107, Freestone County, Texas, being a part of that certain called 194.0 acre tract as described in a deed from Lisa Spiros Drapala to H. Gene Reynolds, Jr., et al., dated October 1, 2021, and recorded in Instrument No. 2103643, of the Deed Records of Freestone County, Texas, said tract to be more particularly described by metes and bounds as follows:

COMMENCING at a 2" iron pipe (found) at the southwest corner of the above mentioned 194.0 acre tract, being at the southeast corner of that certain called 10.02 acre tract described as Tract 20 of Peavy Land Company, recorded in Cabinet B, Envelope 121, and being in the north edge of County Road No. 510;

THENCE North 87° 15' 46" East, for a distance of 970.79 feet, with the south boundary line of said 194.0 acre tract, to a 1/2" iron rod (set with cap marked "STANGER") for the POINT OF BEGINNING of the herein described 10.08 acre tract;

THENCE North 02° 43' 34" West, for a distance of 903.60 feet, over and across said 194.0 acre tract, to a 1/2" iron rod (set with cap marked "STANGER") for the northwest corner of the herein described tract;

THENCE North 87° 16' 26" East, for a distance of 485.98 feet, continuing over and across said 194.0 acre tract, to a 1/2" iron rod (set with cap marked "STANGER") for the northeast corner of the herein described tract;

THENCE South 02° 43' 33" East, for a distance of 903.51 feet, continuing over and across said 194.0 acre tract, to a 1/2" iron rod (set with cap marked "STANGER") in the south boundary line of said 194.0 acre tract, and being on the north side of County Road No. 510,

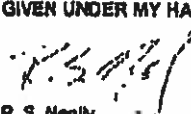
THENCE South 87° 16' 46" West, for a distance of 485.98 feet, with the south boundary line of said 194.0 acre tract, and along the north side of County Road No. 510, back to the place of beginning and containing 10.08 acres of land.

Bearings and Distances are based upon the Texas Coordinate System, Central Zone (NAD 83) as derived from Average RTK Positions using the SmartNet RTK Network.

See Plat of Survey prepared even date.

I, R. S. Neally, Registered Professional Land Surveyor, do hereby certify that the above description was prepared from an actual survey made on the ground, under my supervision, during the months of August and October, 2021.

GIVEN UNDER MY HAND AND SEAL, this the 14th day of October, 2021.


R. S. Neally
Registered Professional Land Surveyor
State of Texas No. 5385

