



VG-1443-2023-2305092

**Freestone
County
Renee Reynolds
Freestone County
Clerk**

Instrument Number: 2305092

Foreclosure Posting

NOTICE OF FORECLOSURE

Recorded On: November 16, 2023 02:32 PM

Number of Pages: 2

" 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: 2305092
Receipt Number: 20231116000022
Recorded Date/Time: November 16, 2023 02:32 PM
User: Jamie M
Station: CCLERK01

Record and Return To:

MOLLY MCCOSLIN



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

22-088120

Notice of Substitute Trustee's Sale

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)

Table with 2 columns and 4 rows containing deed information, original and current beneficiaries, recording details, and 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 property securing the above referenced loan.

Secures: Note in the original principal amount of \$68,000.00, executed by DAVID L SIMMONS and TABITHA GRAY and payable to the order of Lender.

Property Address/Mailing Address: 2277 US HIGHWAY 84, OAKWOOD, TX 75855

Legal Description of Property to be Sold: OUT OF THE SIMON SANCHEZ SURVEY, ABSTRACT NO. 33 SITUATED IN FREESTONE COUNTY, TEXAS, AND A PART OF THAT CERTAIN 130.218 ACRE TRACT OF LAND CONVEYED BY CASH WARRANTY DEED FROM MATTIE K. CARTER TRUST TO JACK HAYES, TRUSTEE, DATED APRIL 7, 2000, AS RECORDED IN VOLUME 1112, PAGE 479 OF THE OFFICIAL RECORDS OF FREESTONE COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A 1/2 INCH STEEL PIN FOUNDS ON THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 84 FOR THE SOUTHWEST CORNER OF THE AFOREMENTIONED HAYES 130.218 ACRE TRACT, THENCE, ALONG THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 84, NORTH 87° 32' 18" EAST, 1,909.76 FEET TO A 1/2 INCH STEEL PIN SET FOR THE SOUTHWEST CORNER AND POINT OF BEGINNING.

THENCE, ENTERING INTO SAID HAYES 130.218 ACRE TRACT WITH THE WEST LINE OF THIS 2.00 ACRE TRACT OF LAND, NORTH 02° 28' 12" WEST, FOR A DISTANCE OF 542.35 FEET TO A 1/2 INCH STEEL PIN SET FOR THE NORTHEAST CORNER.

THENCE, WITH THE NORTH LINE OF THIS 2.00 ACRE TRACT OF LAND, NORTH 87° 31' 48" EAST, FOR A DSITANCE OF 161.00 FEET TO A 1/2 INCH STEEL PIN SET FOR THE NORTHEAST CORNER.

THENCE, WITH THE EAST LINE OF THIS 2.00 ACRE TRACT OF LAND, SOUTH 02° 28' 12" EAST, FOR A DISTANCE OF 537.43 FEET TO A 1/2 INCH STEEL PIN SET ON THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 84, FOR THE SOUTHEAST CORNER.

THENCE, ALONG THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 84, THE FOLLOWING THREE (3) COURSES AND DISTANCES: (1) SOUTH 87° 23' 13" WEST, FOR A DISTANCE OF 39.94 FEET TO A CONCRETE HIGHWAY MONUMENT; (2) SOUTH 01° 41' 30" EAST, FOR A DISTANCE OF 4.82 FEET TO A CONCRETE HIGHWAY MONUMENT; AND (3) SOUTH 87° 31' 49" WEST, FOR A DISTANCE OF 121.00 FEET TO THE POINT OF BEGINNING.

Table with 2 columns: Date of Sale: January 02, 2024 and Earliest time Sale will begin: 11:00 AM



Place of sale of Property: THE FRONT STEPS OF THE COURTHOUSE (SOUTH ENTRANCE) 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, *THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR NATIONSTAR HOME EQUITY LOAN TRUST 2007-C*, the owner and holder of the Note, has requested Lori Garner, Mollie McCoslin, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, Allan Johnston or Ronnie Hubbard whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 OR Lori Garner, Mollie McCoslin, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, Allan Johnston or Ronnie Hubbard 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 *THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE FOR NATIONSTAR HOME EQUITY LOAN TRUST 2007-C* 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, Lori Garner, Mollie McCoslin, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, Allan Johnston or Ronnie Hubbard whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 OR Lori Garner, Mollie McCoslin, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, Allan Johnston or Ronnie Hubbard 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 Lori Garner, Mollie McCoslin, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, Allan Johnston or Ronnie Hubbard whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 OR Lori Garner, Mollie McCoslin, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, Allan Johnston or Ronnie Hubbard 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 Mortgagee, the Mortgagee, or the Mortgagee's attorney.



Mollie McCoslin

SUBSTITUTE TRUSTEE

Lori Garner, Mollie McCoslin, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, Allan Johnston or Ronnie Hubbard OR
Lori Garner, Mollie McCoslin, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, Allan Johnston or Ronnie Hubbard,
Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,
13010 Morris Rd., Suite 450, Alpharetta, GA 30004; PH:
(470)321-7112