

ATTENTION SERVICE MEMBERS: ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING IN ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR 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.

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, HAROLD L. ORANO AND CARMEN ORANO, HUSBAND AND WIFE delivered that one certain Texas Home Equity Conversion Deed of Trust dated AUGUST 24, 2007, which is recorded in INSTRUMENT NO. 00707342, as corrected in INSTRUMENT NO. 01603801 of the real property records of FREESTONE County, Texas, conveying to the Trustee(s) therein named the real property therein described, to secure the payment of a Promissory Note in the principal amount of \$127,500.00 payable to the order of JUDITH O. SMITH MORTGAGE GROUP, INC., to which reference is hereby made for a description of the Promissory Note, the terms and covenants of the Texas Home Equity Conversion Deed of Trust, and the property therein conveyed; and

WHEREAS, default, as same is defined in the Promissory Note and/or the Texas Home Equity Conversion Deed of Trust, has occurred and the outstanding indebtedness on same is now wholly due; and

WHEREAS, the undersigned has been appointed Substitute Trustee in place of the original Trustee, upon the contingency and the manner authorized by the Texas Home Equity Conversion Deed of Trust; and

WHEREAS, JAMES B. NUTTER & COMPANY, the Mortgagee, or the Mortgage Servicer, has instructed a Substitute Trustee(s) to sell real property described in the Texas Home Equity Conversion Deed of Trust in order to satisfy the indebtedness secured thereby.

NOTICE IS HEREBY GIVEN that on Thursday, NOVEMBER 7, 2017, beginning at 10:00 AM, or not later than three (3) hours after that time, a Substitute Trustee(s) will sell, to the highest bidder submitting cashier's check, certified check or money order, the following described real property:

LOT NO. TWO (2), IN BLOCK NO. "B" OF THE BOND ADDITION TO THE CITY OF FAIRFIELD, ACCORDING TO THE MAP AND PLAT OF SAID ADDITION AS RECORDED IN VOLUME 180, PAGE 840, DEED RECORDS OF FREESTONE COUNTY, TEXAS, AND BEING THE SAME LOT DESCRIBED IN A DEED FROM JOHN P. MARBERRY AND WIFE, PAULINE MARBERRY, TO R.F. PEARSON, DATED NOVEMBER 30, 1965, RECORDED IN VOLUME 355, PAGE 762, DEED RECORDS OF FREESTONE COUNTY, TEXAS.

The sale will occur at that area designated by the Commissioners Court of FREESTONE County, Texas, for such sales (OR AT FRONT STEPS AT SOUTH ENTRANCE OF COURTHOUSE).

NOTICE IS FURTHER GIVEN that the address of JAMES B. NUTTER & COMPANY, the Mortgagee or Mortgage Servicer, is 4153 BROADWAY, KANSAS CITY, MISSOURI 64111. Pursuant to the Texas Property Code, the Mortgage Servicer is authorized to administer a foreclosure sale. The name and address of a substitute trustee is Michael J. Schroeder, 3610 North Josey Lane, Suite 208, Carrollton, Texas 75007. A Substitute Trustee is authorized by the Texas Property Code to set reasonable conditions for the foreclosure sale.

Dated: OCTOBER 16, 2017.



**SUBSTITUTE TRUSTEE(S)
MICHAEL J. SCHROEDER OR LORI GARNER OR SHARON ST. PIERRE OR ROBERT LAMONT OR SHERYL LAMONT OR HARRIETT FLETCHER OR DAVID SIMS OR ALLAN THUNSTON OR RONNIE HUBBARD**

**FILED FOR RECORD IN
Freestone County
Linda Jarvis
COUNTY CLERK**

**ON: Oct 17, 2017 AT 02:24P
as Notice of Trustee Sale**

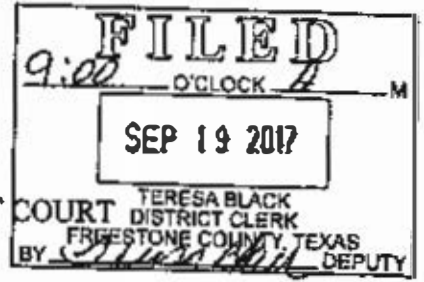
**FILE NO.: JBN-2446
PROPERTY: 337 BOND STREET
FAIRFIELD, TEXAS 75840

ESTATE OF CARMEN ORANO**

**NOTICE SENT BY:
MICHAEL J. SCHROEDER
3610 NORTH JOSEY LANE, SUITE 208
CARROLLTON, TEXAS 75007
Tel: (972) 394-3086
Fax: (972) 394-1263**

**Total Fees : 8.00
Receipt Number - 143936
By: Charlotte McCarthy, Deputy**





Cause No. 17-228-B

JAMES B. NUTTER & COMPANY,
Plaintiff

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IN THE DISTRICT COURT

TERESA BLACK
DISTRICT CLERK
FREESTONE COUNTY, TEXAS
BY [Signature] DEPUTY

01703358

vs.

THE ESTATE OF HAROLD L. ORAND,
THE ESTATE OF CARMEN ORAND
DONNA BURCH,
OCCUPANT
Defendants

87TH JUDICIAL DISTRICT

FREESTONE

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ORDER ALLOWING FORECLOSURE OF LIEN UNDER
TEXAS CONSTITUTION ART. XVI, § 50(a)(7). Tex. Rule Civ. Pro. 736.8

JAMES B. NUTTER & COMPANY ("Plaintiff"), on behalf of itself and its successors and assigns, has brought before this Court its application for court order allowing foreclosure of lien under Tex. Const. Art. XVI, § 50(a)(7). Having considered the evidence presented, the Court finds as follows:

1. The Application complies with TRCP 736.1;
2. The Respondent Donna Burch filed a response on July 31, 2017. No other Defendants have not previously filed a response to the Application; and
3. A copy of the Application, together with return of service of citation and the Application, has been on filed with the Clerk of the Court for at least ten days inclusive of the date of filing.
4. Plaintiff is the current holder of the Note described in the Security Instrument.
5. Defendants HAROLD L. ORAND and CARMEN ORAND were obligated to pay the debt secured by the Property. Respondent HAROLD L. ORAND and CARMEN ORAND were obligors of the lien sought to be foreclosed.
6. HAROLD L. ORAND died on or about February 13, 2008. CARMEN ORAND inherited the estate of HAROLD L. ORAND according to the document Affidavit of Heirship

and copy of will recorded at Instrument No. 00801530 of the real property records Freestone County. CARMEN ORAND is in default under the Texas Home Equity Conversion Note in that she died on or about July 9, 2016. DONN BURCH is her sole heir according to the will probated in case number 8481 of the Probate Court of Freestone County. As a result of the default Plaintiff has elected to accelerate the maturity of the debt

8. As of March 30, 2017, the total amount required to pay off the lien was \$67,390.42.

9. The statutory probate lien of Plaintiff is hereby established and any right, title or interest in the subject Property by the mortgagor, the mortgagor's assumed estate, and the mortgagor's representatives is hereby denied upon the foreclosure sale and conveyance of the subject real property by substitute trustee's deed.

10. The requisite notice or notices to cure the default were mailed on September 27, 2016 to each person as required under applicable law and the loan agreement, contract, or lien sought to be foreclosed. The opportunity to cure has expired.

11. Plaintiff performed, before this application was filed, any other action required of Plaintiff under applicable law and the loan agreement, contract, or lien sought to be foreclosed.

IT IS, THEREFORE, ORDERED that:

I. JAMES B. NUTTER & COMPANY, its successors and assigns, is hereby authorized to serve a Notice of Sale upon Defendants and to proceed to foreclosure sale under the Security Instrument and Tex. Prop. Code § 51.002 concerning the real property having a street address of 337 BOND STREET, FAIRFIELD, TEXAS 75840, recorded as INSTRUMENT NO. 00707342 AS CORRECTED IN INSTRUMENT NO. 01003801 of the real property records of FREESTONE County, Texas and a legal description of:

BEING LOT NUMBER TWO (2), BLOCK B, OF THE BOND ADDITION, CITY OF FAIRFIELD, FREESTONE COUNTY, TEXAS, ACCORDING TO THE MAP OF SAID ADDITION AS RECORDED IN VOLUME 189, PAGE 640, PLAT RECORDS OF

FREESTONE COUNTY, TEXAS.

2. A copy of this Order shall be sent to the following Defendants with the Notice of Sale by Plaintiff or its successors or assigns:

ESTATE OF HAROLD L. ORAND
337 BOND STREET
FAIRFIELD, TEXAS 75840

DONNA BURCH
1217 CATHERINE LANE
BURLESON, TX 76028

ESTATE OF CARMEN ORAND
337 BOND STREET
FAIRFIELD, TEXAS 75840

OCCUPANT
337 BOND STREET
FAIRFIELD, TEXAS 7584

FILED FOR RECORD IN
Freestone County
Linda Jarvis
COUNTY CLERK
ON: Oct 03, 2017 AT 10:03A
as Recordings
Document Number: 01703358
Total Fees : 34.00
Receipt Number - 142693
By Alicia Bassett, Clerk

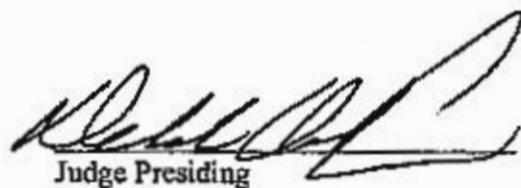
3. Plaintiff or its successors or assigns may communicate with the Defendants and all third parties reasonably necessary to conduct the foreclosure sale.

4. Plaintiff or its successors or assigns shall mail notice of the foreclosure sale to counsel, if any, of the Defendants by Certified Mail.

5. Plaintiff or its successors or assigns shall file a certified copy of this Order in the FREESTONE County, Texas, real property records.

IT IS SO ORDERED.

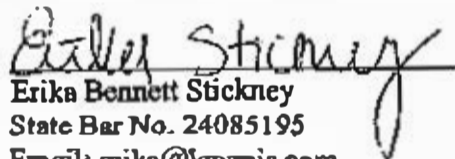
Signed: 9-19-17



Judge Presiding

APPROVED:

MICHAEL J. SCHROEDER, P.C.

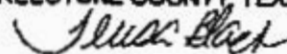


Erika Bennett Stickney
State Bar No. 24085195
Email: erika@lawmjs.com
Michael J. Schroeder
State Bar No. 17817380
Email: mike@lawmjs.com
3610 North Josey Lane, Suite 206
Carrollton, TX 75007
Telephone: (972) 394-3086
Facsimile: (972) 394-1263
ATTORNEYS FOR Plaintiff

STATE OF TEXAS
COUNTY OF FREESTONE
I, Teresa Black, District Clerk of
Freestone County, Texas do hereby
certify that the foregoing is a true and
correct copy of the original record,
now in my lawful custody and
possession, filed on:

19 day of Sept 2017

Teresa Black, DISTRICT CLERK
FREESTONE COUNTY, TEXAS



[Handwritten notes and signatures at the bottom of the page]

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CLERK OF FREESTONE COUNTY TEXAS
I, Linda Jarvis Carr, Clerk of Freestone County, Texas do hereby certify that the foregoing is a true and correct copy of the original record now in my lawful custody and possession, this

_____ day of _____, 20____

Linda Jarvis Carr, District Clerk
Freestone County, Texas

Michael J. Schroeder, P.C.
3613 North Jesse Lane, Suite 206
Carrollton, TX 75007



THE STATE OF TEXAS
COUNTY OF FREESTONE
I, Linda Jarvis Carr, of the County Court in and for Freestone County, Texas do hereby certify that this instrument was FILED FOR RECORD, and RECORDED in the Volume and Page of the Official record and at the time and date stamped before me.

Linda Jarvis Carr
County Clerk of Freestone County, Texas