

AUG 08 2024

C&M No. 44-24-01353/ FILE NOS

SUSAN STRICKLAND
COUNTY CLERK, VAN ZANDT CO., TX
BY _____ DEP

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 January 05, 2022 and recorded under Clerk's File No. 2022-000336, in the real property records of VAN ZANDT County Texas, with Jerald Glen Gray and Cheryl Nicole Gray, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Fairway Independent Mortgage Corporation, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Jerald Glen Gray and Cheryl Nicole Gray, husband and wife securing payment of the indebtedness in the original principal amount of \$451,250.00 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 Jerald Glen Gray. TH MSR Holdings 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. RoundPoint Mortgage Servicing LLC is acting as the Mortgage Servicer for the Mortgagee. RoundPoint Mortgage Servicing LLC, is representing the Mortgagee, whose address is: 446 Wrenplace Road, Fort Mill, SC 29715.

Legal Description:

BEING 5.00 ACRES OUT OF A CALLED 15.61 ACRE TRACT OF LAND SITUATED IN THE J. RUSSELL SURVEY, ABSTRACT NO. 703, VAN ZANDT COUNTY, TEXAS, CONVEYED TO JOHN R. HAYNES, IN A WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN DOCUMENT NO. 2014-000475, OF THE DEED RECORDS OF VAN ZANDT COUNTY, TEXAS, SAID 5.00 ACRES AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

SALE INFORMATION

Date of Sale: 09/03/2024

Earliest Time Sale Will Begin: 1:00 PM

Location of Sale: The place of the sale shall be: VAN ZANDT County Courthouse, Texas at the following location: On the steps to the north entrance of the Van Zandt 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.

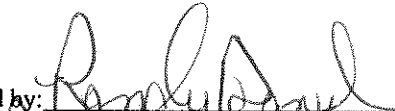
WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE Randy Daniel, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Conrad Wallace, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffiney Bruton, Tionna Hadnot, David Ray, Randy Daniel, Cindy Daniel, Jim O'Bryant, 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 08/02/2024.

/s/ Will Morphis SBOT No. 24131905, 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:

Randy Daniel

C&M No. 44-24-01353

EXHIBIT "A"

BEING 5.00 ACRES OUT OF A CALLED 15.61 ACRE TRACT OF LAND SITUATED IN THE J. RUSSELL SURVEY, ABSTRACT NO. 703, VAN ZANDT COUNTY, TEXAS, CONVEYED TO JOHN R. HAYNES, IN A WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN DOCUMENT NO. 2014-000475, OF THE DEED RECORDS OF VAN ZANDT COUNTY, TEXAS, SAID 5.00 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 3/8 INCH IRON ROD FOUND FOR THE EAST CORNER OF THE CALLED 15.61 ACRES, AND BEING ON THE SOUTHWEST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 64;

THENCE SOUTH 41 DEGREES 07 MINUTES 30 SECONDS WEST, ALONG THE COMMON SOUTHEAST LINE OF THE 15.61 ACRES, AND THE NORTHWEST LINE OF THE JOHN HAYNES TRACT RECORDED IN DOCUMENT NO. 2010-007976, A DISTANCE OF 1041.47 FEET TO A 1/2 INCH IRON ROD SET;

THENCE NORTH 48 DEGREES 52 MINUTES 30 SECONDS WEST, 171.63 FEET TO A SET 1/2 INCH IRON ROD;

THENCE NORTH 36 DEGREES 53 MINUTES 00 SECONDS EAST, 1035.00 FEET TO A FENCE CORNER AND BEING ON THE SOUTHWEST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 64;

THENCE SOUTH 51 DEGREES 01 MINUTES 18 SECONDS EAST, ALONG THE NORTHEAST LINE OF THE CALLED 15.61 ACRE TRACT OF LAND, AND THE SOUTHWEST RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 64, A DISTANCE OF 248.36 FEET BACK TO THE POINT BEGINNING AND CONTAINING 5.00 ACRES OF LAND.