

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**COOKE County**

**Deed of Trust Dated:** April 30, 2018

**Amount:** \$113,389.00

**Grantor(s):** JENNIFER LANCEY and SHAWN LANCEY

**Original Mortgagee:** INDEPENDENT BANK

**Current Mortgagee:** FLAGSTAR BANK

**Mortgagee Servicer and Address:** c/o FAY SERVICING, LLC, 939 W. North Avenue, Suite 680, Chicago, IL 60642

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

**Recording Information:** Document No. 00082660

**Legal Description:** SEE EXHIBIT "A"

**Date of Sale:** March 3, 2020 between the hours of 11:00 AM and 2:00 PM.

**Earliest Time Sale Will Begin:** 11:00 AM

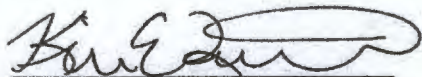
**Place of Sale:** The foreclosure sale will be conducted at public venue in the area designated by the COOKE County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

ROBERT ORTOLANI OR MARY MANCUSO, SHELLEY ORTOLANI, MICHELE HREHA, FRANCESCA ORTOLANI, AURORA CAMPOS, JONATHAN HARRISON, RAMIRO CUEVAS, PATRICK ZWIERS, MONICA HENDERSON, SHAWN SCHILLER, DANA KAMIN, LISA BRUNO, IRENE LINDSAY, RONDA TYLER OR MERYL OLSEN have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust. 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. 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.

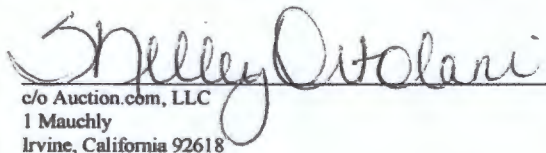
**NOTICE IS FURTHER GIVEN** that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

**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.**



KIM ELLEN LEWINSKI, ATTORNEY AT LAW  
HUGHES, WATERS & ASKANASE, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2019-008218



c/o Auction.com, LLC  
1 Mauchly  
Irvine, California 92618

FILED FOR RECORD

20 JAN 23 PM 12: 51

PAM HARRISON  
COUNTY CLERK, COOKE CO. TX

BY Pa DEPUTY

STATE OF TEXAS

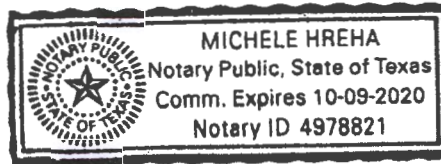
COUNTY OF COOKE

Before me, the undersigned authority, on this 22 day of January 2020 personally appeared Shelley Ortolan known to me to be the person(s) whose name is/are subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.

*Michele Hreha*

NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:  
Hughes, Watters & Askanase, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2019-008218



**EXHIBIT "A"**

**Description of a 0.225 Acre Tract of Land situated and being a part of Block 28 of Sparks Addition to the City of Gainesville, Cooke County, Texas and being a re-tractment survey of a tract of land described by deed to Valery Smith, as recorded in Volume 1183, Page 710, Deed Records Cooke County, Texas and being more particularly described as follows:**

**Beginning at a 1/2 inch capped iron rod found for the Northwest corner of a tract of land conveyed to Robert C. Beck, as recorded in Volume 1201, Page 362, Deed Records Cooke County, Texas, same point being the Northeast corner of said Smith tract, on the the south line of Haight Street;**

**Thence South 00 degrees 09 minutes 59 seconds East, with the West line of said Beck tract, a distance of 72.28 feet to a 1/2 inch capped iron rod found for the Southwest corner of said Beck tract, being the Southeast corner of this herein described tract;**

**Thence West, with the North line of a tract of land conveyed to Alberto Hernandez, as recorded in Volume 849, Page 722, Deed Records Cooke County, Texas, a distance of 136.49 feet to a 1/2 inch iron rod found for the Southwest corner of said Smith tract, on the East line of Commerce Street;**

**Thence North 00 degrees 08 minutes 53 seconds East, with the East line of said Commerce Street and the West line of said Smith tract, a distance of 72.03 feet to a 1/2 inch capped iron rod set for the Northwest corner of this herein described tract, being on the South line of Haight Street;**

**Thence North 89 degrees 53 minutes 29 seconds East, with the South line of Said Haight Street, a distance of 136.10 feet to the Place of Beginning and containing 0.225 Acres of Land, more or less.**