

**NOTICE OF SUBSTITUTE TRUSTEE SALE**

<b>Deed of Trust Date:</b> 10/25/2021	<b>Grantor(s)/Mortgagor(s):</b> BOBBY JOE FLOYD, A SINGLE MAN
<b>Original Beneficiary/Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") SOLELY AS A NOMINEE FOR UNITED WHOLESAL MORTGAGE, LLC, ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary/Mortgagee:</b> Lakeview Loan Servicing LLC
<b>Recorded in:</b> <b>Volume:</b> OPR2460 <b>Page:</b> 348 <b>Instrument No:</b> 00009407	<b>Property County:</b> COOKE
<b>Mortgage Servicer:</b> M&T Bank is representing the Current Beneficiary/Mortgagee under a servicing agreement with the Current Beneficiary/Mortgagee.	<b>Mortgage Servicer's Address:</b> 1 Fountain Plaza, Buffalo, NY 14203
<b>Date of Sale:</b> 1/7/2025	<b>Earliest Time Sale Will Begin:</b> 11:00 AM
<b>Place of Sale of Property:</b> Cooke County Courthouse, 101 South Dixon, Gainesville, TX 76240 OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE.	

**Legal Description:** LEGAL DESCRIPTION ATTACHED AS EXHIBIT A

In accordance with TEX. PROP. CODE §51.0076 and the Deed of Trust referenced above, the undersigned as attorney for Mortgagee or Mortgage Servicer does hereby remove the original Trustee and all successor substitute trustees and appoints in their stead, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Patrick Zwiers, Darla Boettcher, Dana Kamin, Lisa Bruno, Angie Uselton, Conrad Wallace, Tonya Washington, Meryl Olsen, Misty McMillan, Tiffney Bruton, Tionna Hadnot, Auction.com, Terry Waters, Shelley Ortolani, Mary Mancuso, Michele Hreha, Francesca Ortolani, Carol Dunmon, Chasity Lewallen, Jane Kline, Payton Hreha, Payton Hreha or Chasity Lewallen, Cole Patton, Myra Homayoun, Thuy Frazier, McCarthy & Holthus, LLP, as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original Trustee under there said Deed of Trust; and, further, does hereby request, authorize, and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the beneficiary therein


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.

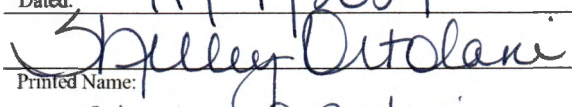
The Property will be sold "AS IS," without any express or implied warranties, except as to warranties of title, and at the purchaser's own risk, pursuant to the terms of TEX. PROP. CODE §51.002 and §51.009. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Substitute Trustee reserves the right to set further reasonable conditions for conducting the public auction. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee.

**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.**

**NOTICE PURSUANT TO TEX. PROP. CODE § 51.002(1): ASSERT AND PROTECT YOUR RIGHTS AS MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU OR YOUR SPOUSE ARE SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL 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: 11/6/2024  
  
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 Thuy Frazier, Attorney  
 McCarthy & Holthus, LLP  
 1255 West 15th Street, Suite 1060  
 Plano, TX 75075  
 Attorneys for M&T Bank

Dated: 11/7/2024  
  
 \_\_\_\_\_  
 Printed Name: Shelley Ortolani  
 \_\_\_\_\_  
 Shelley Ortolani  
 \_\_\_\_\_  
 Substitute Trustee  
 c/o Auction.com  
 1255 West 15th Street, Suite 1060  
 Plano, TX 75075

FILED FOR RECORD

24 NOV -7 PM 12: 31

PAM HARRISON  
 COUNTY CLERK, COOKE CO. TX

BY  DEPUTY

**MH File Number:** TX-24-105068-POS  
**Loan Type:** FHA

EXHIBIT "A"

FIELD NOTES TO 6.53 ACRES IN THE W. C. BROWN SURVEY ABSTRACT 102, ET AL,  
CITY OF GAINESVILLE, COOKE COUNTY, TEXAS

All that certain tract or parcel of land situated in the W. C. Brown Survey Abstract 102 and the B. P. Ticknor Survey Abstract 1033, City of Gainesville, Cooke County, Texas, being a part of a 33.39 acre tract described as Tract 1 and a part of a 2.38 acre tract described as Tract 2 in a deed from Rebecca L. G. Algar, et al to Benjamin J. Tyler recorded in Volume 1092, page 293 of the Cooke County Official Public Records, and being more particularly described as follows:

BEGINNING at a set PK nail at the Northwest corner of said Tract 2, common to the Easternmost Northeast corner of Vintage Square Addition as shown by the plat recorded in Cabinet B, Slide 238 of the Cooke County Plat Records, on the South line of a tract described in a deed to Virginia Spires Barnhill recorded in Volume 1899, page 123 of said Public Records, in County Road 2120 (aka Harris Street);

THENCE South 63 degrees 58 minutes 20 seconds East, with the North line of said Tract 2, common to said South line of said Barnhill tract, in said road, a distance of 98.92 feet to a set PK nail at an angle in said North line;

THENCE South 79 degrees 05 minutes 40 seconds East, with said common line, in said road, a distance of 6.39 feet to a set PK nail;

THENCE South 03 degrees 54 minutes 20 seconds West, passing a set steel pin on the South line of said road, continuing and passing the South line of said Tract 2 and continuing, a total distance of 558.93 feet to a set steel pin;

THENCE South 20 degrees 21 minutes 53 seconds West, a distance of 511.77 feet to a set steel pin;

THENCE North 89 degrees 58 minutes 45 seconds West, a distance of 403.48 feet to a set steel pin;

THENCE North 01 degree 42 minutes 59 seconds East, a distance of 494.10 feet to a set steel pin on the Westernmost North line of said Tract 1, common to a South line of said Vintage Square Addition, said corner being located South 89 degrees 58 minutes 45 seconds East, a distance of 140.95 feet from the Westernmost Northwest corner of said Tract 1, common to an inside corner of said Vintage Square Addition;

THENCE South 89 degrees 58 minutes 45 seconds East, with said common line, a distance of 509.67 feet to a set steel pin at the Southwest corner of said Tract 2, common to the Easternmost Southeast corner of said Vintage Square Addition;

THENCE North, with the West line of said Tract 2, common to the Easternmost East line of said Vintage Square Addition, passing a set steel pin on said South line of said road and continuing, a total distance of 588.19 feet to the point of beginning containing 6.53 acres of land.

NOTE\*\*\* Company does not represent that the above acreage and/or square footage calculations are correct.