

#1

# 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 December 23, 2019 and recorded under Clerk's File No. 2019-07400, in the real property records of GAINES County Texas, with Ronald P Golleher, a single man as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Ark-La-Tex Financial Services, LLC dba Benchmark Mortgage, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Ronald P Golleher, a single man securing payment of the indebtedness in the original principal amount of \$167,676.00 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 Ronald P Golleher. PennyMac Loan Services, 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. PennyMac Loan Services, LLC is acting as the Mortgage Servicer for the Mortgagee. PennyMac Loan Services, LLC, is representing the Mortgagee, whose address is: 3043 Townsgate Road, Suite 200, Westlake Village, CA 91361.

### Legal Description:

**LOT 21, AIRPORT SUBDIVISION, A SUBDIVISION OUT OF SECTION 1, BLOCK A-21, PSL, GAINES COUNTY, TEXAS, AS PER PLAT RECORDED IN VOL. 2, PAGE 59, PLAT RECORDS OF GAINES COUNTY, TEXAS,**

**SAVE AND EXCEPT A 1.61 ACRE TRACT OF LAND LOCATED IN THE NORTHEAST CORNER OF LOT 21, AIRPORT SUBDIVISION, (PLAT RECORDED IN VOL. 2, PAGE 59, PLAT RECORDS OF GAINES COUNTY, TEXAS), GAINES COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:**

**SAVE AND EXCEPT A 1.22 ACRE TRACT OF LAND LOCATED IN THE SOUTHEAST CORNER OF LOT 21, AIRPORT SUBDIVISION (PLAT RECORDED IN VOL. 2, PAGE 59, PLAT RECORDS OF GAINES COUNTY, TEXAS), AND BEING OUT OF SECTION 1, BLOCK A-21, PUBLIC SCHOOL LAND, GAINES COUNTY, TEXAS, SAID 1.22 ACRE TRACT AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:**

**SAVE AND EXCEPT BEING A 1.31 ACRE SURVEY IN THE NORTH PART OF LOT 21, AIRPORT SUBDIVISION (PLAT RECORDED IN VOL. 2, PAGE 59, PLAT RECORDS OF GAINES COUNTY, TEXAS), GAINES COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:**



5

**SALE INFORMATION**

**Date of Sale: 02/04/2025**

**Earliest Time Sale Will Begin: 1:00 PM**

**Location of Sale:** The place of the sale shall be: GAINES County Courthouse, Texas at the following location: In the area bounded by the west edge of the west porch of the Gaines County Courthouse and on the east by the middle landing of the inside stairs leading into the courthouse from the west door, 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 Shelley Nail, Donna Trout, Zane Nail, Zoey Fernandez, Zia Nail, Shelley Nail, Donna Trout, Zane Nail, Zia Nail, Zoey Fernandez, Charles Green, Kristopher Holub, Ramiro Cuevas, Patrick Zwiers, 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 December 30, 2024.

/s/ Juanita Deaver SBOT No. 24126385, 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: Shelley Nail

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

File No.: 16832

Lot 21, Airport Subdivision, a subdivision out of Section 1, Block A-21, PSL, Gaines County, Texas, as per Plat recorded in Vol. 2, Page 59, Plat Records of Gaines County, Texas.

SAVE AND EXCEPT a 1.61 acre tract of land located in the Northeast corner of Lot 21, Airport Subdivision, (Plat Recorded in Vol. 2, Page 59, Plat Records of Gaines County, Texas), Gaines County, Texas, and is more particularly described as follows: BEGINNING at a ½" iron rod found at the Northeast corner of said Lot 21, for the Northeast corner of this tract; THENCE S. 89 deg. 21' 55" W., along the North line of said Lot 21, a distance of 413.0 feet to a ½" iron rod with cap marked "RPLS1690.RPLS4983" set for the Northwest corner of this tract; THENCE S. 0 deg. 37' 25" E. 165.0 feet to a ½" iron rod with cap marked "RPLS1690.RPLS4983" set for the Southwest corner of this tract; THENCE N. 89 deg. 21' 55" E. 413.0 feet to a ½" iron rod with cap marked "RPLS1690.RPLS4983" set in the East line of said Lot 21, for the Northeast corner of this tract; THENCE N. 0 deg. 37' 25" W., along said East line of Lot 21, a distance of 165.0 feet to the place of beginning;

SAVE AND EXCEPT a 1.22 acre tract of land located in the Southeast corner of Lot 21, Airport Subdivision (Plat Recorded in Vol. 2, page 59, Plat Records of Gaines County, Texas), and being out of Section 1, Block A-21, Public School Land, Gaines County, Texas, said 1.22 acre tract being more particularly described as follows: BEGINNING at a ½" iron rod found at the Southeast corner of said Lot 21, for the Southeast corner of this tract; THENCE N. 0 deg. 37' 25" W., along the East line of said Lot 21, a distance of 132.00 feet to a ½" iron rod with cap marked "RPLS4983" set for the Northeast corner of this tract; THENCE S. 89 deg. 22' 35" W., 403.00 feet to a ½" iron rod with cap marked "RPLS4983" set for the Northwest corner of this tract; THENCE S. 0 deg. 37' 25" E. 132.00 feet to a ½" iron rod with cap marked "RPLS4983" set in the South line of said Lot 21, for the Southwest corner of this tract; THENCE N. 89 deg. 22' 35" E., along said South line of Lot 21, a distance of 403.00 feet to the place of beginning;

SAVE AND EXCEPT being a 1.31 acre survey in the North part of Lot 21, Airport Subdivision (Plat Recorded in Vol. 2, Page 59, Plat Records of Gaines County, Texas), Gaines County, Texas, and being more particularly described by metes and bounds as follows:  
BEGINNING at a ½" iron rod found at the Southeast corner of a 1.61 acre survey for the Northeast corner of this tract; from whence the Northeast corner of said Lot 21 bears N. 0° 37' 25" W a distance of 165.0 feet; THENCE S. 89° 21' 55" W., along the South line of said 1.61 acre survey a distance of 413.0 feet to a ½" iron rod found for the Southwest corner of said 1.61 acre survey and a corner of this survey;  
THENCE N. 0° 37' 25" W 165.0 feet to a ½" iron rod found in the North line of said Lot 21 for the Northwest corner of said 1.61 acre survey and for a corner of this survey;  
THENCE S. 89° 21' 55" E. 247.0 feet to a ½" iron rod found for the Northwest corner of said Lot 21 and this survey; THENCE S. 0° 37' 25" E., along the West line of said Lot 21, a distance of 190.0 feet to a ½" iron rod with cap set for the Southwest corner of this survey;  
THENCE N. 89° 21' 55" E., a distance of 660.0 feet to a ½" iron rod with cap set in the East line of said Lot 21 for the Southeast corner of this survey;  
THENCE N. 0° 37' 25" W. a distance of 25.0 feet to the point of beginning;

SAVE AND EXCEPT the West 257 feet of the South 132 feet of Lot 21, Airport Subdivision, Plat Recorded

File No.: 16832  
Exhibit A Legal Description

Page 1 of 2

in Vol. 2, Page 59, Plat Records of Gaines County, Texas, and being out of Section 1, Block A-21, Public School Land, Gaines County, Texas:

SAVE AND EXCEPT all oil, gas and other minerals.

11/2/05 FILED 2:39 p.m.  
Terri Berry, County Clerk  
Gaines County, Texas  
BY Jim Gaters  
Deputy