

RECEIVED BY  
LAMAR COUNTY CLERKS OFFICE  
ON THIS THE 30<sup>th</sup> DAY OF Nov, 2024.

**APPOINTMENT OF SUBSTITUTE TRUSTEE AND  
NOTICE OF SUBSTITUTE TRUSTEE SALE**

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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

**APPOINTMENT OF  
SUBSTITUTE TRUSTEE:**

WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Jack O'Boyle, Chris Ferguson, Travis Gray, Sue Spasic, Robert LaMont, Sheryl LaMont, Harriet Fletcher, Ronnie Hubbard, Sharon St. Pierre, Allan Johnston or Zoran W. Spasic, Travis Gray, Chris Ferguson, or Jack O'Boyle, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

**SUBSTITUTE TRUSTEE'S  
ADDRESS:**

c/o JACK O'BOYLE & ASSOCIATE, PLLC, Mailing Address: P.O. Box 815369, Dallas, Texas 75381; Physical Address: 12300 Ford Road, Suite 212, Dallas, TX 75234.

**NOTICE OF SUBSTITUTE  
TRUSTEE SALE:**

WHEREAS, 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.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on January 04, 2022 between the hours of 1pm-4pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**LOCATION OF SALE:**

The place of the sale shall be: THE EAST FOYER, JUST INSIDE THE FIRST FLOOR EAST ENTRANCE TO THE LAMAR COUNTY COURTHOUSE AT 119 NORTH MAIN STREET, PARIS, LAMAR COUNTY, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court in LAMAR County, Texas or as designated by the County Commissioners.

**INSTRUMENT TO BE  
FORECLOSED:**

Deed of Trust or Contract Lien dated 10/16/2006 and recorded under Volume, Page or Clerk's File No. INSTRUMENT NO. 00042779 in the real property records of Lamar County Texas, with JOSH B. BIVENS AND KRYSTAL D. BIVENS, HUSBAND AND WIFE as Grantor(s) and WR STARKEY MORTGAGE, L.L.P. as Original Mortgagee.

**OBLIGATIONS SECURED:**

Deed of Trust or Contract Lien executed by JOSH B. BIVENS AND KRYSTAL D. BIVENS, HUSBAND AND WIFE securing the payment of the indebtedness in the original principal amount of \$65,482.00 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by JOSH B. BIVENS, KRYSTAL D. BIVENS, WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST F is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

**MORTGAGE SERVICING  
INFORMATION:**

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. CARRINGTON MORTGAGE SERVICES, LLC is acting as the Mortgage Servicer for WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST F who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. CARRINGTON MORTGAGE SERVICES, LLC, as Mortgage Servicer, is representing the Mortgagee, whose address is:

3190 MARGARET ST



4738301

WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF  
STANWICH MORTGAGE LOAN TRUST F  
c/o CARRINGTON MORTGAGE SERVICES, LLC  
1600 SOUTH DOUGLASS ROAD, SUITE 200-A  
ANAHEIM, CA 92806

**LEGAL DESCRIPTION OF  
PROPERTY TO BE SOLD:**

SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF PARIS, LAMAR COUNTY, TEXAS, A PART OF THE JOSEPH LEACH SURVEY, ABSTRACT 524; ALSO BEING THE SAME LAND DESCRIBED IN AN AFFIDAVIT OF HEIRSHIP RECORDED IN VOLUME 959, PAGE 107, OF THE LAMAR COUNTY REAL PROPERTY RECORDS; ALSO BEING A PART OF LOT 9, BLOCK E, OF PARHAM PARK ADDITION NO. 1 AS SHOWN BY PLAT RECORDED IN ENVELOPE 102-D OF THE LAMAR COUNTY PLAT RECORDS, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND IN THE SOUTH LINE OF MARGARET STREET AT THE NORTHWEST CORNER OF SAID LOT 9 AND AT THE NORTHEAST CORNER OF LOT 8, BLOCK E, OF SAID ADDITION:

THENCE EAST ALONG SAID SOUTH LINE A DISTANCE OF 75.00 FEET TO AN IRON PIN SET AT THE INTERSECTION OF THE WEST LINE OF 32ND STREET AND THE SOUTH LINE OF SAID MARGARET STREET:

THENCE SOUTH ALONG SAID WEST LINE A DISTANCE OF 119.14 FEET TO AN IRON PIN SET AT THE SOUTHEAST CORNER OF THIS TRACT AND AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO WILLIAM E. JR. THOMAS AND WIFE DEBORAH K. THOMAS BY DEED RECORDED IN VOLUME 469, PAGE 01, OF THE LAMAR COUNTY REAL PROPERTY RECORDS:

THENCE WEST ALONG THE NORTH LINE OF SAID THOMAS TRACT AND THE SOUTH LINE OF SAID STRINGFELLOW TRACT A DISTANCE OF 75.00 FEET TO A CHAIN LINK FENCE POST FOR THE EASTERLY SOUTHEAST CORNER OF A TRACT OF LAND CONVEYED TO VICTOR AND RITA ADAMS BY DEED RECORDED IN VOLUME 1713, PAGE 243, OF THE OFFICIAL PUBLIC RECORDS OF LAMAR COUNTY:

THENCE NORTH ALONG THE MOST EASTERLY LINE OF SAID ADAMS TRACT AND THE WEST LINE OF SAID STRINGFELLOW TRACT A DISTANCE OF 119.14 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.205 ACRE OF LAND, (the "Property")

**REPORTED PROPERTY**

**ADDRESS:** 3190 MARGARET ST, PARIS, TX 75460

**TERMS OF SALE:** The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property and the priority of the lien being foreclosed.

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Mortgagee and/or Mortgage Servicer thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and

3190 MARGARET ST

have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and or Mortgage Servicer, or its attorney(s).

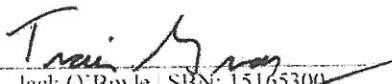
The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this sale.

**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.**

Signed on the 23 day of NOVEMBER, 2021.

Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC

  
\_\_\_\_ Jack O'Boyle | SBN: 15165300  
jack@jackoboxle.com  
 Travis H. Gray | SBN: 24044965  
travis@jackoboxle.com  
\_\_\_\_ Chris Ferguson | SBN: 24069714  
chris@jackoboxle.com  
P.O. Box 815369  
Dallas, Texas 75381  
P: 972.247.0653 | F: 972.247.0642  
ATTORNEYS FOR MORTGAGEE AND OR ITS MORTGAGE  
SERVICER

**CERTIFICATE OF POSTING**

My name is Robert La Mont, and my address is c/o 12300 Ford Rd. Ste. 212, Dallas, TX 75234. I declare under the penalty of perjury that on November 30, 2021 I filed at the office of the Lamar County Clerk and caused to be posted at the Lamar County courthouse (or other designated place) this notice of sale.

Signed: 

Declarant's Name: Robert La Mont

Date: November 30, 2021