

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE TRUSTEE

2024 DEC 30 PM 3:19

CONNIE BECTON

CLERK

HARDIN COUNTY TEXAS

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 15, 2021 and recorded under Clerk's File No. 2021-121773, in the real property records of HARDIN County Texas, with Joshua Wheat and Edith Valdez, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Thrive Mortgage, LLC, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Joshua Wheat and Edith Valdez, husband and wife securing payment of the indebtedness in the original principal amount of \$162,600.00 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 Joshua Wheat. Lakeview Loan Servicing, 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. LoanCare, LLC is acting as the Mortgage Servicer for the Mortgagee. LoanCare, LLC, is representing the Mortgagee, whose address is: 3637 Sentara Way, Virginia Beach, VA 23452.

Legal Description:

TRACT 1:

BEING A 0.2648 ACRE TRACT OF LAND LOCATED IN THE STEPHEN JACKSON LEAGUE, ABSTRACT NO. 34, HARDIN COUNTY, TEXAS, BEING THAT CALLED 0.336 ACRE TRACT OF LAND (SAVE & EXCEPT 0.072 ACRE TRACT) DESCRIBED IN AN INSTRUMENT TO SHANNON DWAIN TRAHAN & WIFE, SABRINA V. TRAHAN, OF RECORD IN CLERK'S FILE NO. 2008-9172 OF THE OFFICIAL PUBLIC RECORDS OF HARDIN COUNTY, TEXAS, SAID 0.2648 ACRES AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

TRACT 2:

BEING A 0.0705 ACRE TRACT OF LAND LOCATED IN THE STEPHEN JACKSON LEAGUE, ABSTRACT NO. 34, HARDIN COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 0.8 ACRE TRACT OF LAND DESCRIBED IN AN INSTRUMENT TO RADLEY CORPORATION, OF RECORD IN CLERK'S FILE NO. 2013-35551 OF THE OFFICIAL PUBLIC RECORDS OF HARDIN COUNTY, TEXAS, SAID 0.0705 ACRES AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

TRACT 3:

BEING A 0.0371 ACRE TRACT OF LAND LOCATED IN THE STEPHEN JACKSON LEAGUE, ABSTRACT NO. 34, HARDIN COUNTY, TEXAS, BEING A PORTION OF THAT CALLED 0.756 ACRE TRACT OF LAND DESCRIBED IN AN INSTRUMENT TO MYKAL & BARBARA ATTAWAY, OF RECORD IN CLERK'S FILE NO. 2017-74852 OF THE OFFICIAL PUBLIC RECORDS OF HARDIN



COUNTY, TEXAS, SAID 0.0371 ACRES AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

TRACT 4:

BEING 0.072 ACRE OF LAND, MORE OR LESS, OUT OF AND A PART OF LOT 5, BLOCK 1, OF THE MINERVA MERCHANT ADDITION TO SOUR LAKE IN THE STEPHEN JACKSON LEAGUE, ABSTRACT NUMBER 34 IN HARDIN COUNTY, TEXAS, PLAT OF WHICH IS RECORDED IN VOLUME 1, PAGE 126, OF THE PLAT RECORDS OF HARDIN COUNTY, TEXAS AND BEING OUT OF THE TRACT OF LAND CONVEYED TO FRANK H. CARPENTER, JR. BY DEEDS OF RECORD IN VOLUME 178, PAGE 215, VOLUME 179, PAGE 306 AND VOLUME 194, PAGE 85, OF THE DEED RECORDS OF HARDIN COUNTY, TEXAS. SAID 0.072 ACRE TRACT AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

SALE INFORMATION

Date of Sale: 03/04/2025

Earliest Time Sale Will Begin: 10am-1pm

Location of Sale: The place of the sale shall be: HARDIN County Courthouse, Texas at the following location: Commissioners' Courtroom area of the Hardin County Courthouse, with east entrance of courthouse as alternate site, 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 Tommy Jackson, Keata Smith, Stephanie Hernandez, Margie Allen, Angelia Brooks , Margie Allen, Angie Brooks, Tommy Jackson, Keata Smith or Stephanie Hernandez, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Xome, 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 27, 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: Tommy Jackson

Printed Name: Tommy Jackson

C&M No. 44-23-0615

EXHIBIT "A"

TRACT 1:

BEING a 0.2648 acre tract of land located in the Stephen Jackson League, Abstract No. 34, Hardin County, Texas, being that called 0.336 acre tract of land (save & except 0.072 acre tract) described in an instrument to Shannon Dwain Trahan & wife, Sabrina V. Trahan, of record in Clerk's File No. 2008-9172 of the Official Public Records of Hardin County, Texas, said 0.2648 acres being more particularly described by metes and bounds as follows:

Note: All bearings are based on the Texas Coordinate System of 1983 (NAD83), Central Zone.

BEGINNING at a 1/2" iron rod found in the west right-of-way line of Merchant Street (A public roadway), marking the southeast corner of that tract of land to Mary Jane Hartel Ripkowski, PID No. 39340, per Hardin County Appraisal Office, being the northeast corner of the herein describe tract;

THENCE South 03°43'14" East (called S 00°31'35" E), along the west right-of-way line of said street for a distance of 85.77 feet to a capped "Access Surveyors" rod set marking the northeast corner of that called 0.072 acre tract of land described in an instrument to Harrel Wayne Davis, of record in Volume 1098, Page 680 of the Deed Records of Hardin County, Texas, being the most easterly southeast corner of the herein described tract (from which a 1/2" iron rod bear S 03°43'14" E 33.63') (called S 00°31'35" E 35.10');

THENCE South 86°40'33" West (called S 88°50'16" W), along the north line of said 0.072 acre tract for a distance of 91.39 feet (called 91.30') to a 1/2" iron rod found marking the northwest corner of said 0.072 acre tract, the northeast corner of that called 0.756 acre tract of land described in an instrument to Mykal & Barbara Attaway, of record in Clerk's File No. 2017-74852 of said Official Public Records, being an angle point in the south line of the herein described tract (from which a 1/2" iron rod bears S 03°35'37" E 35.18') (called S 00°31'35" E 35.10');

THENCE South 86°51'02" West (called S 89°50'16" W), along the north line of said 0.756 acre tract for a distance of 66.80 feet (called 66.70') to a 3/8" iron rod found marking the most southerly southeast corner of that called 0.8 acre tract of land described in an instrument to Radley Corporation, of record in Clerk's File No. 2013-35551 of said Official Public Records, being the southwest corner of the herein described tract;

THENCE North 03°47'25" West (called N 00°31'35" W), along the most southerly east line of said 0.8 acre tract for a distance of 50.18 feet (called 50.00') a 1/2" iron rod found marking the most southerly interior corner of said 0.8 acre tract, being the most westerly northwest corner of the herein described tract;

THENCE North 86°55'36" East (called N 89°50'16" E), along the most easterly south line

of said 0.8 acre tract for a distance of 66.77 feet (called 66.70') to a 1/2" iron rod found marking the most easterly southeast corner of said 0.8 acre tract, being an interior corner of the herein described tract;

THENCE North 03°25'52" West (called N 00°31'35" W), along the most northerly east line of 0.8 acre tract for a distance of 43.28 feet (called 43.05') to a 1/2" iron rod found marking the southwest corner of said Ripkowski, being the most northerly northwest corner of the herein described tract (from which a 1/2" iron rod bears N 88°34'27" E 39.39');

THENCE South 88°34'05" East (called S 85°28'07" E), along the south line of said Ripkowski tract for a distance of 91.63 feet (called 91.63') to the POINT AND PLACE OF BEGINNING, containing 0.2648 acres of land, more or less.

TRACT 2:

BEING a 0.0705 acre tract of land located in the Stephen Jackson League, Abstract No. 34, Hardin County, Texas, being a portion of that called 0.8 acre tract of land described in an instrument to Radley Corporation, of record in Clerk's File No. 2013-35551 of the Official Public Records of Hardin County, Texas, said 0.0705 acres being more particularly described by metes and bounds as follows:

Note: All bearings are based on the Texas Coordinate System of 1983 (NAD83), Central Zone.

COMMENCING at a 1/2" iron rod found in the west right-of-way line of Merchant Street (A public roadway), marking the southeast corner of that tract of land to Mary Jane Hartel Ripkowski, PID No. 39340, per Hardin County Appraisal Office and the northeast corner of that called 0.336 acre tract of land (save & except 0.072 acre tract) described in an instrument to Shannon Dwain Trahan & wife, Sabrina V. Trahan, of record in Clerk's File No. 2008-9172 of said Official Public Records (from which a capped "Access Surveyors" rod bears S 03°43'14" E 85.77') (called S 00°31'35" E);

THENCE North 88°34'05" West (called N 85°28'07" W), along the south line of said Ripkowski tract, the north line of said Trahan tract for a distance of 91.63 feet (called 91.63') to a 1/2" iron rod found marking the east line of said 0.8 acre tract, the southwest corner of said Ripkowski tract, the most easterly northeast corner of said Trahan tract, being the northwest corner and Point and Place of Beginning of the herein described tract;

THENCE South 03°25'52" East (called S 00°31'35" E), along the most northerly west line of said Trahan tract, an easterly line of said 0.8 acre tract for a distance of 43.28 feet (called 43.05') to a 1/2" iron rod found marking an interior corner of said Trahan tract, being the southeast corner of the herein described tract;

THENCE South 86°55'36" West (called S 89°50'16" W), along the most westerly north line of said Trahan tract, the most easterly south line of said 0.8 acre tract for a distance of 66.77 feet (called 66.70') to a 1/2" iron rod found marking the most westerly northwest corner of said Trahan tract, the most southerly interior corner of said 0.8 acre tract, being the southwest corner of the herein described tract (from which a 3/8" iron rod bears S 03°47'25" E 50.18')(called S 00°31'35" E 50.00');

THENCE North 03°47'25" West, across said 0.8 acre tract for a distance of 48.56 feet to a capped "Access Surveyors" rod set marking the northwest corner of the herein described tract; THENCE South 88°34'27" East, across said 0.8 acre tract, passing 27.93 feet a 1/2" iron rod found and continuing for a total distance of 67.32 feet to the POINT AND PLACE OF BEGINNING, containing 0.0705 acres of land, more or less.

TRACT 3:

BEING a 0.0371 acre tract of land located in the Stephen Jackson League, Abstract No. 34, Hardin County, Texas, being a portion of that called 0.756 acre tract of land described in an instrument to Mykal & Barbara Attaway, of record in Clerk's File No. 2017-74852 of the Official Public Records of Hardin County, Texas, said 0.0371 acres being more particularly described by metes and bounds as follows:

Note: All bearings are based on the Texas Coordinate System of 1983 (NAD83), Central Zone.

COMMENCING at a capped "Access Surveyors" rod set in the west right-of-way line of Merchant Street (A public roadway), marking the southeast corner of that tract 0.336 acre tract of land (save & except 0.072 acre tract) described in an instrument to Shannon Dwain Trahan & wife, Sabrina V. Trahan, of record in Clerk's File no. 2008-9172 of said Official Public Records, the northeast corner of that called 0.072 acre tract of land described in an instrument to Harrel Wayne Davis, of record in Volume 1098, Page 680 of the Deed Records of Hardin County, Texas (from which a 1/2" iron rod bears S 03°43'14" E 33.63') (called S 00°31'35" E 35.10');

THENCE South 86°40'33" West (called S 89°50'16" W), along the south line of said Trahan tract, the north line of said 0.072 acre tract for a distance of 91.39 feet (called 91.30") to a 1/2" iron rod found marking the northwest corner of said 0.072 acre tract, being the northeast corner of said 0.756 acre tract and Point and Place of Beginning of the herein described tract;

THENCE South 03°35'37" East (called S 00°31'35" E), along the west line of said 0.072 acre tract, the east line of said 0.756 acre tract for a distance of 35.18 feet (called 35.10') to a 1/2" iron rod found marking the southwest corner of said 0.072 acre tract, the northwest corner of that called Tract 1 described in an instrument to David Mendoza, of record in Clerk's File No. 2019-93790 of said Official Public Records, being the southeast corner of the herein described tract;

THENCE North 84°03'53" West, across said 0.756 acre tract for a distance of 36.46 feet to a fence post for an angle point in the south line of the herein described tract;

THENCE North 49°42'49" West, continuing across said 0.756 acre tract for a distance of 42.79 feet to a 3/8" iron rod found marking the most westerly southeast corner of that called 0.8 acre tract of land described in an instrument to Radley Corporation, of record in Clerk's File No. 2013-35551 of said Official Public Records, the southwest corner of said Trahan tract, the north line of said 0.756 acre tract, being the west corner of the herein described tract (from which a 1/2" iron rod bears N 03°47'25" W 50.18');

THENCE North 86°51'02" East (called S 89°50'16" E), along the south line of said Trahan

tract, the north line of said 0.756 acre tract for a distance of 66.80 feet (called 66.70') to the POINT AND PLACE OF BEGINNING, containing 0.0371 acres of land, more or less.

TRACT 4:

Being 0.072 acre of land, more or less, out of and a part of lot 5, Block 1, of the Minerva Merchant Addition to Sour Lake in the Stephen Jackson League, Abstract Number 34 in Hardin County, Texas, plat of which is recorded in Volume 1, Page 126, of the Plat Records of Hardin County, Texas and being out of the tract of land conveyed to Frank H. Carpenter, Jr. by deeds of record in Volume 178, Page 215, volume 179, Page 306 and Volume 194, Page 85, of the Deed Records of Hardin County, Texas. Said 0.072 acre tract being described as follows:

BEGINNING at a 1/2' iron rod found for the northwest corner of said Lot 5 and same being the northeast corner of the 0.756 acre tract conveyed to Lucille McGee by deed of record in Volume 990, Page 70 of the Deed Records of Hardin County, Texas;

THENCE North 89° 50' 16" East with the north line of said Lot 5 a distance of 91.30 feet to a 1/2" iron rod set for the northeast corner of said Lot 5 and being in the west line of Minerva Street;

THENCE South 00° 31' 35" East with the east line of said Lot 5 and the west line of said Merchant Street a distance of 33.63 feet to a 1/2" iron rod set for the southeast corner of this tract and same being the northeast corner of the tract of land conveyed to J. P. Dugat by deed of record in Volume 324, Page 68 of the Deed Records of Hardin County, Texas;

THENCE South 88° 54' 55" West with the north line of said Dugat tract and a chain link fence line a distance of 91.31 feet to a 1/2" iron rod set for the southwest corner of this tract and same being the northwest corner of said Dugat tract and being in the west line of said Lot 5 and the east line of said Lucille McGee 0.756 acre tract;

THENCE North 00° 31' 35" West with the west line of said Lot 5 and the east line of said Lucille McGee tract a distance of 35.10 feet to the place of BEGINNING.

Said tract of land herein described contains 0.072 acre of land, more or less.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.