



VG-1443-2024-2400558

Freestone
County
Renee Reynolds
Freestone County
Clerk

Instrument Number: 2400558

Foreclosure Posting

NOTICE OF FORECLOSURE

Recorded On: January 25, 2024 10:01 AM

Number of Pages: 6

" Examined and Charged as Follows: "

Total Recording: \$8.00

***** THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2400558
Receipt Number: 20240125000001
Recorded Date/Time: January 25, 2024 10:01 AM
User: Jamie M
Station: CCLERK01

Record and Return To:

THE LAW OFFICE OF CHAD MORGAN
109 S MOUNT STREET
FAIRFIELD TX 75840



STATE OF TEXAS
COUNTY OF FREESTONE

I hereby certify that this Instrument was FILED In the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Freestone County, Texas.

Renee Reynolds
Freestone County Clerk
Freestone County, TX

Renee Reynolds

Notice of Foreclosure Sale

January 25, 2024

Expedited Foreclosure Texas Rule of Civil Procedure 736:

Dated: December 8, 2023

Debtor: Stephen H. Biggers

Trustee: Chad Morgan

Creditor: Southern Oaks Property Owners Association, Inc.

Recorded in: Lien recorded at Instrument Number 2101266 and Expedited Order of Foreclosure recorded as Instrument Number 2400025 of the real property records of Freestone County, Texas.

Legal Description: Lot 29, Block 3, all situated in Phase II Southern Oaks Subdivision, Freestone County, Texas.

Judgment: See attached Exhibit "A" incorporated herein as if fully set forth at length.

Foreclosure Sale:

Date: Tuesday, March 5, 2024

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 1:00 PM and not later than three hours thereafter.

Place: Front Steps of the Freestone County Courthouse, 118 E. Commerce Street, Fairfield, Texas 75840

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Southern Oaks Property Owners Association, Inc.'s bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of property owners association dues and fees and in the performance of the obligations of the Declarations filed in the Official Records of Freestone County, Texas. Because of that default, Southern Oaks Property Owners Association, Inc.,

obtained a Judicial Order ("Order") attached hereto as Exhibit "A" authorizing the sale of the Property by the Southern Oaks Property Owners Association, Inc.

The Order may encumber both real and personal property. Formal notice is hereby given of Southern Oaks Property Owners Association, Inc.'s election to proceed against and sell both the real property and any personal property.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Trustee will sell the Property in accordance with the Terms of Sale described above and applicable Texas law.

If Southern Oaks Property Owners Association, Inc. passes the Foreclosure Sale, 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 Foreclosure Sale will be made expressly subject to any title matters, but prospective bidders are reminded that by law the Foreclosure 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. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

Pursuant to Texas Property Code section 209.010 and 209.011 the Debtor has a right of redemption after the foreclosure sale is complete that lasts 180 days after notice of the sale has been provided to Debtor that will impact your rights to sell the property after purchase.

Pursuant to section 51.009 of the Texas Property Code, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by 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.



CHAD MORGAN, Attorney for Southern Oaks
Property Owners Association, Inc./Trustee
109 S. Mount Street
FAIRFIELD, TX 75840
Telephone (903) 389-3244
Telecopier (888) 316-0565



VG-650-2024-2400025

**Freestone
County
Renee Reynolds
Freestone County
Clerk**

Instrument Number: 2400025

Real Property Recordings

C C ORDER

Recorded On: January 03, 2024 03:04 PM

Number of Pages: 3

" Examined and Charged as Follows: "

Total Recording: \$29.00

******* THIS PAGE IS PART OF THE INSTRUMENT *******

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information:

Document Number: 2400025
Receipt Number: 20240103000025
Recorded Date/Time: January 03, 2024 03:04 PM
User: Crystal b
Station: CCLERK08

Record and Return To:

CHAD MORGAN



STATE OF TEXAS
COUNTY OF FREESTONE

I hereby certify that this Instrument was FILED in the File Number sequence on the date/time printed hereon, and was duly RECORDED in the Official Records of Freestone County, Texas.

Renee Reynolds
Freestone County Clerk
Freestone County, TX

Renee Reynolds

FILED
12:45 O'CLOCK PM M

DEC 08 2023

CAUSE NO. CV23237

**In Re: Order for Foreclosure Concerning
LOT 29, BLOCK 3, Phase II, Southern
Oaks Subdivision, Freestone County,
Texas Under Tex. R. Civ. P. 736**

TERESA BLACK
DISTRICT CLERK
IN THE DISTRICT COURT OF
[Signature]

Petitioner:

**SOUTHERN OAKS PROPERTY
OWNERS ASSOCIATION, INC.**

FREESTONE COUNTY, TEXAS

Respondent:

STEPHEN H. BIGGERS

87TH JUDICIAL DISTRICT

DEFAULT ORDER

1. On this day, the Court considered Petitioner's motion for a default order granting its application for an expedited order under Texas Rule of Civil Procedure 736. Petitioner's application complies with the requirements of Rule 736.1.
2. The name and last known address of subject to this order is Stephen H. Biggers, 44220 Selkirk Drive W, Fort Worth, Texas 76109. Stephen H. Biggers was properly served with citation but failed to file a response within the time required by law. The return of service for Stephen H. Biggers has been on file with the court for at least ten days.
3. The property that is the subject of this foreclosure proceeding is Lot 29, Block 3, situated in Phase II Southern Oaks Subdivision, Freestone County, Texas.
4. The lien to be foreclosed is recorded in Instrument Number 2101266 in the real property records of Freestone County, Texas.
5. The material facts establishing Stephen H. Biggers default are alleged in Petitioner's application and the supporting affidavit. Those facts are adopted by the court and incorporated by

reference in this order.

6. Based on the affidavit of Petitioner, no Respondent subject to this order is protected from foreclosure by the Servicemembers Civil Relief Act, 50 U.S.C. § 3901 et seq.

7. Therefore, the Court grants Petitioner's motion for a default order under Rules 736.7 and 736.8. Petitioner may proceed with foreclosure of the property described above in accordance with applicable law and the lien sought to be foreclosed.

8. This order is not subject to a motion for rehearing, motion for new trial, bill of review, or appeal. Any challenge to this order must be made in a separate, original proceeding filed in accordance with Rule 736.11.

SIGNED on December 9, 2023.

Amy Thomas Ward
JUDGE PRESIDING

STATE OF TEXAS
COUNTY OF FREESTONE
I, Teresa Black, District Clerk of
Freestone County, Texas do hereby
certify that the foregoing is a true and
correct copy of the original record,
now in my lawful custody and
possession, filed on:

December 08, 2023

as appears of record in my office, this

12th day of Dec 20 2023

Teresa Black, DISTRICT CLERK
FREESTONE COUNTY TEXAS

Kelly Kengel
THE CLERK OF FREESTONE COUNTY TEXAS