



VG-1443-2023-2303143

**Freestone
County
Renee Reynolds
Freestone County
Clerk**

Instrument Number: 2303143

Foreclosure Posting

NOTICE OF FORECLOSURE

Recorded On: August 03, 2023 02:23 PM

Number of Pages: 5

" 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: 2303143
Receipt Number: 20230803000014
Recorded Date/Time: August 03, 2023 02:23 PM
User: Jamie M
Station: CCLERK01

Record and Return To:

MOLLY MCCOSLIN



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

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Lori Garner, Mollie McCoslin, Robert LaMont, Sharon St.
Pierre, Sheryl LaMont, Allan Johnston or Ronnie
Hubbard
c/o Malcolm Cisneros/Trustee Corps
17100 Gillette Avenue
Irvine, CA 92614
(949) 252-8300

TS No TX05000024-23-1

APN 00615-00008-00100-000000 |
53946

TO No 230234928-TX-RWI

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on March 12, 2008, DAVID K. HAYNES, AN UNMARRIED MAN as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of G. TOMMY BASTIAN as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, as nominee for AMERICAHOMEKEY, INC., its successors and assigns, as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$110,936.00, payable to the order of Nationstar Mortgage LLC as current Beneficiary, which Deed of Trust recorded on March 20, 2008 as Document No. 00801903 and that said Deed of Trust was modified by Modification Agreement and recorded December 3, 2021 as Instrument Number 2104470 in Freestone County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

APN 00615-00008-00100-000000 | 53946

WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed ~~Lori Garner, Mollie McCoslin, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, Allan Johnston or Ronnie Hubbard~~ or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and Nationstar Mortgage LLC, the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust.

NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, September 5, 2023 at 11:00 AM**, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Freestone County, Texas, at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a Deed of Trust or other contract lien as follows: **THE FRONT STEPS OF THE FREESTONE COUNTY COURTHOUSE (SOUTH ENTRANCE) OR AS DESIGNATED BY THE COUNTY COMMISSIONERS.**

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of and Nationstar Mortgage LLC's election to proceed against and sell both the real property and any personal property described in said Deed of Trust in accordance with and Nationstar Mortgage LLC's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

NOTICE IS FURTHER GIVEN, that except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition. Conveyance of the Property shall be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters and are advised to conduct an independent investigation of the nature and physical condition 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 expressed or implied warranties, except as to the warranted.

WITNESS, my hand this 3rd day of August, 2023


By: Lori Garner, Mollie McCoslin, Robert LaMont, Sharon St. Pierre, Sheryl LaMont, Allan Johnston or Ronnie Hubbard
Substitute Trustee(s)

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.

**SALE INFORMATION CAN BE OBTAINED ONLINE AT www.Xome.com
FOR AUTOMATED SALES INFORMATION PLEASE CALL: Xome at 800-758-8052**

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

TS No TX05000024-23-1

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TO No 230234928-TX-RWI

EXHIBIT "A"

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A"

BEING ALL OF THAT CERTAIN 1.00 ACRE LOT, TRACT OR PARCEL OF LAND BEING IN THE EPHRAIM TERRY SURVEY, ABSTRACT NO. 615, FREESTONE COMO', TEXAS, AND BEING OUT OF A CALL 4.96 ACRE TRACT DESCRIBED IN DEED FROM FREESTONE ENTERPRISES, INC., TO ABNER HAYNES SR., DATED MARCH 07, 1987, RECORDED IN VOLUME 748, PAGE 1, DEED RECORDS OF FREESTONE COUNTY, TEXAS. SAID HEREIN DESCRIBED 1.00 ACRES TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 112 INCH IRON ROD FAR THE NORTHEAST COMER OF THE HEREIN DESCRIBED 1.00 ACRE TRACT THE NORTHEAST CORNER OF SAID HAYNES 4.96 ACRE TRACT AND THE NORTHWEST CORNER OF A CALLED 1.5.00 ACRE TRACT CONVEYED TO STELLA X TURD ROBERT C. HOLMES, RECORDED IN VOLUME 108.5, PAGE 289, DEED RECORDS OF FREESTONE COUNTY, TEXAS. SAID FOUND 1/2 INCH IRON ROD BEING THE SAID POINT OF BEGINNING OF HEREIN DESCRIBED 1.00 ACRE TRACT

THENCE SOUTH 79 DEGREES 22 MINUTES 50 SECONDS EAST (PER CALL AND BASIS OF BEARING) WITH THE EAST LINE OF THE HEREIN DESCRIBED 1.00 ACRE TRACT THE EAST LINE OF SAID HAYNES 4.96 ACRE TRACT AND THE WEST LINE AFRAID HOLMES 15.00ACRE TACT A DISTANCE OF 350.69 FEET, TO A SET 1/2 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "YARGER 5854", FOR THE SOUTHEAST COMER OF THE HEREIN DESCRIBED 1.00 ACRE TRACT FROM WHICH A FOUND 1/2 INCH IRON AND FOR THE SOUTHEAST COMER OF SAID HAYNES 4.96NCRE TRACT BEARS: SOUTH 79 DEGRECNR22 MINUTES 50 SECONDS FAST, A DISTANCE OF.570.28 FEET FAR REFERENCE,

THENCE SOUTH 48 DEGREES 48 MINUTES 16 SECONDS WEST WITH THE SOUTH LINE OF THE HEREIN DESCRIBED 1.00 ACRE TRACT A DISTANCE OF 169.20 FEET TO A SET 1/2 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "YARGER 5854", FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED 1.00 ACRE TRACT;

THENCE NORTH 75 DEGREES 01 MINUTES 15 SECONDS WEST WITH THE WEST LINE OF THE HEREIN DESCRIBED 1.00 ACRE TRACT A DISTANCE OF 361.20 FEET TO A SET 1/2 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "YARGER 5854", IN THE COUNTY ROAD NO. 352 FOR THE NORTHWEST CORNER OF DIE HEMIN DESCRIBED 1.00 ACRE TRACT FROM WHICH A FOUND 1/2 INCH IRON FOR THE CALLED NORTHWEST CORNER OF THE ABOVE MENTIONED HAYNES 4.96 ACRE TRACT BEARS: SOUTH 49 DEGREES 30 MINUTES 45 SECONDS WEST, A DISTANCE OF 117.56 *ET FOR REFERENCE;

THENCE NORTH 49 DEGREES 30 MINUTES 45 SECONDS EAST WITH THE NORTH LINE OF THE HEREIN DESCRIBED 1.00 ACNE TRACT A NORTH LINE OF SAID HAYNES 4.96 ACRE TRACT A DISTANCE OF 55.00 FEET TO A FOUND 1/2 INCH IRON ROD FOR CORNER;

THENCE SOUTH 78 DEGREES 56 MINUTES 37 SECONDS EAST WITH THE NORTH LINE OF THE HEREIN DESCRIBED 1.00 ACRE TRACT A NORTH LINE OF SAID HAYNES 4.96 ACRE (MET A DISTANCE OF 30.02 FEET TO A FOUND 112 INCH IRON ROD FOR COMER;

THENCE NORTH 48 DEGREES 48 MINUTES 16 SECONDS EAST WITH THE NORTH LINE OF THE HEREIN DESCRIBED 1.00 ACRE TRACT A NORTH LINE OF SAID HAYNES 4.96 ACRE TRACT A DISTANCE OF 80.10 FEET TO THE SAID POINT OF BEGINNING AND CONTAINING 1.00 ACRES OF LAND MORE OR LESS.