



\*VG-1443-2024-2400559\*

**Freestone  
County  
Renee Reynolds  
Freestone County  
Clerk**

**Instrument Number: 2400559**

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: 2400559  
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

## **Notice of Foreclosure Sale**

January 25, 2024

**Expedited Foreclosure Texas Rule of Civil Procedure 736:**

**Dated:** December 8, 2023

**Debtor:** Jimmie N. Westerman and Juanita Westerman

**Trustee:** Chad Morgan

**Creditor:** Southern Oaks Property Owners Association, Inc.

**Recorded in:** Lien recorded at Volume 1562, Page 629 and Expedited Order of Foreclosure recorded as Instrument Number 2400023 of the real property records of Freestone County, Texas.

**Legal Description:** Lot 23, Block 9, all situated in Phase I 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.**



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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-650-2024-2400023\*

**Freestone  
County  
Renee Reynolds  
Freestone County  
Clerk**

**Instrument Number: 2400023**

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: 2400023  
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

**FILED**  
12:50 O'CLOCK PM M

DEC 08 2023

CAUSE NO. CV23235

**In Re: Order for Foreclosure Concerning  
LOT 23, BLOCK 9, Phase I, Southern  
Oaks Subdivision, Freestone County,  
Texas Under Tex. R. Civ. P. 736**

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TERESA BLACK  
DISTRICT CLERK  
FREESTONE COUNTY, TEXAS  
IN THE DISTRICT COURT  


**Petitioner:**

**FREESTONE COUNTY, TEXAS**

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

**Respondent:**

**87TH JUDICIAL DISTRICT**

**JIMMIE N. WESTERMAN AND  
JUANITA WESTERMAN**

**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 are Jimmie N. Westerman and Juanita Westerman, 505 Euclid Street, Cleburne, Texas 76031. Jimmie N. Westerman and Juanita Westerman were properly served with citation but failed to file a response within the time required by law. The return of service for Jimmie N. Westerman and Juanita Westerman 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 23, Block 9, all situated in Phase I Southern Oaks Subdivision, Freestone County, Texas.
4. The lien to be foreclosed is recorded in Volume 1562, Page 629 in the real property records of Freestone County, Texas.

5. The material facts establishing Jimmie N. Westerman and Juanita Westerman 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.

  
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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

  
