

RECORDING REQUESTED BY:

WHEN RECORDED MAIL TO:

Lori Garner, Robert LaMont, Sheryl LaMont, Harriett  
Fletcher, David Sims, Allan Johnston, Sharon St. Pierre  
c/o Malcolm Cisneros/Trustee Corps  
17100 Gillette Avenue  
Irvine, CA 92614  
(949) 252-8300

TS No TX06000065-16-1

APN 00023-09748-01000-000000

TO No 160238472-TX-RW1

### NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on September 28, 2013, MICHAEL W KELLUM, UNMARRIED MAN as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of CHRIS PEIRSON as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. as nominee for AMERIGROUP MORTGAGE CORPORATION A DIVISION OF MORTGAGE INVESTORS, 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 \$91,869.00, payable to the order of FREEDOM MORTGAGE CORPORATION as current Beneficiary, which Deed of Trust recorded on October 8, 2013 as Document No. 01304017 in Book 01617, on Page 00778 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

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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, Robert LaMont, Sheryl LaMont, Harriett Fletcher, David Sims, Allan Johnston, Sharon St. Pierre 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 FREEDOM MORTGAGE CORPORATION, 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, March 7, 2017 at 10:00 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 AT THE SOUTH ENTRANCE OF THE COURTHOUSE or any other area designated by the County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of and

FILED FOR RECORD IN  
Freestone County  
Linda Jarvis  
COUNTY CLERK  
DN: Jan 17, 2017 AT 03:11P  
as Notice of Trustee Sale  
Document Number: 3  
Total Fees : 8.00  
Receipt Number - 139662  
By: Charlotte McCarthy, Deputy

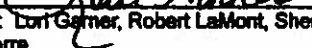


FREEDOM MORTGAGE CORPORATION's election to proceed against and sell both the real property and any personal property described in said Deed of Trust in accordance with and FREEDOM MORTGAGE CORPORATION's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce 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 10<sup>th</sup> day of January 2017.

By:  Lori Garner, Robert LaMont, Sheryl LaMont, Harriett Fletcher, David Sims, Allan Johnston, Sharon St. Pierre

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.**

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300  
THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

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.

**EXHIBIT "A"**

ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND, BEING LOT 4 OF THE COLE SUBDIVISION SITUATED IN THE I. H. REED SURVEY, ABSTRACT NO. 23 AND IN THE CITY OF FAIRFIELD, FREESTONE COUNTY, TEXAS AND BEING PART OF THE CALLED SEVENTH TRACT, WHICH CONTAINS THE FIRST TRACT, THE SECOND TRACT, AND THE NINTH TRACT IN A CORRECTION WARRANTY DEED FROM VICKI WHITAKER BEST, INDEPENDENT EXECUTRIX OF THE ESTATE OF HUGH D. WHITAKER, A/K/A H.D. WHITAKER, DECEASED, CAUSE NO 7402, IN THE COUNTY COURT OF FREESTONE COUNTY, TO BIG CEDAR COUNTRY CLUB, IN., AND RECORDED IN VOLUME 1247 PAGE 623, IN THE DEED RECORDS OF FREESTONE COUNTY, TEXAS. SAID LOT 4 CONSISTS OF 0.233 ACRE OF LAND, IN THE COLE SUBDIVISION OF WHICH A PLAT WAS APPROVED BY THE CITY OF FAIRFIELD ON OCTOBER 14, 2003 AND, AT THE DATE OF THIS SURVEY, HAS NOT BEEN FILED WITH THE COUNTY CLERK OF FREESTONE COUNTY SAID 0.232 ACRE IS MORE FULLY DESCRIBED AS FOLLOWS:BEGINNING AT A 1 1/2" ROD PREVIOUSLY SET FOR THE SOUTHWEST CORNER OF THIS TRACT AND THE NORTHWEST CORNER OF LOT 5, OF THE COLE SUBDIVISION, AND IN THE WEST LINE OF THE NINTH TRACT, AND BRS. NORTH 00 DEGREES 46 MINUTES 19 SECONDS WEST A DISTANCE OF 135.82 FEET FROM ITS SOUTHWEST CORNER; THENCE NORTH 00 DEGREE 46 MINUTES 19 SECONDS WEST ALONG THE WEST LINE OF THIS TRACT AND THE NINTH TRACT A DISTANCE OF 100.00 FEET TO A 1 1/2" ROD PREVIOUSLY SET FOR THE NORTHWEST CORNER OF THIS TRACT AND IN THE SOUTHWEST CORNER OF LOT 3 OF THE COLE SUBDIVISION;THENCE NORTH 89 DEGREES 25 MINUTES 08 SECONDS EAST AND CROSSING THE EAST LINE OF THE NINTH TRACT AND THE WEST LINE OF THE SECOND TRACT, AND CONTINUING FOR A TOTAL DISTANCE OF 111.79 FEET T A 1 1/2" ROD PREVIOUSLY SET FOR THE NORTHEAST CORNER OF THIS LOT AND THE SOUTHEAST CORNER OF LOT 3, AND IN THE WEST LNE OF COOPER STREET;THENCE SOUTH 15 DEGREES 29 MINUTES 32 SECONDS WEST ALONG A WEST LINE OF SAID STREET A DISTANCE OF 37.51 FEET TO A 1 1/2" ROD PREVIOUSLY SET AT AN ANGLE;THENCE SOUTH 03 DEGREES 45 MINUTES 48 SECONDS WEST ALONG A WEST LINE CROSSING THE SOUTH LINE OF THE SECOND TRACT AND THE NORTH LINE OF THE FIRST TRACT AND CONTINUING FOR A TOTAL DISTANCE OF 64.41 FEET TO A 1 1/2" ROD PREVIOUSLY SET FOR THE SOUTHEAST CORNER OF THIS LOT AND THE NORTHEAST CORNER LINE OF LOT 5;THENCE SOUTH 89 DEGREES 25 MINUTES 08 SECONDS WEST CROSSING THE WEST LINE OF THE FIRST TRACT AND THE EAST LINE OF THE NINTH TRACT; AND CONTINUING FOR A TOTAL DISTANCE OF 86.22 FEET TO THE PLACE OF BEGINNING AND CONTAINING 0.233 ACRE OF LAND.