



\*VG-311-2018-1803625\*

**Freestone  
County  
Linda Jarvis  
Freestone County  
Clerk**

**Instrument Number: 1803625**

Foreclosure Posting

**DECLARATION OF INVALIDITY OF FORECLOSURE SALE**

Recorded On: November 08, 2018 01:44 PM

Number of Pages: 3

**" 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: 1803625  
Receipt Number: 20181108000015  
Recorded Date/Time: November 08, 2018 01:44 PM  
User: Alicia D  
Station: Clerk Station

**Record and Return To:**

lori garner  
po box 506  
MEXIA TX 76667



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.

Linda Jarvis  
Freestone County Clerk  
Freestone County, TX

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**FREESTONE County**

**Deed of Trust Dated:** November 21, 2007

**Amount:** \$275,400.00

**Grantor(s):** GARY BLAKE, MALISA BLAKE and WORTHAM I ENTERPRISES, LLC

**Original Mortgagee:** INTERBAY FUNDING, LLC, A DELAWARE LIMITED LIABILITY COMPANY

**Current Mortgagee:** M & T BANK

**Mortgagee Address:** M & T BANK, P. O. Box 1364, Buffalo, NY 14240-1364

**Recording Information:** Document No. 00709312

**Legal Description:** SEE EXHIBIT "A" ATTACHED HERETO.

**Date of Sale:** December 4, 2018 between the hours of 11:00 AM and 2:00 PM.

**Earliest Time Sale Will Begin:** 11:00 AM

**Place of Sale:** The foreclosure sale will be conducted at public venue in the area designated by the FREESTONE 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.

LORI GARNER OR SHARON ST. PIERRE, ROBERT LAMONT, SHERYL LAMONT, HARRIETT FLETCHER, DAVID SIMS, AURORA CAMPOS, JONATHAN HARRISON, RAMIRO CUEVAS, ALLAN JOHNSTON OR RONNIE HUBBARD have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust.

The Substitute Trustee will sell the Property by public auction to the highest bidder for cash at the place and date specified. 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.


**NOTICE IS FURTHER GIVEN** that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. 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.

**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.**

  
Aaron Espinoza, Attorney at Law

HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, SUITE 2800  
Houston, Texas 77002  
Reference: 2018-001571

  
LORI GARNER OR SHARON ST. PIERRE, ROBERT LAMONT,  
SHERYL LAMONT, HARRIETT FLETCHER, DAVID SIMS,  
AURORA CAMPOS, JONATHAN HARRISON, RAMIRO  
CUEVAS, ALLAN JOHNSTON OR RONNIE HUBBARD  
c/o Tejas Trustee Services  
14800 Landmark Blvd, Suite 850  
Addison, TX 75254

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

Surface Estate Only of the following described tracts of land:

Tract One:

Lots 1, 2, 3, 4, 5, 6, Block 3, Twin Circle Estates Addition, in the City of Wortham, Freestone County, Texas, according to the map and plat recorded in Cabinet A, Plat 35-B, Map/Plat Records, Freestone County, Texas.

Tract Two:

All that certain alley which runs in a northerly direction lying and being situated between Lot 1, 2, 3, 4, 5, 6, Block 3, Twin Circle Estates Addition to the City of Wortham, Freestone County, Texas. It being understood that said conveyance of said alley shall not in any manner affect the east west alley which runs along north line of Block 3, Twin Circle Estates Addition to the City of Wortham, Freestone County, Texas.