

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF SUBSTITUTE 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. Sender is: Codilis & Moody, P.C., 20405 State Highway 249, Suite 170, Houston, TX 77070

INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated September 13, 2021 and recorded under Clerk's File No. 2021-003084, in the real property records of EASTLAND County Texas, with Michael Tracy and Teresa Tracy, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Everett Financial, Inc. dba Supreme Lending, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Michael Tracy and Teresa Tracy, husband and wife securing payment of the indebtedness in the original principal amount of \$218,250.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Michael Tracy. Lakeview Loan Servicing, LLC is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan. LoanCare, LLC is acting as the Mortgage Servicer for the Mortgagee. LoanCare, LLC, is representing the Mortgagee, whose address is: 3637 Sentara Way, Virginia Beach, VA 23452.

Legal Description:

A 0.25 ACRE TRACT OF LAND OUT OF AND PART OF BLOCK NO. 46, DAUGHERTY'S ADDITION TO THE CITY OF EASTLAND, EASTLAND COUNTY, TEXAS, ACCORDING TO THE PLAT OR MAP THEREOF RECORDED IN SLIDE 173, PLAT CABINET RECORDS, EASTLAND COUNTY, TEXAS, BEING THAT SAME TRACT OF LAND DESCRIBED IN A DEED TO KASS LAND SERVICES, INC. RECORDED IN VOLUME 2599, PAGE 121, OFFICIAL PUBLIC RECORDS, EASTLAND COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

RECEIVED 11:10 a.m.
CATHY JENTHO, COUNTY CLERK

SALE INFORMATION

OCT 03 2024

Date of Sale: 11/05/2024

Earliest Time Sale Will Begin: 1:00 PM

EASTLAND COUNTY, TEXAS

Location of Sale: **The place of the sale shall be: EASTLAND County Courthouse, Texas** at the following location: At the south entrance steps of the Eastland County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

By BP Deputy

TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Pursuant to the Deed of Trust, the



mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part 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 express or implied warranties, except as to the warranties of title, if any, provided for under the Deed of Trust.

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.

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.


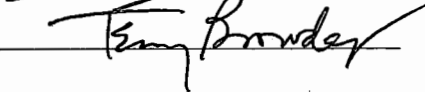
WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I HEREBY APPOINT AND DESIGNATE **Laura Browder, Terry Browder, Jamie Osborne , Terry Browder, Laura Browder, Jamie Osborn, Jonathan Schendel, Ramiro Cuevas, Charles Green, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Auction.com**, as Substitute Trustee.

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:
Codilis & Moody, P.C.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200



Executed on October 1, 2024.

/s/ Sarah A. Trad SBOT No. 24140355, Attorney at Law
Codilis & Moody, P.C.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200

Posted and filed by: 
Printed Name: 

C&M No. 44-24-02515

EXHIBIT "A"

A 0.25 acre tract of land out of and part of Block No. 46, Daugherty's Addition to the City of Eastland, Eastland County, Texas, according to the plat or map thereof recorded in Slide 173, Plat Cabinet Records, Eastland County, Texas, being that same tract of land described in a deed to Kass Land Services, Inc. recorded in Volume 2599, Page 121, Official Public Records, Eastland County, Texas, being more particularly described by metes and bounds as follows:

Beginning at a ½" iron pipe (control monument) found in the common line between said Block No. 46 and Conner Street, for a common corner between said Kass tract and a tract of land described in a deed to Alexis Whaley et. al. recorded by Instrument Number 2019-001277, Official Public Records, Eastland County, Texas, for the Northeast corner of this described tract;

Thence S 00°26'55" W, 150.24 feet over and across said Block No. 46 along the common line between said Kass tract and said Whaley tract, to a "X" found in a large sandstone (control monument) for a common corner between said Kass tract, said Whaley tract and a tract of land described in a deed to Ora Lee Hill recorded in Volume 1373, Page 44, Official Public Records, Eastland County, Texas, for the Southeast corner of this described tract;

Thence N 89°33'05" W, 71.67 feet over and across said Block No. 46 along the common line between said Kass tract and said Hill tract, to a ½" iron pipe (control monument) found for a common corner between said Kass tract and said Hill tract, for the Southwest corner of this described tract;

Thence N 00°23'35" E, 149.87 feet over and across said Block No. 46 along the common line between said Kass tract and said Hill tract, to a ½" iron pipe (control monument) found in the common line between said Block No. 46 and previously mentioned Conner Street, for a common corner between said Kass tract and said Hill tract, for the Northwest corner of this described tract;

Thence S 89°50'26" E, 71.81 feet along the common line between said Block No. 46 and said Conner Street, same being the North line of said Kass tract, to the place of beginning and containing 0.25 acres of land.