

24-02375
766 COUNTESS RD, QUINLAN, TX 75474

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**NOTICE OF FORECLOSURE SALE AND
APPOINTMENT OF SUBSTITUTE TRUSTEE**

FILED FOR RECORD
at 3:00 o'clock 7 M

Property: The Property to be sold is described as follows:
See Exhibit "A"

AUG 01 2024

BECKY LANDRUM
County Clerk, Hunt County, Tex.

Security Instrument: Deed of Trust dated March 5, 2021 and recorded on March 8, 2021 at Instrument Number 2021-04526 in the real property records of HUNT County, Texas, which contains a power of sale.

Sale Information: October 1, 2024, at 1:00 PM, or not later than three hours thereafter, at the north steps, including the hallway area 20 feet inside the north door on the 2nd floor of the Hunt County Courthouse, or as designated by the County Commissioners Court.

Terms of Sale: Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured: The Deed of Trust executed by TRAVIS SMITH AND CANDACE SMITH secures the repayment of a Note dated March 5, 2021 in the amount of \$167,191.00. LOWER, LLC, whose address is c/o ServiceMac, LLC. 9726 Old Bailes Road, Suite 200, Fort Mill, SC 29707, is the current mortgagee of the Deed of Trust and Note and ServiceMac, LLC is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee: In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

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.


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.



4822017

Nicki Company

De Cubas & Lewis, P.C.
Nicki Company, Attorney at Law
PO Box 5026
Fort Lauderdale, FL 33310



Substitute Trustee(s): Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Irene Lindsay, Dana Kamin, Lisa Bruno, Angie Uselton, Jami Hutton, Tonya Washington, Monica Henderson, Terry Waters, Logan Thomas, Robert LaMont, Harriett Fletcher, Sheryl LaMont, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard, Randy Daniel, Cindy Daniel, Liz Hach, Cheryl Harris, David Ray, Tionna Hadnot, Ashlee Luna, Conrad Wallace, Kristopher Holub, Meryl Olsen, Misty McMillan, Tiffiney Bruton and Auction.com employees included but not limited to those listed herein. Posted August 1, 2024.

c/o De Cubas & Lewis, P.C.
PO Box 5026
Fort Lauderdale, FL 33310

Certificate of Posting

I, Robert LaMont, declare under penalty of perjury that on the 1st day of August, 2024, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of HUNT County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).



Robert LaMont, August 1, 2024.

EXHIBIT "A"

Being a certain lot, tract, or parcel of land situated in Hunt County, Texas, being part of the George Pollett Survey, Abstract No. 821, being all of the 1.940 acre tract of land described in a Warranty Deed from Hannah Berger to John Berger as recorded in Volume 1350 at Page 52 of the Official Public Records of Hunt County, Texas and being further described as follows:

BEGINNING at a 1/2 inch iron rod found for a corner at the southwest corner of said 1.940 acre tract in the center of Countess Country Road (a 50 feet wide Roadway Easement), said Point of Beginning being at the existing southeast corner of a 1.000 acre tract as conveyed to Mireya Munoz as recorded in/under Document No. 2014-2921 of the Official Public Records of Hunt County, Texas;

THENCE N 03°03'38" E along the west line of said 1.940 acre tract and the east line of said 1.000 acre tract, a distance of 400.72 feet to a 1/2 inch iron rod found for a corner at the northwest corner of said 1.940 acre tract;

THENCE S 88°28'18" E along the north line of said 1.940 acre tract, a distance of 154.12 feet to a 1/2 inch iron rod found for a corner at the northeast corner of said 1.940 acre tract, said corner being at the existing northwest corner of a 1.072 acre tract as conveyed to Leroy and Susan Mensch as recorded in/under Document No. 2015-5438 of the Official Public Records of Hunt County, Texas;

THENCE S 08°17'10" E along the east line of said 1.940 acre tract and the west line of said 1.072 acre tract, a distance of 464.22 feet to a 1/2 inch iron rod found for a corner at the southeast corner of said 1.940 acre tract in center of Countess Country Road;

THENCE N 75°32'52" W along the south line of said 1.940 acre tract and the center of Countess Country Road, a distance of 195.29 feet to a 1/2 inch iron rod found for a corner;

THENCE N 74°36'40" W along the south line of said 1.940 acre tract and the center of Countess Country Road, a distance of 55.22 feet returning to the Point of Beginning and containing 1.940 acres of land and being known as No. 766 Countess Country Road.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the above legal description of the area or quantity of land is not a representation that such area or quantity is correct, but is made only for informational and/or identification purposes and does not override Item 2 of Schedule B. hereof.