

22-02118
8608 FM 251 S, BIVINS, TX 75555

FILED FOR RECORD
2022 NOV 15 PM 2:05
AMY L. VARNELL
CASS COUNTY CLERK

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

- Property: The Property to be sold is described as follows:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART
HEREOF AS "EXHIBIT A"
- Security Instrument: Deed of Trust dated December 16, 2021 and recorded on December 17, 2021 at 2021006137 in the real property records of CASS County, Texas, which contains a power of sale.
- Sale Information: December 6, 2022, at 10:00 AM, or not later than three hours thereafter, at the North Entrance of the Cass County Courthouse located on Houston Street, Linden, Texas, 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 JOHN WEBSTER secures the repayment of a Note dated December 16, 2021 in the amount of \$205,000.00. PENNYMAC LOAN SERVICES, LLC, whose address is c/o PennyMac Loan Services, LLC, P.O. Box 30597, Los Angeles, CA 90030, is the current mortgagee of the Deed of Trust and Note and PennyMac Loan Services, 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.



4765048

Kirk Schwartz

De Cubas & Lewis, Schwartz, P.C.
Kirk Schwartz, Attorney at Law
1999 N University Drive, Suite 204
Coral Springs, FL 33071



Substitute Trustee(s): Robert LaMont, Harriett Fletcher, Ronnie Hubbard, Sheryl LaMont, Allan Johnston, Ramiro Cuevas, Aurora Campos, Jonathan Harrison, Shawn Schiller, Patrick Zwiers, Darla Boettcher, Irene Lindsay, Dana Kamin, Lisa Bruno, Sharon St. Pierre and Servicelink employees included but not limited to those listed herein.
Posted November 15, 2022.
c/o De Cubas & Lewis, Schwartz, P.C.
1999 N University Drive, Suite 204
Coral Springs, FL 33071

Certificate of Posting

I, Robert La Mont, declare under penalty of perjury that on the 15th. day of November, 2022, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of CASS County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).



Robert La Mont, November 15, 2022.

EXHIBIT A

All that certain lot, tract, or parcel of land situated in Cass County, Texas, about 14 1/2 miles East of the courthouse in the City of Linden, being 2.000 acres of land, a part of the HORATIO CUNNINGHAM SURVEY, A-1690, and being a part of that certain called 9.945 acre tract designated as "First Tract" in deed from W.R. Peacock and wife, Ora Peacock to Eunice Peacock Travis, dated March 15, 1965, and recorded in Volume 467, Page 173 of the Cass County Deed Records, and also being a part of that certain called 9.945 acre tract designated as 'First Tract' in deed from W.R. Peacock and wife, Ora Peacock to Modene Peacock (Life Estate), et al, dated March 15, 1965 and recorded in Volume 467, Page 175 of said Deed Records, said 2.000 acres being more particularly described as follows:

Beginning at 1/2" iron rod with surveyors cap stamped "RPLS 4528" (typical) set for corner at the intersection of the East line of said Modene Peacock, et al 9.945 acre tract with the South right of way line of F.M. Highway 251, same being the Northwest corner of a called 1.963 acre tract described in deed to Brandon Prince, et ux, recorded in Clerk's File No. 2012001155 of the Cass County Official Public Records, and from which a 1/2" iron rod found bears South 06°58'29" West — 3.63 feet;

Thence South 00°59'36" West, along the East line of said Modene Peacock, et al 9.945 acre tract, and the West line of said 1.963 acre tract, 282.15 feet to a 1/2" iron rod with surveyors cap set for corner on same and being the Easterly Northeast corner of a 7.135 acre tract surveyed this date;

Thence North 89°00'24" West, along the Easterly North line of said 7.135 acre tract, at 185.41 crossing the West line of the Modene Peacock, et al 9.945 acre tract and the East line of said Travis 9.945 acre tract, and continuing in all. 228.42 feet to a 1/2" Iron rod with surveyors cap set for corner, being an interior corner of said 7.135 acre tract;

Thence North 00°19'03" East, along the Northerly East line of said 7.135 acre tract, 475.10 feet to a 1/2" iron rod with surveyors cap set for corner on the Southwest right of way line of said F.M. Highway 251, and being the Northerly Northeast corner of said 7.135 acre tract;

Thence South 48°33'05" East, along said Southwest right of way line, 60.28 feet to a 1/2" iron rod with surveyors cap set for corner at the intersection of said Southwest right of way line with the East line of said Travis 9.945 acre tract, and the West line of said Modene Peacock, et al 9.945 acre tract

Thence South 49°44'34" East, continuing along said Southwest right of way line, 243.02 feet to the place of beginning and containing 2.000 acres of land.