

## 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., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060**

### INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated August 24, 2015 and recorded under Clerk's File No. 2015005247, in the real property records of **CASS County Texas**, with Mukhtar Ahmad and Farrukh Ahmad, Husband and Wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Everett Financial, Inc. D/B/A Supreme Lending, A Texas Corporation, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Mukhtar Ahmad and Farrukh Ahmad, Husband and Wife securing payment of the indebtedness in the original principal amount of \$204,960.00 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 Mukhtar Ahmad and Farrukh Ahmad. 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. Arvest Central Mortgage Company is acting as the Mortgage Servicer for the Mortgagee. Arvest Central Mortgage Company, is representing the Mortgagee, whose address is: 801 John Barrow Road, Suite 1, Little Rock, AR 72205.

**Legal Description:**

**LEGAL DESCRIPTIONS SHOWING THE DIVISION OF A 4.897 ACRE TRACT OF LAND IN THE CITY OF ATLANTA, JANE RICHEY SURVEY, A-877 IN CASS COUNTY, TEXAS, BEING ALL OF THE RESIDUE OF A CALLED 4 1/2 ACRE TRACT OF LAND CONVEYED TO WILLIAM C. HOWE ET UX BY WARRANTY DEED RECORDED IN VOLUME 262, PAGE 242 OF THE DEED RECORDS OF CASS COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES**

### SALE INFORMATION

**Date of Sale: 06/07/2022**

**Earliest Time Sale Will Begin: 10:00 AM**

**Location of Sale:** The place of the sale shall be: CASS County Courthouse, Texas at the following location: The North Entrance of the Cass County Courthouse located on Houston Street, Linden, TX, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

### 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 Robert LaMont, David Sims, Sheryl LaMont, Harriett Fletcher, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard, Shannah Walker, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ServiceLink Agency Sales And Posting, 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.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

Executed on 04/22/2022.

/s/ Lisa Collins SBOT No. 24115338, Attorney at Law  
Codilis & Moody, P.C.  
400 N. Sam Houston Pkwy E, Suite 900A  
Houston, TX 77060  
(281) 925-5200

Posted and filed by: 

Printed Name: Robert La Mont, April 28, 2022

C&M No. 44-21-0930

**EXHIBIT "A"**

**LEGAL DESCRIPTIONS** showing the division of a 4.897 acre tract of land in the City of Atlanta, Jane Richey Survey, A-877 in Cass County, Texas. Being all of the residue of a called 4 1/2 acre tract of land conveyed to William C. Howe et ux by Warranty Deed recorded in Volume 262, Page 242 of the Deed Records of Cass County, Texas and being more particularly described by metes and bounds as follows:

**TRACT 1:**

**BEGINNING** at a 3/4" Rebar w/Cap found in the west line of N. Louise St. (St. Hwy. No. 43) for the Northeast corner of a 2.432 acre tract of land conveyed to the M. James Brooks Irrevocable Trust by Warranty Deed recorded in Volume 1140, Page 130, the Southeast corner of said residue and of this described tract;

**THENCE:** N 73 deg 27' 52" W (Basis of Bearing Solar Observation), 349.99' along a line to a 1/2" Rebar set for the Southwest corner of this described tract, the Southeast corner of Tract 2;

**THENCE:** N 08 deg 02' 33" W, 170.51' along a new line to a 2 1/2" Iron Pipe found at an angle point in a rock wall, for the Southeast corner of Tract 2, the Southwest corner of Tract 1, as conveyed to Robert L. Miles by Warranty Deed recorded in Volume 326, Page 417, the Northeast corner of Tract 1, the Northwest corner of this described tract;

**THENCE:** N 84 deg 22' 34" E, at 79' pass a Sucker Rod found in said rock wall 3.74' Rt., continuing a total distance of 118.22' along a line to a 1" Iron Pipe found at an angle point on said wall;

**THENCE:** S 70 deg 35' 03" E, 258.99' generally along said wall and a line to a 3/4" Rebar set in the West line of N. Louise St. for the Southeast corner of said Miles tract, the Northeast corner of this described tract;

**THENCE:** With said West line the following courses:

S 04 deg 51' 58" W, 103.97' to a found Ty. II Marker and S 03 deg 58' 33" E, 90.66' to the Point of Beginning, containing 1.564 acres of land, more or less.

**TRACT 2:**

**BEGINNING** at a 3/4" Iron rod found in a fence, in the East line of Ridgeway Dr., for the Northwest corner of a 2.432 acre tract of land conveyed to the M. James Brooks Irrevocable Trust by Warranty Deed recorded in Volume 1140, Page 130, the Southwest corner of this described tract;

**THENCE:** N 00 deg 02' 54" W, 335.00' along said East line to a point at the intersection of said East line and the South line of Shadybrook Ln., for the Northwest corner of said

residue and of this described tract, from which a 3/4" rebar set for reference bears S 22 deg 50' 22" E, 6.66';

THENCE: With said south line the following courses: N 89 deg 16' 06" E, 166.08' to a 3/4" set Rebar, Easterly, 67.67' along a curve to the right, having a Radius of 69.63' and a Long Chord bearing S 62 deg 54' 24" E, 65.04', to a 3/4" Rebar set in the North slope of a creek: S 35 deg 03' 54" E, 90.95' to a 3/4" Rebar set in said Creek and Southeastly, 80.81' along a curve to the left, having a Radius of 125.42' and a Long Chord bearing S 53 deg 30' 00" E, 79.32' to a 1/2" Rebar set in said Creek for the Northwest corner of Tract 2, a 1/2 acre tract of land conveyed to Robert L. Miles et ux by Warranty Deed recorded in Volume 326, Page 417, the North Northeast corner of said residue and of this described tract;

THENCE: S 09 deg 53' 36" W, 120.95' along an old fence (down) to a 1/2" rebar set for the southwest corner of said 1/2 acre tract, an interior corner of said residue and of this described tract;

THENCE: S 73 deg 35' 02" E, 185.99' along an old fence (down) to a 2 1/2" Iron Pipe found at an angle point in a rock wall for the Southeast corner of Tract 2, the Southwest corner of Tract 1 as conveyed by said Deed, the Northwest corner of Tract 1, the East Northeast corner of this described tract;

THENCE: S 08 deg 02' 33" E, 170.61' along a new line of a 1/2" rebar set in the North line of said 2.432 acre tract, for the Southwest corner of Tract 1, the Southeast orner of this described tract;

THENCE: N 73 deg 27' 52" W, 543.69' along a line to the Point of Beginning, containing 3.333 acres of land, more or less.

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 information and/or identification purposes and does not override Item 2 of Schedule B hereof.