

Prepared by:
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315 Main Street, Texarkana, Texas 75501-5604

FILED FOR RECORD

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After recording, return to:
Jacob A. Hill, Attorney at Law
NORTON & WOOD, L.L.P.
315 Main Street, Texarkana, Texas 75501-5604

AMY L. VARNELL
CASS COUNTY CLERK

NOTICE OF RESCISSION OF PUBLIC FORECLOSURE SALE

Pursuant to Section 51.016 of the Texas Property Code, notice is hereby given of the cancellation of the following non-judicial foreclosure sale (the "Sale"):

I. **PROPERTY FOR SALE.** The property for sale (the "Property") is commonly known as #16 Timber Ridge Drive, Atlanta, Texas 75551, and is further described in the Real Property Records of Cass County, Texas as follows:

All that certain lot, tract or parcel of land lying and situated in the Jane Richie Survey A-877, in Cass County, Texas, being a part of the called 34.906 acre tract of land conveyed by Deed from the First City Bank of Corpus Christi, Texas Trustee of the Mary L. Morris Testamentary Trust, to Bobby G. Robertson Sr. et al dated July 8, 1985, recorded in Volume 760, Page 810, of the Deed Records of Cass County, Texas, said 34.906 acre tract being the east half of 69.832 acre tract conveyed by S. M. Kelley to Robert Lee Spell by Deed in Volume E-8, Page 93 of the Deed Records of Cass County, Texas, this lot being located on the East side of Timber Ridge Drive and being all of Lot 16 of the Timber Ridge Estates Subdivision to the City of Atlanta, Texas as platted by Wilcox Engineering Co and as shown on the official Plat of said Subdivision appearing in Volume 7, Page 25 of the Plat Records of Cass County, Texas, to which reference is here made for all purposes.

II. **DATE, TIME, & VENUE OF THE SALE.** The Sale was to be held at the North Entrance of the Cass County Courthouse in Linden, Texas, on **Tuesday, September 6, 2022**. The Sale was to begin no earlier than 10:00 a.m., or no later than three (3) hours thereafter, and was to be completed by no later than 4:00 p.m.

III. **APPOINTMENT OF SUBSTITUTE TRUSTEE(S).** THE SUBSTITUTE TRUSTEE(S) APPOINTED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF RESCISSION OF SALE ARE LISTED BELOW. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

The Substitute Trustees shall be: Jacob A. Hill, Richard J. Kroll, Marshall C. Wood, and Fred R. Norton, Jr., or any one of them. All said individuals are attorneys of NORTON & WOOD, L.L.P., 315 Main Street, Texarkana, Texas 75501-5604.

IV. **RESCISSION OF SALE.** Pursuant to Section 51.016(b)(6), an automatic stay of the sale was imposed in a bankruptcy case filed by Richard M. Dyer and Debra A. Dyer (the "Borrower") on August 16, 2022. Therefore, TEXAR Federal Credit Union (the "Lender") rescinds its power of sale conferred by that one certain Texas Home Equity Security Instrument executed on April 26, 2004, and recorded in Volume 1229, Page 737, of the Real Property Records of Cass County, Texas on May 4, 2004 (the "Security Instrument"), wherein Richard M. Dyer and Debra A. Dyer (the "Borrower") conveyed the Property to Kelly D. Mitchell (the "Trustee") to be held in trust.

Date: September 1, 2022

Submitted by:



Jacob A. Hill, Attorney for the Mortgagee

[Space Below This Line For Acknowledgment]

STATE OF TEXAS §
 §
COUNTY OF BOWIE §

BEFORE ME, the undersigned Notary Public, on this day came Jacob A. Hill, known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he has the authority to execute this instrument and that he executed this instrument for the purposes and consideration stated herein.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 1st day of September, 2022.

Wanda Lorice Simon
NOTARY PUBLIC - STATE OF TEXAS

