



Prepared by:
Jaci Roberts Berry, Attorney at Law
NORTON + WOOD, L.L.P.
315 Main Street, Texarkana, Texas 75501-5604

After recording, return to:
Jaci Roberts Berry, Attorney at Law
NORTON + WOOD, L.L.P.
315 Main Street, Texarkana, Texas 75501-5604

FILED FOR RECORD
2024 DEC -9 P 4:28
AMY L. VARNHULL
CLERK
CASS COUNTY TEXAS

**NOTICE OF FORECLOSURE SALE
AND
APPOINTMENT OF SUBSTITUTE TRUSTEE(S)
January 7, 2025**

Deed of Trust ("Deed of Trust"):

- Dated:** December 10, 2013.
- Grantor:** Peggy A. Brooks
- Trustee:** Joy L. Walters
- Lender:** Domino Federal Credit Union
- Recorded in:** Instruments No.2013006045 and No.2013006036 of the Real Property Records of Cass County, Texas
- Legal Description:** All that certain 0.344 acre tract of land in the city of Atlanta, Jane Richey Survey, A-877 in Cass County, TX. Being all of Lot Numbered Seventeen (17) and Lot Numbered Eighteen (18) of Howe's Second Addition as recorded in Volume 1, page 13 of the Plat Records; also being of the same tract of land conveyed to B.W. Delinger et ux, by Warranty Deed recorded in Volume 985, Page 567 of the Real Property Records of Cass County Texas.
- Secures:** Promissory Note ("Note") in the original principal amount of \$36,600.00, executed by Peggy A. Brooks ("Borrower") and payable to the order of Lender and all other indebtedness of Borrower to Lender

Substitute Trustee(s): Jaci Roberts Berry, Richard J. Kroll, Marshall C. Wood, and/or Fred Norton, Jr.

Substitute Trustee's

Address: 315 Main Street, Texarkana, Texas 75501-5604

Foreclosure Sale:

Date: January 7, 2025

Time: The sale of the Property will be held between the hours of 10:00 A.M. and 4:00 P.M. local time; the earliest time at which the Foreclosure Sale will begin is 10:00 A.M. and not later than three (3) hours thereafter.

Place: North Entrance of the Cass County Courthouse in Linden, Texas

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that Lender/Beneficiary's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust. Because of that default, Lender, the owner and holder of the Note, has requested a Substitute Trustee to sell the Property. The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of Lender's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with Lender's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

Therefore, notice is given that on and at the Date, Time, and Place for the Foreclosure Sale described above, Substitute Trustee will sell the Property in accordance with the Terms of Sale described above, the Deed of Trust, and applicable Texas law.

If Lender passes the Foreclosure Sale, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

The Foreclosure Sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the Foreclosure Sale will necessarily be made subject to all prior matters of record affecting the Property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust by Lender. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any.

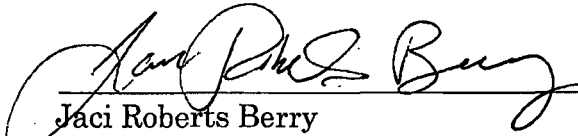
Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold **“AS IS,” without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust.** Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to Section 51.0075(a) of the Texas Property Code, the Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by 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.

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.

Date: December 9, 2024.

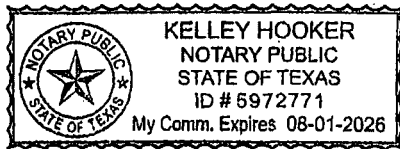


Jaci Roberts Berry
Attorney for the Mortgagee

STATE OF TEXAS §
 §
COUNTY OF BOWIE §

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 9th day of December, 2024.

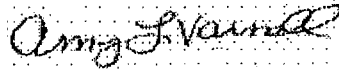




NOTARY PUBLIC - STATE OF TEXAS

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS



Amy L. Varnell, County Clerk
Cass County, Texas

December 09, 2024 04:29:57 PM

FEE: \$37.00

2024007293

2024 DEC 9 4:29:57 PM
CASS COUNTY, TEXAS
FILED AND RECORDED