

854 County Road 4228, Atlanta, TX 75551

FILED FOR RECORD

2024 NOV 26 AM 11:42 24-036144

NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE. VARNELL

CASS COUNTY CLERK

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.

1. Date, Time, and Place of Sale.

Date: 02/04/2025

Time: Between 10:00 AM – 1:00 PM and beginning not earlier than 10:00 AM and ending not later than three hours thereafter.

Place: The area designated by the Commissioners Court of Cass County, pursuant to §51.002 of the Texas Property Code as amended: if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this Notice of Trustee's Sale was posted.

2. Terms of Sale. Highest bidder for cash.

3. Instrument to be Foreclosed. The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated August 31, 2020 and recorded in the real property records of Cass County, TX and is recorded under Clerk's Instrument No. 2020003785 with Mark A. Thomas and Brenda Sue Thomas (grantor(s)) and Wells Fargo Bank, N.A. mortgagee to which reference is herein made for all purposes.

4. Obligations Secured. Deed of Trust or Contract Lien executed by Mark A. Thomas and Brenda Sue Thomas, securing the payment of the indebtedness in the original amount of \$90,250.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. Wells Fargo Bank, N.A. is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. Property to be Sold. ALL OF THAT CERTAIN 5.096 ACRE TRACT OF LAND IN THE MARTHA INGRAM SURVEY, A-556 IN CASS CO., TX. BEING ALL OF THAT SAME TRACT OF LAND CONVEYED TO TONY R. WHITLOW BY WARRANTY DEED W/VENDOR'S LIEN RECORDED IN VOL. 795, PG. 56 OF THE REAL PROPERTY RECORDS OF CASS CO., TX, SAID 5.096 ACRE TRACT IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" REBAR W/CAP SET AT A FENCE CORNER POST ON THE SOUTHWEST SIDE OF CO. RD. #4228, IN THE SOUTHWEST LINE OF A 3.3 ACRE TRACT CONVEYED TO JACOB M. LUCE BY WARRANTY DEED RECORDED IN INSTR #2008003106, FOR THE EAST CORNER OF A 5 ACRE TRACT CONVEYED TO BILLY R. BARNETT BY WARRANTY DEED RECORDED IN INSTR #2015006371, THE NORTH CORNER OF THIS DESCRIBED TRACT;

THENCE: S 45 DEGREES 49' 13" E (BASIS OF BEARING GPS (TRUE NORTH), 598.24' ALONG A LINE TO A 1/2" REBAR FOUND NEAR THE EAST EDGE OF SAID ROAD FOR THE NORTHEAST CORNER OF THIS DESCRIBED TRACT;

THENCE: S 02 DEGREES 19' 19" E, AT 109' CROSS CO. RD. #4229, CONTINUING A TOTAL DISTANCE OF 136.55' ALONG A LINE TO A 1/2" REBAR W/CAP SET FOR THE NORTHEAST CORNER OF THE BETHSAIDA CEMETERY, THE EAST SOUTHEAST CORNER OF THIS DESCRIBED TRACT;

THENCE: WEST, AT 12' AGAIN CROSS SAID ROAD, CONTINUING A TOTAL DISTANCE OF 349.93' TO A 1/2" REBAR W/CAP SET ON THE NORTH SIDE OF A FENCE, FOR THE NORTHWEST CORNER OF SAID CEMETERY, AN INTERIOR CORNER OF THIS DESCRIBED TRACT;

THENCE: S 18 DEGREES 25' 00" W, AT 27' AGAIN CROSS SAID ROAD, AT 73.4' PASS A CHAINLINK FENCE CORNER POST, CONTINUING A TOTAL DISTANCE OF 186.46' ALONG A LINE AND NETWIRE FENCE TO A 1/2" REBAR FOUND FOR THE EAST NORTHEAST CORNER OF A 51.089 ACRE TRACT CONVEYED TO JAY S. CLEMENTS BY WARRANTY DEED RECORDED IN VOL. 910, PG. 22, THE SOUTH SOUTHEAST CORNER OF THIS DESCRIBED TRACT;

THENCE: WEST, 200.00' ALONG A LINE TO A 1/2" REBAR W/CAP SET FOR AN INTERIOR CORNER OF SAID CLEMENTS TRACT, THE SOUTHWEST CORNER OF THIS DESCRIBED TRACT;

THENCE: N 13 DEGREES 12' 26" E, AT 125' AGAIN CROSS SAID ROAD, CONTINUING A TOTAL DISTANCE OF 152.57' TO A 3/4" IRON PIPE FOUND FOR THE NORTH NORTHEAST CORNER OF SAID CLEMENTS TRACT, THE SOUTHEAST CORNER OF A 2 ACRE TRACT CONVEYED TO MICHAEL W. HUSE ET UX. BY WARRANTY DEED RECORDED IN VOL. 1079 PG. 224;

THENCE: N 13 DEGREES 28' 39" E, AT 316' PASS A 3/4" IRON PIPE FOUND AT A FENCE CORNER POST FOR THE NORTHEAST CORNER OF SAID HUSE TRACT, THE SOUTHEAST CORNER OF SAID BARNETT TRACT, CONTAINING A TOTAL DISTANCE OF 598.20' ALONG A FENCE TO THE POINT OF BEGINNING, CONTAINING 5.096 ACRES OF LAND, MORE OR LESS.

6. **Mortgage Servicer Information.** 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 §51.002, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the lien securing the Property referenced above. Wells Fargo Home Mortgage, as Mortgage Servicer, is representing the current Mortgagee whose address is:

Wells Fargo Bank, N.A.
11625 N Community House Rd
Charlotte, NC 28277

7. **Substitute Trustee(s) Appointed to Conduct Sale.** In accordance with Texas Property Code §51.0076, the undersigned attorney for the mortgage servicer has named and appointed, and by these presents does name and appoint Kirk Schwartz Esq. or Carson Emmons Esq. or AWEST OR 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 whose address is 1320 Greenway Drive, Suite 300, Irving, TX 75038 OR AUCTION.COM , Substitute Trustee to act under and by virtue of said Deed of Trust.

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.

November 20, 2024

Executed on

/s/Carson Emmons

James E. Albertelli, P.A.
Kirk Schwartz, Esq.
Carson Emmons, Esq.
6565 N. MacArthur, Suite 470
Irving, TX 75039

November 26, 2024

Executed on



SUBSTITUTE TRUSTEE
Agency Sales & Posting
Robert LaMont, Harriett Fletcher, Sheryl LaMont,
Allan Johnston, Sharon St. Pierre, Ronnie Hubbard OR
AUCTION.COM
1320 Greenway Drive, Suite 300
Irving, TX 75038

CERTIFICATE OF POSTING

My name is Sheryl LaMont, and my address is 1320 Greenway Drive, Suite 300, Irving, TX 75038. I declare under penalty of perjury that on November 26, 2024 I filed at the office of the Cass County Clerk and caused to be posted at the Cass County courthouse this notice of sale.

Declarants Name: Sheryl LaMont

Date: November 26, 2024