Our Case No. 26-04233-FC

APPOINTMENT OF SUBSTITUTE TRUSTEE and NOTICE OF TRUSTEE SALE

THE STATE OF TEXAS
COUNTY OF CASS

FILED FOR RECORD
2026 JUN 18 P 1:47
AMY L. VARNELL
CASS COUNTY CLERK

Deed of Trust Date:
September 21, 2009

Property address:
180 CR 1125
LINDEN, TX 75563

Grantor(s)/Mortgagor(s):
THOMAS E. ELLIOTT JR. AND WIFE, MARIA I. ELLIOTT

LEGAL DESCRIPTION: SEE EXHIBIT "A"

Original Mortgagee:
UNITED STATES OF AMERICA, ACTING THROUGH THE RURAL HOUSING SERVICE, ITS SUCCESSORS AND ASSIGNS, UNITED STATES DEPARTMENT OF AGRICULTURE

Earliest Time Sale Will Begin: 10:00 AM

Current Mortgagee:
UNITED STATES OF AMERICA, ACTING THROUGH THE RURAL HOUSING SERVICE, ITS SUCCESSORS AND ASSIGNS, UNITED STATES DEPARTMENT OF AGRICULTURE

Date of Sale: AUGUST 4, 2026

Property County: CASS

Original Trustee: FRANCISCO VALENTIN, JR.

Recorded on: September 23, 2009
As Clerk's File No.: 2009004196
Mortgage Servicer:
UNITED STATES OF AMERICA, ACTING THROUGH THE RURAL HOUSING SERVICE, ITS SUCCESSORS AND ASSIGNS, UNITED STATES DEPARTMENT OF AGRICULTURE

Substitute Trustee:
Resolve Trustee Services, LLC, Marinosci Law Group, PC

Substitute Trustee Address:
c/o Marinosci Law Group, P.C.
16415 Addison Road, Suite 725
Addison, TX 75001
(972) 331-2300

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.

The current Mortgagee and/or Mortgage Servicer under said Deed of Trust, according to the provisions therein set out does hereby remove the original trustee and all successor substitute trustees and appoints in their stead Resolve Trustee Services, LLC, Marinosci Law Group, PC, as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust, and, further, does hereby request, authorize and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the Mortgagee therein.

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due and the owner and holder has requested to sell said property to satisfy said indebtedness

Resolve

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **TUESDAY, AUGUST 4, 2026** between ten o'clock AM and four o'clock PM and beginning not earlier than **10:00 AM** or not later than three hours thereafter. The Substitute Trustee will sell the property by public auction to the highest bidder for cash at the place and date specified. The sale will be conducted at the Cass County Courthouse, 100 Houston, Linden, TX 75563 as designated by the Commissioners' Court, of said county pursuant to Section 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 was posted.

UNITED STATES OF AMERICA, ACTING THROUGH THE RURAL HOUSING SERVICE, ITS SUCCESSORS AND ASSIGNS, UNITED STATES DEPARTMENT OF AGRICULTURE, who is the Mortgagee and/or Mortgage Servicer of the Note and Deed of Trust associated with the above referenced loan. 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 debt.

ACTIVE MILITARY SERVICE NOTICE

Assert and protect your rights as a member of the armed forces of the Unites States. If you 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.

WITNESS MY HAND. 6/16/26

MARINOSCI LAW GROUP, P.C.

By: _____
SAMMY HOODA
MANAGING ATTORNEY

THE STATE OF TEXAS

COUNTY OF DALLAS

Before me, ADAM MURPHY, the undersigned officer, on this, the 16 day of JUNE 2026, personally appeared SAMMY HOODA, ☐ known to me, who identified herself/himself to be the MANAGING ATTORNEY of MARINOSCI LAW GROUP PC, the person and officer whose name is subscribed to the foregoing instrument, and being authorized to do so, acknowledged that (s)he had executed the foregoing instrument as the act of such corporation for the purpose and consideration described and in the capacity stated.

Witness my hand and official seal

(SEAL)

ADAM MURPHY
Notary ID #126481378
My Commission Expires
October 19, 2028

_____
Notary Public for the State of TEXAS

My Commission Expires: 10-19-28

ADAM MURPHY
Printed Name and Notary Public

Grantor: UNITED STATES OF AMERICA, ACTING THROUGH THE RURAL HOUSING SERVICE, ITS SUCCESSORS AND ASSIGNS, UNITED STATES DEPARTMENT OF AGRICULTURE
P.O. Box 66889
St. Louis, MO 63166
Our File No. 26-04233

Return to:

MARINOSCI LAW GROUP, P.C.
MARINOSCI & BAXTER
16415 Addison Road, Suite 725
Addison, TX 75001

"EXHIBIT A TO DEED OF TRUST FROM THOMAS & MARIA ELLIOTT TO FRANCISCO VALENTIN, JR. STATE DIRECTOR"

All that certain 9.40 acres in the L. M. Campbell Survey, A-212 Cass County, Texas, and being a portion of that tract one as conveyed to Charlie Ray Johnson in Volume 1049, Page 635, Real Property Records, also being the same called 40 84 acres as conveyed Charlie Ray Johnson in Volume 1073, Page 290, Real Property Records and the 9 40 acres being more particularly described by metes and bounds as follows·

BEGINNING AT: 3/8" iron rod by old fence corner in south boundary Georgia Pacific tract at Northwest corner Cory S. and Kelli A. Pate tract (1064/84) and Northeast corner Johnson tract for Northeast corner;

THENCE: S 00° 03' 30" W, 915.92 feet with common boundary to 3/8" rebar found at southwest corner Pate tract and Northwest corner Norman Cook original 39.77 acres (973/73) for angle corner:

THENCE· S 00° 45' 07" W, 258,07 feet with common boundary to ½" rebar set in south boundary L. M. Campbell Survey and offset North boundary J. Berry Survey, A-40 for Southeast corner - 8· Hickory with new X bears S 57° 20' East 7.8 feet;

THENCE N 89° 41' 46" W, with common survey boundary passing 1/2" rebar set for reference at 140.60 feet and continuing in all 160.04 feet to 60d spike set in center CR 1125 for southwest corner;

THENCE: with center CR 1125 as follows·

N 15° 55'19" W, 489 46 feet;
N 37° 30'33" W, 145.67 feet;
N 46° 02' 54" W, 96.04 feet to 1/2" rebar at southeast corner James C. Beard tract (1077/588) for southwest corner;

THENCE. N 00° 24' 00" E, with common boundary, passing 1/2" rebar found for reference at 18.74 feet, and continuing in all 508.37 feet to 1/2" rebar found in south fenced boundary Georgia Pacific tract at Northeast corner Beard tract for Northwest corner;

THENCE: N 88° 29' 54" E, 453.08 feet with common fenced boundary to the Place of Beginning and containing 9.40 acres land, more or less

"EXCEPTIONS TO DEED OF TRUST FROM THOMAS & MARIA ELLIOTT TO FRANCISCO VALENTIN, JR. STATE DIRECTOR"

Visible and apparent easements on or across property herein described.

There is expressly excluded from the coverage hereunder, and this Company does not insure title to oil, gas and other minerals of every kind and character, in, on, and under the property herein described. This policy does not insure against loss sustained by the owner of the surface of said property through the exercise of the right of ingress and egress and/or any other right or privilege

incident to the ownership of said mineral estate. This company does not follow title to said minerals or to any leases thereon.

Mineral reservation retained in deed dated 11/12/2004 executed by Charles Ray Johnson and wife, Kathy Johnson to Michael L. Burleson and wife, Christy Burleson as recorded in Volume 1248, Page 434, Official Public Records of Cass County, Texas. Title to said interest has not been investigated subsequent to the date of the aforesaid instrument.

Oil, Gas and Mineral Lease executed by Charles Ray Johnson and wife, Kathy Johnson to Trans-Texas Resources, Inc , dated 12/16/1998, filed 12/16/1998, recorded in Volume 1070, Page 514, Real Property Records, Cass County, Texas. Title to said interest has not been investigated subsequent to the date of the aforesaid instrument.

Oil, Gas and Mineral Lease executed by James E. Beard to Trans-Texas Resources, Inc , dated 12/17/1998, filed 12/17/1998, recorded in Volume 1070 , Page 564, Real Property Records, Cass County, Texas Title to said interest has not been investigated subsequent to the date of the aforesaid instrument.

Right of way to Bowie-Cass Electric Coop., Inc. from Boyce Beard and James E. Beard in instrument dated 7/9/1973, recorded in Vol. 557, Page 111 of the Deed Records of Cass County, Texas Title to said interest has not been investigated subsequent to the date of the aforesaid instrument.

Right of way to Western Cass WSC from Michael Burleson and wife, Christy Burleson in instrument dated 3/31/2005, recorded in File No. 40566, of the Official Public Records of Cass County, Texas Title to said interest has not been investigated subsequent to the date of the aforesaid instrument.

Affidavit of Non Production executed by Charlie Ray Johnson and wife, Katherine Johnson in instrument dated 8/16/2002, recorded at Volume 1171, Page 497, Official Public Records of Cass County, Texas. Title to said interest has not been investigated subsequent to the date of the aforesaid instrument.

The liability insofar as coverage of the manufactured home is only effective as long as the manufactured home remains affixed to the realty described in Schedule A hereof.

Any portion of subject property lying within the boundaries of a public or private roadway whether dedicated or not; including, but not limited to that portion of the subject property which lies within County Road #1125.

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Jannis Mitchell

September 23, 2009 04 31 01 PM 2009004196

FEE $52 00

Jannis Mitchell County Clerk

Cass County TEXAS