

20122

**NOTICE OF SUBSTITUTE TRUSTEE'S SALE**

**MONTAGUE County**

**Deed of Trust Dated:** February 22, 2016

**Amount:** \$172,000.00

**Grantor(s):** LORA HAWTHORNE and NELSON HAWTHORNE

**Original Mortgagee:** NETWORK FUNDING, LP

**Current Mortgagee:** Newrez LLC d/b/a Shellpoint Mortgage Servicing

**Mortgagee Servicer and Address:** c/o NEWREZ MORTGAGE LLC, D/B/A SHELLPOINT MORTGAGE SERVICING, P.O. BOX 10826 , GREENVILLE, SC 29603-0826

Pursuant to a Servicing Agreement between the Mortgage Servicer and Mortgagee, the Mortgage Servicer is authorized to represent the Mortgagee. Pursuant to the Servicing Agreement and Section 51.0025 of the Texas Property Code, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the referenced property

**Recording Information:** Document No. 1600777

**Legal Description:** SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES

**Date of Sale:** September 3, 2024 between the hours of 10:00 AM and 1:00 PM.

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

**Place of Sale:** The foreclosure sale will be conducted at public venue in the area designated by the MONTAGUE County Commissioners Court pursuant to Section 51.002 of the Texas Property Code as the place where foreclosure sales are to take place, or if no place is designated by the Commissioners Court, the sale will be conducted at the place where the Notice of Trustee's Sale was posted.

LYNNE HOLIDAY OR JERRY TIEMANN, AURORA CAMPOS, JONATHAN HARRISON, PATRICK ZWIERS, DARLA BOETTCHER, DANA KAMIN, LISA BRUNO OR ANGIE USELTON, RYAN HOLIDAY have been appointed as Substitute Trustee(s), ('Substitute Trustee') each empowered to act independently, in the place of said original Trustee, upon the contingency and in the manner authorized by said Deed of Trust. 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 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.

**NOTICE IS FURTHER GIVEN** that, except to the extent that the Substitute Trustee(s) may bind and obligate the Mortgagors to warrant title to the Property under the terms of the Deed of Trust, conveyance of the Property shall be made 'AS IS' 'WHERE IS' without any representations and warranties whatsoever, express or implied, and subject to all matters of record affecting the Property.

A debtor who is serving on active military duty may have special rights or relief related to this notice under federal law, including the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901 et seq.), and state law, including Section 51.015 Texas Property Code. **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.**

**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.**

Anthony Adam Garcia, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, SUITE 2800  
Houston, Texas 77002  
Reference: 2023-003573

Printed Name: Lynne Holiday  
c/o Auction.com, LLC  
1 Mauchly  
Irvine, California 92618

FILED  
2024 JUL 25 P 2:15  
MONTAGUE COUNTY CLERK  
MONTAGUE, TX

EXHIBIT "A"

BEING a 26.32 acre tract of land, more or less, in Blocks 6 and 7 Kaufman County School Land Survey A-407, Montague County, Texas and being the same tract of land described as tract two in deed to Lloyd Penrose recorded in Volume 781, Page 570, Deed Records, Montague County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found in the southwest right of way of P. M. Highway No. 2634 for the east corner of a tract of land described in deed to Harry Simpson recorded in Volume 51, Page 363, Real Records, Montague County, Texas and for the north corner of said Penrose tract two;  
THENCE South 49°49'54" East with the southwest right of way of said highway 90.34 feet to an iron rod found for corner;  
THENCE South 62°59'24" East with the southwest right of way of said highway 84.67 feet to a point for the northwest corner of a tract of land described in deed to Heirs of Jewel Young recorded in Volume 856, Page 243, Deed Records, Montague County, Texas and for the most northerly northeast corner of said Penrose tract two from which a cedar post bears North 00°42'47" East 1.17 feet;  
THENCE South 00°42'47" West with the general course of a fence 1146.45 feet to a five inch post for the southwest corner of said Young tract and for an inner corner of said Penrose tract two;  
THENCE South 89°26'09" East with the general course of a fence 174.52 feet to an iron rod found for the northwest corner of a tract of land described in deed to Jerry Warton recorded in Volume 770, Page 212, Real Records, Montague County, Texas and for the most easterly northeast corner of said Penrose tract two;  
THENCE South 08°26'02" East 210.05 feet to an iron rod found in the north line of said Block 6 and in the south line of said Block 7 for the southwest corner of said Warton tract;  
THENCE North 89°14'14" West with the north line of said Block 6 and the south line of said Block 7 a distance of 72.87 feet to an iron rod found for the northwest corner of a tract of land described as tract fifteen in deed to Bernice Agee Freese et al recorded in Volume 274, Page 41, Deed Records, Montague County, Texas and for an inner corner of said Penrose tract two;  
THENCE South 00°41'50" West with the west line of said Freese tract fifteen a distance of 267.28 feet to an iron rod found for the most easterly northeast corner of a tract of land described in deed to Eagle Ridge Land & Cattle recorded in Volume 334, Page 180, Real Records, Montague County, Texas and for the southeast corner of said Penrose tract two;  
THENCE North 89°29'52" West 850.98 feet to a nail found in a six inch post in the east line of the Mary Burnside Survey A-14 and in the west line of said Block 6 for the southwest corner of said Penrose tract two and for an inner corner of said Eagle Ridge Land & Cattle tract;  
THENCE North 01°14'59" East with the general course of a fence and the east line of said Burnside Survey 1052.17 feet to a six inch post for the south corner of said Simpson tract and for the most westerly northwest corner of said Penrose tract two;  
THENCE North 82°24'47" East with the general course of a fence and the south line of said Simpson tract 56.15 feet to a cross tie fence corner;  
THENCE North 18°45'47" East with the general course of a fence and the southeast line of said Simpson tract 102.79 feet to a four inch post for corner;  
THENCE North 48°35'56" East with the general course of a fence and the southeast line of said Simpson tract 72.40 feet to an eight inch post for corner;  
THENCE North 14°23'35" East with the general course of a fence and the southeast line of said Simpson tract 94.89 feet to a cross tie fence corner;  
THENCE North 60°29'04" East with the general course of a fence and the southeast line of said Simpson tract 70.74 feet to a ten inch post for corner;  
THENCE North 42°29'23" West with the general course of a fence and the northeast line of said Simpson tract 128.63 feet to an eight inch post for corner;  
THENCE North 03°09'31" West with the general course of a fence and the east line of said Simpson tract 94.57 feet to a five inch post for corner;  
THENCE North 50°18'58" East with the general course of a fence and the southeast line of said Simpson tract 152.07 feet to a ten inch post for corner;  
THENCE South 77°14'19" East with the general course of a fence and the southeast line of said Simpson tract 219.32 feet to a ten inch post for corner;  
THENCE North 35°32'37" East with the general course of a fence 174.73 feet to the POINT OF BEGINNING.