

20/28

NOTICE OF TRUSTEE'S SALE AND APPOINTMENT OF 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. Sender is: Codilis & Moody, P.C., 20405 State Highway 249, Suite 170, Houston, TX 77070

INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated July 13, 2023 and recorded under Clerk's File No. 2303005, in the real property records of MONTAGUE County Texas, with Jimmi Kane Garcia and wife, Kellie Nicole Brewer, with her joining herein to perfect the security interest but not to otherwise be liable as Grantor(s) and Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for The Jacksboro National Bank, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Jimmi Kane Garcia and wife, Kellie Nicole Brewer, with her joining herein to perfect the security interest but not to otherwise be liable securing payment of the indebtedness in the original principal amount of \$197,359.00 and obligation therein described including but not limited to the promissory note and all modifications, renewal and extensions of the promissory note (the "Note") executed by Jimmi Kane Garcia. Citizens Bank, N.A is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

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 above referenced loan. Citizens Bank, N.A. a/k/a Citizens One Home Loans is acting as the Mortgage Servicer for the Mortgagee. Citizens Bank, N.A. a/k/a Citizens One Home Loans, is representing the Mortgagee, whose address is: PO BOX 2800, Glen Allen, VA 23058.

Legal Description:

BEING 0.2306 ACRES OF LAND, MORE OR LESS, AND BEING ALL OF LOT 1, BLOCK 4, AND A PORTION OF THE ALLEY BETWEEN BLOCKS 3 AND 4, OF THE EASLEY ADDITION TO THE CITY OF BOWIE, MONTAGUE COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID ADDITION OF RECORD IN VOLUME 272, PAGE 332, DEED RECORDS OF MONTAGUE COUNTY, TEXAS, AND DESCRIBED IN WARRANTY DEED TO G. AND C ASSET MANAGEMENT, L.P. OF RECORD IN VOLUME 330, PAGE 609, REAL RECORDS OF MONTAGUE COUNTY, TEXAS, SAID 0.2306 AND BEING MORE PARTICULARLY DESCRIBED BY EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

SALE INFORMATION

Date of Sale: 11/05/2024

Earliest Time Sale Will Begin: 10:00 AM

Location of Sale: The place of the sale shall be: MONTAGUE County Courthouse, Texas at the following location: At the east entrance on the steps to the Montague County Courthouse facing the Sheriff's Office, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court

TERMS OF SALE

A default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said

44-24-02312
MONTAGUE



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MONTAGUE COUNTY CLERK
MONTAGUE, TX
2024 SEP 19 11:14

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property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

The Sale will be conducted as a public auction to the highest bidder for cash, except that Mortgagee's bid may be by credit against the indebtedness secured by the lien of the Deed of Trust. Pursuant to the Deed of Trust, the mortgagee has the right to direct the Trustee to sell the property in one or more parcels and/or to sell all or only part of the property. **Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "AS IS," "WHERE IS" condition, without any express or implied warranties, except as to the warranties of title, if any, provided for under the Deed of Trust.**

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.

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.

WHEREAS, in my capacity as attorney for the Mortgagee and/or Its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, **I HEREBY APPOINT AND DESIGNATE Lynne Holiday, Jerry Tiemann, Ryan Holiday, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or ASAP, as Substitute Trustee.**

The address for the Substitute Trustee for purposes of Section 51.0075(e) of the Texas Property Code is:
Codilis & Moody, P.C.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200

Executed on September 10, 2024.

/s/ Juanita Deaver SBOT No. 24126385, Attorney at Law
Codilis & Moody, P.C.
20405 State Highway 249, Suite 170
Houston, TX 77070
(281) 925-5200

Posted and filed by Lynne Holiday
Printed Name: Lynne Holiday

C&M No. 44-24-02312

EXHIBIT "A"

BEING 0.2306 acres of land, more or less, and being all of Lot 1, Block 4, and a portion of the alley between Blocks 3 and 4, of the Easley Addition to the City of Bowie, Montague County, Texas, according to the plat of said addition of record in Volume 272, Page 332, Deed Records of Montague County, Texas, and described in Warranty Deed to G. and C Asset Management, L.P. of record in Volume 330, Page 609, Real Records of Montague County, Texas, said 0.2306 being more particularly described as follows:

BEGINNING at a found iron rod in the southwest right of way line of FM 1816, being northeast corner of said Lot 1, Block 4, Easley Addition and also being the northeast corner of said G and C Asset Management, L.P. tract;

THENCE S 02 deg. 21 min. 29 sec. W a distance of 105.24 feet to a found iron rod for corner;

THENCE S 02 deg. 35 min. 29 sec. W a distance of 24.36 feet to a found 4 inch pipe post in a tree for corner;

THENCE N 49 deg. 02 min. 35 sec. W a distance of 141.70 feet to a found chain link fence corner post for corner;

THENCE N 44 deg. 06 min. 53 sec. E a distance of 21.45 feet to a found chain link fence corner post for corner;

THENCE N 44 deg. 48 min. 28 sec. E a distance of 83.57 feet to a found chain link fence corner post for corner;

THENCE S 45 deg. 23 min. 40 sec. E a distance of 54.24 feet to the POINT OF BEGINNING and containing 10,045 square feet or 0.2306 acres of land, more or less.