

20129

22-01486  
3743 STATE HWY NO 59, BOWIE, TX 76230

**NOTICE OF FORECLOSURE SALE AND  
APPOINTMENT OF SUBSTITUTE TRUSTEE**

2024 SEP 26 AM 10:33  
MONTAGUE COUNTY, TEXAS  
FILED

Property: The Property to be sold is described as follows:

SEE ATTACHED EXHIBIT A

Security Instrument: Deed of Trust dated June 16, 2005 and recorded on June 17, 2005 at Book 322 and Page 21 Instrument Number 053622 in the real property records of MONTAGUE County, Texas, which contains a power of sale.

Sale Information: November 5, 2024, at 10:00 AM, or not later than three hours thereafter, at the east entrance on the steps to the Montague County Courthouse facing the Sheriff's Office, or as designated by the County Commissioners Court.

Terms of Sale: Public auction to highest bidder for cash. In accordance with Texas Property Code section 51.009, the Property will be sold as is, without any expressed or implied warranties, except as to warranties of title, and will be acquired by the purchaser at its own risk. In accordance with Texas Property Code section 51.0075, the substitute trustee reserves the right to set additional, reasonable conditions for conducting the sale and will announce the conditions before bidding is opened for the first sale of the day held by the substitute trustee.

Obligation Secured: The Deed of Trust executed by DON MORGAN AND FRANCES MORGAN secures the repayment of a Note dated June 16, 2005 in the amount of \$49,500.00. NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING, whose address is c/o Shellpoint Mortgage Servicing, 55 Beattie Place, Suite 100, Greenville, SC 29630, is the current mortgagee of the Deed of Trust and Note and Shellpoint Mortgage Servicing is the current mortgage servicer for the mortgagee. Pursuant to a servicing agreement and Texas Property Code section 51.0025, the mortgagee authorizes the mortgage servicer to administer the foreclosure on its behalf.

Substitute Trustee: In accordance with Texas Property Code section 51.0076 and the Security Instrument referenced above, mortgagee and mortgage servicer's attorney appoint the substitute trustees listed below.

**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.**

**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.**



4825384

*Nicki Company*

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De Cubas & Lewis, P.C.  
Nicki Company, Attorney at Law  
PO Box 5026  
Fort Lauderdale, FL 33310

*Lynne Holiday*

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Substitute Trustee(s): Lynne Holiday, Jerry Tiemann,  
Ramiro Cuevas, Aurora Campos, Jonathan Harrison,  
Shawn Schiller, Patrick Zwiers, Darla Boettcher, Irene  
Lindsay, Dana Kamin, Lisa Bruno, Meryl Olsen, Ryan  
Holdiday, Angie Uselton and Auction.com employees  
included but not limited to those listed herein.

c/o De Cubas & Lewis, P.C.  
PO Box 5026  
Fort Lauderdale, FL 33310

Certificate of Posting

I Lynne Holiday, declare under penalty of perjury that on the 26 day of September, 2024, I filed and posted this Notice of Foreclosure Sale in accordance with the requirements of MONTAGUE County, Texas and Texas Property Code sections 51.002(b)(1) and 51.002(b)(2).

**EXHIBIT A**  
**LEGAL DESCRIPTION**

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BEING a 1.45 acre tract of land in Block 3, Hill County School Land Survey A-319, Montague County, Texas and being part of a tract of land described in deed to Jamie Kerr recorded in Volume 181, Page 880, Real Records, Montague County, Texas and being more particularly described as follows:

BEGINNING at an iron rod found in the northwest right of way of State Highway No. 59 and in the northeast line of a County Road for the south corner of said Kerr tract from which the south corner of said Block 3 bears South 45 deg. 05' 42" West 23.92 feet and South 46 deg. 03' 18" East 50.55 feet;

THENCE North 46 deg. 03' 18" West with the northeast line of said County Road and the southwest line of said Kerr tract 147.05 feet to an iron rod found for the south corner of a tract of land described in deed to Kevin Wood recorded in Volume 225, Page 232, Real Records, Montague County, Texas;

THENCE North 44 deg. 42' 42" East with the general course of a fence 162.63 feet to an iron rod found for the east corner of said Wood tract;

THENCE North 46 deg. 15' 23" West with the general course of a fence 148.24 feet to a three inch iron post in the southeast line of tract 21 of the Jimerson Acres according to the plat of same recorded in Volume 341, Page 162, Deed Records, Montague County, Texas and in the northwest line of said Kerr tract and for the north corner of said Wood tract;

THENCE North 44 deg. 42' 42" East 133.04 feet to an iron rod found in the southwest line of a tract of land described in deed to Johnie Johnson recorded in Volume 526, Page 173, Deed Records, Montague County, Texas and for the east corner of said tract 21 and for the north corner of said Kerr tract;

THENCE South 46 deg. 02' 55" East 297.12 feet to an iron rod found in the northwest right of way of said Highway and for the south corner of said Johnson tract and for the east corner of said Kerr tract;

THENCE South 45 deg. 05' 42" West with the northwest right of way of said highway 295.15 feet to the POINT OF BEGINNING.