

2023-035

FILED FOR RECORD
AT 2:44 O'CLOCK P.M.

MAY 15 2023

NOTICE OF FORECLOSURE SALE

SHERRY DOWD, County Clerk
NAVARRO COUNTY, TEXAS
BY *Rachel J. [Signature]* DEPUTY

Notice is hereby given of a public non-judicial foreclosure sale.

1. **Property To Be Sold.** The property to be sold is described as follows:

SEE ATTACHED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

2. **Date, Time, and Place of Sale.** The sale is scheduled to be held at the following date, time, and place:

Date: June 6, 2023

Time: The sale shall begin no earlier than 10:00 A.M. or no later than three hours thereafter. The sale shall be completed by no later than 4:00 P.M.

Place: NAVARRO County, on the front steps of the Navarro County Courthouse in Corsicana, Texas, or at the location and address designated by the Commissioners Court of said county, pursuant to 51.002 of the Texas Property Code as the location and address where the sale is to be held. The sale shall take place in the area designated by the Commissioners Court, pursuant to Section 51.002 of the Texas Property Code, as the place where foreclosure sales are to take place. If no place is designated by the Commissioners Court, sale will be conducted at the place where the Notice of Trustee's Sale was posted.

3. **Terms of Sale:** The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale. Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold. If a purchaser desires to pay with cashier's checks, they should be made payable to Anderson Vela, L.L.P. or endorsed in accordance with the instructions by the Trustee. The purchase price in a sale held by the undersigned herein is payable immediately on acceptance of the bid by the undersigned trustee or substitute trustee. The sale will be made expressly subject to any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. For the avoidance of doubt, the Foreclosure Sale will not cover any part of the Property that has been released of public record from the lien and/or security interest of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. Pursuant to section 51.0075(a) of the Texas Property Code, Substitute Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Substitute Trustee. If the Foreclosure Sale is passed, notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Deed of Trust and the Texas Property Code.

4. The Deed of Trust may encumber both real and personal property. Notice is hereby given of Holder's election to proceed against and sell both the real property and any personal property described in the Deed of Trust in accordance with the Holder's rights and remedies under the Deed of Trust and Section 9.604 of the Texas Business and Commerce Code.

5. 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. Prospective bidders are advised to conduct an independent investigation of the property.

Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

xxx678 Baxter

6. Type of Sale. The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of sale granted by the Deed of Trust/Security Instrument ("Deed of Trust") executed by Jeffrey Lee Baxter and Pearlie Mae Baxter ("Debtor"). Said Deed of Trust secures a Promissory Note/Loan Agreement, and any renewals, extensions or modifications thereof, dated August 6, 2004 and executed by Debtor in the Original Principal Amount of \$67,500.00. The current beneficiary of the Deed of Trust is U.S. Bank Trust National Association, as Trustee of FW-BKPL Series I Trust, 323 Fifth Street, Eureka, CA 95501. The Deed of Trust is dated August 6, 2004, designating Ameriquest Mortgage Company as the Original Trustee and is recorded in the office of the County Clerk of NAVARRO County, Texas, under Volume 1714, Page 0105, Instrument No. 009002 corrected under Inst. No. 00002292 dated March 27, 2018 and filed on April 2, 2018 and any modifications thereto, Of the Real Property Records of NAVARRO County, Texas. The foreclosure of this mortgage is being administered by a mortgage servicer representing the mortgagee under a servicing agreement. Questions concerning the sale may be directed to the undersigned, Richard E. Anderson, 4920 Westport Drive, The Colony, Texas 75056, who sent this notice, or to the mortgage servicer, SN Servicing Corporation, 323 Fifth Street, Eureka, CA 95501.

7. Default and Request To Act. Default has occurred under the deed of trust, and the beneficiary has requested me, as Substitute Trustee, to conduct this sale. Notice is given that before the sale the beneficiary may appoint another person substitute trustee to conduct the sale.

8. **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.**

Dated: May 15, 2023



Sharon St. Pierre, Robert LaMont, Kelly Goddard, Sheryl LaMont,
David Garvin, Richard E. Anderson, Ray Vela or Cesar DelaGarza

4920 Westport Drive
The Colony, Texas 75056
214.276.1545 - telephone
214.276.1546 - facsimile
Substitute Trustees



ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, BEING 6.00 ACRES, SITUATED IN THE ALFRED SHELTON SURVEY, ABSTRACT NO. 734, NAVARRO COUNTY, TEXAS, AND BEING THE SAME LAND DESCRIBED IN DEED FROM Y.D. LAGRONE ET UX, TO THURMAN CHANDLER ET UX, DATED JULY 16, 1975, RECORDED IN VOLUME 852, PAGE 644, DEED RECORDS OF NAVARRO COUNTY, TEXAS, AND BEING A PART OF THE 46.92 ACRE TRACT DESCRIBED IN DEED FROM E.R. JONES ET UX, TO GEORGE BRYANT ET UX, DATED AUGUST 18, 1947 RECORDED IN VOLUME 466 PAGE 560, DEED RECORDS OF NAVARRO COUNTY, TEXAS, AND BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY SOUTHWEST CORNER OF SAID 46.92 ACRE TRACT, AND BEING ON THE EAST LINE OF FARM ROAD NO. 309;

THENCE NORTH 30 DEG 01' WEST 210 FEET WITH EAST LINE OF FARM ROAD NO. 309 TO AN IRON STAKE FOR CORNER;

THENCE NORTH 60 DEG EAST 1087.15 FEET TO AN IRON STAKE THE EAST LINE OF SAID 46.92 ACRE TRACT;

THENCE SOUTH 30 DEG EAST 252 FEET WITH FENCE TO AN IRON STAKE, THE SOUTHEAST CORNER OF SAID 46.92 ACRES TRACT;

THENCE SOUTH 60 DEG WEST 787.15 FEET WITH FENCE TO AN IRON STAKE AT CORNER;

THENCE NORTH 30 DEG WEST 42 FEET TO AN IRON STAKE AT CORNER;

THENCE SOUTH 60 DEG WEST 300 FEET TO THE PLACE OF BEGINNING, CONTAINING 6.00 ACRE OF LAND, MORE OR LESS.