

November

NOTICE OF ACCELERATION AND NOTICE OF TRUSTEE'S SALE

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.

DEED OF TRUST INFORMATION:

Date: **January 14, 1994**
Grantor(s): **Christopher J. Serna and Nancy J. Serna**
Original Mortgagee: **United States of America, acting through the Farmers Home Administration, United States Department of Agriculture**

Original Principal: **\$49,280.00**
Recording Information: **Book 606, Page 628**

Filed for Record in
Robertson County
Oct 05 04:20:22 PM CST
Wm. Aubrey Thomas

Property County: **Robertson**

Property: **Being all that certain lot, tract or parcel of land lying and being situated in Robertson County, Texas, and being all of Lot Numbered FIFTEEN (15), in Block "B" ROSE MARIE ADDITION to the City of Hearne, Texas, according to the plat of record in Volume 1, Page 67 of the Map and Plat Records of Robertson County, Texas; SAVE AND EXCEPT the two tracts described in Exhibit "A" attached hereto and incorporated herein for all purposes.**

FIRST TRACT: Being a part of Lot Fifteen (15), adjoining Lot Fourteen (14), Block "B", ROSE MARIE ADDITION, an addition to the City of Hearne, Texas, described as follows:

BEGINNING at an iron pipe on the south line of Lou John Drive at the common corner of Lots 14 and 15, Block "B" of said Rose Marie Addition;

THENCE S 26 deg. 31 sec. E along the line between Lots 14 and 15 a distance of 218. 5 feet to an iron pipe for corner;

THENCE S 23 deg. 39 sec. W along the southeast line of Lot 15 a distance of 20.0 feet to an iron pipe for corner;

THENCE N 22 deg. 43 sec. W through Lot 15, a distance of 231.81 feet to the POINT OF BEGINNING.

SECOND TRACT: Being a part of Lot Fifteen (15), adjoining Lot Sixteen (16), Block "B", ROSE MARIE ADDITION, an addition to the City of Hearne, Texas, described as follows:

BEGINNING at an iron pipe in the South line of Lou John Drive at the common corner of Lots 15 and 16 of said Rose Marie Addition;

PLG File Number: 20-005382-2

I, undersigned, County Clerk, do hereby certify that the above notice was duly posted on 6th day of October, 2022 at 1:44 am
Stephanie M. Sanders, Robertson County Clerk

[Signature]

THENCE S 10 deg. 06 sec. W along the line between Lots 15 and 16 a distance of 141.6 feet to an iron pipe for corner;

THENCE S 67 deg. 53 sec. E along the southwest line of Lot 15 a distance of 5.05 feet;

THENCE N 8 deg. 07 sec. E through Lot 15 a distance of 142.73 feet to the POINT OF BEGINNING AND BEING THE SAME PROPERTY described in Deed from Wayne J. Hogard and wife, Cheryl A. Hogard to Larry G. Conn and wife, Sherrie A. Conn, acknowledged May 29, 2986, and recorded in Volume 473, Page 256 of the Public Records of Robertson County, Texas. REFERENCE BEING MADE TO SAID DEED FOR ALL PURPOSES.

Property Address: **16 Lou John Street
Hearne, TX 77859**

MORTGAGE SERVICING INFORMATION:

The Mortgage Servicer, if not the Current Mortgagee, is representing the Current Mortgagee pursuant to a Mortgage Servicing Agreement.

Current Mortgagee: **USDA Rural Development**
Mortgage Servicer: **USDA Rural Development**
Mortgage Servicer **4300 Goodfellow Blvd**
Address: **Bldg. 105F, FC 215
St. Louis, MO 63120**

SALE INFORMATION:

Date of Sale: **November 1, 2022**
Time of Sale: **11:00 AM or within three hours thereafter.**
Place of Sale: **THE SOUTH DOOR ON THE FIRST FLOOR OF THE COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONER'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.**
Substitute Trustee: **Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, or Michael J. Burns, Vrutti Patel, or Jonathan Smith, any to act**
Substitute Trustee Address: **5501 LBJ Freeway, Suite 925
Dallas, TX 75240
TXAttorney@PadgettLawGroup.com**

APPOINTMENT OF SUBSTITUTE TRUSTEE:

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 undersigned is the attorney for the mortgagee and/or mortgage servicer, and in such capacity does hereby remove the original trustee and all successor substitute trustees under the above-described Deed of Trust and appoints in their place Pete Florez, Zachary Florez, Orlando Rosas, Bobby Brown, or Michael J. Burns, Vrutti Patel, or Jonathan Smith, any to act, whose address is c/o Padgett Law Group, 5501 LBJ Freeway, Suite 925, Dallas, TX 75240 as Substitute Trustee, who shall hereafter exercise all powers and duties to set aside the said original trustee under said Deed of Trust, and further does hereby request, authorize, and instruct said Substitute Trustees to conduct and direct the execution of remedies set aside to the beneficiary therein.

WHEREAS, the above-named Grantor(s) previously conveyed the above described property in trust to secure payment of the Note set forth in the above-described Deed of Trust; and

WHEREAS, a default under the Note and Deed of Trust was declared, such default was reported to not have been cured, and all sums secured by such Deed of Trust are declared immediately due and payable.

WHEREAS, the original Trustee and any previously appointed Substitute Trustee under said Deed of Trust has been hereby removed and the herein described Substitute Trustees, have been appointed as Substitute Trustees and authorized by the Mortgage Servicer to enforce the power of sale granted in the Deed of Trust; and

WHEREAS, the undersigned law firm has been requested to provide these notices on behalf of the Current Mortgagee, Mortgage Servicer and Substitute Trustees;

NOW, THEREFORE, NOTICE IS HEREBY GIVEN of the foregoing matters and that:

1. The maturity of the Note is hereby accelerated, and all sums secured by the Deed of Trust are declared to be immediately due and payable.
2. The herein appointed Substitute Trustees, any to act, as Substitute Trustee will sell the Property to the highest bidder for cash on the date, at the place, and no earlier than the time set forth above in the Sale Information section of this notice. The sale will begin within three hours after that time.
3. This sale shall be subject to any legal impediments to the sale of the Property to any exceptions referenced in the Deed of Trust or appearing of record to the extent the same are still in effect and shall not cover any property that has been released from the lien imposed by the Deed of Trust.
4. No warranties, express or implied, including but not limited to the implied warranties of merchantability and fitness for the particular purpose shall be conveyed at the sale, save and except the Grantor's warranties specifically authorized by the Grantor in the Deed of Trust. The property shall be sold "AS-IS", purchaser's will buy the property "at the purchaser's own risk" and "at his peril" and no representation is made concerning the quality or nature of title to be acquired. Purchasers will receive whatever interest Grantor and Grantor's assigns have in the property, subject to any liens or interest of any kind that may survive the sale. Interested persons are encouraged to consult counsel of their choice prior to participating in the sale of the property.
5. 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, the Mortgagee's Attorney, or the duly appointed Substitute Trustee.



Michael J. Burns / Vrutti Patel / Jonathan Smith

CERTIFICATE OF POSTING

My name is Pete Florez, and my address is c/o Padgett Law Group, 5501 LBJ Freeway, Suite 925, Dallas, TX 75240. I declare under penalty of perjury that on 10-6-22, I filed at the office of the Robertson County Clerk to be posted at the Robertson County courthouse this notice of sale.

Declarant's Name: _____

Pete Florez

Date: 10-6-22

Padgett Law Group
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Dallas, TX 75240
TXAttorney@PadgettLawGroup.com
(850) 422-2520