

COPY

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

MILLS County

Deed of Trust Dated: December 10, 2021

Amount: \$136,752.00

Grantor(s): JOE A MCDUGAL

Original Mortgagee: FLAGSTAR BANK, FSB, FEDERALLY CHARTERED SAVINGS BANK

Current Mortgagee: LAKEVIEW LOAN SERVICING, LLC.

Mortgagee Servicer and Address: c/o FLAGSTAR BANK, FSB, 5151 Corporate Drive, Troy, MI 48098

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. 2114447

Legal Description: PLEASE SEE "EXHIBIT A"

Date of Sale: January 3, 2023 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 MILLS 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.

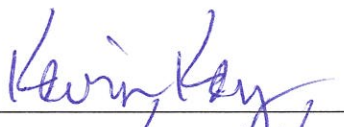
DYLAN RUIZ OR LINDA J. REPERT, HOWARD WHITNEY, ALEXIS MENDOZA, KEVIN KEY, JAY JACOBS, JUANITA COX, JIMMY CARROLL BREWER, STEPHEN RAWLINGS, LEMAR CRAVES, CHRISTOPHER D. BROWN, STEPHEN E. HAYNES OR REYN ROSSINGTON A/K/A T. REYNOLDS ROSSINGTON have been appointed as Substitute Trustee(s), ('Substitute Trustee') 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 MORTGAGEE SERVICER.

  
Anthony Adam Garcia, ATTORNEY AT LAW  
HUGHES, WATTERS & ASKANASE, L.L.P.  
1201 Louisiana, SUITE 2800  
Houston, Texas 77002  
Reference: 2022-005076

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

FILED FOR RECORD  
At 11:05 O'clock A.M.

NOV 17 2022

SONYA SCOTT County & District Clerk  
Mills County, Texas  
By  Deputy

STATE OF TEXAS

COUNTY OF MILLS

Before me, the undersigned authority, on this 16<sup>th</sup> day of November, 2022 personally appeared Kevin Key, known to me to be the person(s) whose name is/are subscribed to the foregoing instrument, and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, and in the capacity therein stated.



  
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING RETURN TO:  
Hughes, Watters & Askanase, L.L.P.  
1201 Louisiana, Suite 2800  
Houston, Texas 77002  
Reference: 2022-005076

# Exhibit "A"

Being 0.99 of an acre of land, situated in the City of Goldthwaite, Mills County, Texas, out of the E. T. RAILROAD COMPANY SURVEY 51, ABSTRACT NUMBER 229, and being all of a One Acre Tract, that is described in a deed from Mrs. Ray Ann Ford Russell, et vir, to J. D. Benningfield, et ux, recorded in Volume 112 at Page 376, Deed Records of Mills County, Texas, and being all of a tract of land that is described in a deed from D. E. Long, et ux, to J. D. Benningfield, et ux, recorded in Volume 116 at Page 425, said Deed Records, and further described as follows;

BEGINNING, at a ½ inch iron rod set in the South Right of Way line of U. S. Highway 84, and being the Northwest corner of said One Acre Tract, and being the Northeast corner of a 1.66 acre tract of land that is described in a deed to Charles F. Struder, et ux, recorded in Volume 137 at Page 621, said Deed Records, for the Northwest corner of this tract

THENCE, with the South Right of Way line of U. S. Highway 84, as follows, N 82° 04' 18" E 201.56 feet, to a concrete marker found, and N 76° 21' 40" E 2.11 feet, to a ½ inch iron rod set at the Northeast corner of said One Acre Tract, and being the Northwest corner of a 1.153 acre tract of land that is described in a deed to Imogene Maerz Brooks, recorded in Volume 277 at Page 659, said Deed Records, for the Northeast corner of this tract;

THENCE, with the West line of said 1.153 acre tract, as follows, S 08° 22' 15" E 143.34 feet, with a fence, to point at the North wall of a well house, N 82° 45' 28" E 2.17 feet, to a point at the Northeast corner of said well house, S 07° 15' 37" E 6.20 feet, to a point at the Southeast corner of said well house, S 83° 27' 04" W 2.10 feet, with the South wall of said well house, to a point, and S 07° 57' 35" E 00.56 feet, part way with a fence, to a 3 inch pipe post found at the Southeast corner of said One Acre Tract, and the Southwest corner of said 1.153 acre tract, and being a corner of said 1.66 acre tract, and being a corner of a 3.520 acre tract of land that is described in a deed to Cody Graves and Tracy Graves, recorded in Instrument Number 1303951, Official Public Records of Mills County, Texas, for the Southeast corner of this tract;

THENCE, S 83° 07' 59" W 200.00 feet, with a fence along the South line of said One Acre Tract and a North line of said 1.66 acre tract, to a ½ inch iron rod set at the Southwest corner of said One Acre Tract, and being an internal corner of said 1.66 acre tract, for the Southwest corner of this tract;

THENCE, N 09° 14' 12" W 212.09 feet, with the West line of said One Acre Tract and the East line of said 1.66 acre tract, to the point of beginning and containing 0.99 of an acre of land.