

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: Odilis & Moody, P.C., 400 North Sam Houston Parkway East, Suite 900A, Houston, Texas 77060

FILED
19 JUN 2019
BY [unclear]

INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated November 16, 2016 and recorded under Volume, Page or Clerk's File No. Instrument Number 2537 in the real property records of MARION County Texas, with Donald G. Currier, also known as Donald Currier and Shari Lynn Currier, also know as Shari Currier, husband and wife as Grantor(s) and Mortgage Electronic Registration Systems, Inc. as Nominee for Highlands Residential Mortgage, LTD., its successors and assigns as Original Mortgagee.

Deed of Trust executed by Donald G. Currier, also known as Donald Currier and Shari Lynn Currier, also know as Shari Currier, husband and wife securing payment of the indebtedness in the original principal amount of \$244,000.00 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 Donald G. Currier. AmeriHome Mortgage Company, LLC 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. Cenlar FSB is acting as the Mortgage Servicer for the Mortgagee. Cenlar FSB, is representing the Mortgagee, whose address is: Attn: BK Department, 425 Phillips Blvd, Ewing, NJ 08618.

Legal Description:

Tract 1

ALL THAT CERTAIN 1.370 ACRE TRACT OF LAND IN THE JAMES WIMBERLEY SURVEY, A-3 83, IN MARION COUNTY, TEXAS, BEING ALL OF LOTS 2 THROUGH 6, BLOCK 1, OF CRESTWOOD SUBDIVISION, SECTION 1, ACCORDING TO THE PLAT OF SAME, RECORDED IN VOLUME 251, PAGE 568, OF THE DEED RECORDS OF MARION COUNTY, TEXAS, AND ALL OF THE CALLED 0.5434 ACRE TRACT CONVEYED FROM DALE O. SIMPSON TO MARTIN BEHANNESEY AND WIFE, JUNE T. BEHANNESEY BY WARRANTY DEED DATED MARCH 14, 1983, AND RECORDED IN VOLUME 446, PAGE 435, OF SAID DEED RECORDS, SAID 1.370 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

Tract 2

ALL THAT CERTAIN 1.000 ACRE TRACT OF LAND IN THE JAMES WIMBERLY SURVEY, A-383, IN MARION COUNTY, TEXAS, BEING PART OF THE CALLED 27.464 ACRE TRACT CONVEYED FROM TIMOTHY A. DORMAN AND WIFE, MICHELLE M. DORMAN, TO LOUIE TURNER, BY WARRANTY DEED DATED JULY 15, 2015, AND RECORDED IN VOLUME 909, PAGE 610, OF THE OFFICIAL PUBLIC RECORDS OF MARION COUNTY, TEXAS, SAID 1.000 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES:

SALE INFORMATION

Date of Sale: 08/06/2019

Earliest Time Sale Will Begin: 10:00 AM



4699261

Location of Sale: The place of the sale shall be: MARION County Courthouse, Texas at the following location: The Thomas Jefferson Park, located at 114 W. Austin St., Jefferson, TX 75657 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 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.

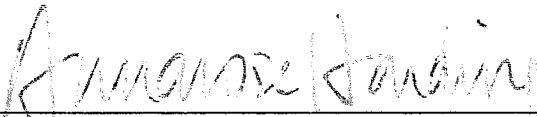
The sale will begin at the earliest time stated above, or within three (3) hours after that time. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the funds paid. The Purchaser shall have no further recourse against the Mortgagor, the Mortgagee 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 Robert LaMont, David Sims, Harriett Fletcher, Sheryl LaMont, Terri R. Worley, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard, Thomas Delaney, Danya Gladney, Lisa Cockrell or Aaron Demuth 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.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

Executed on this the 11th day of July, 2019.



Annarose M. Harding, Attorney at Law
Codilis & Moody, P.C.
400 N. Sam Houston Pkwy E, Suite 900A
Houston, TX 77060
(281) 925-5200

Posted and filed by: 

Printed Name: Robert LaMont 7-15-19

EXHIBIT "A"

SURFACE ESTATE ONLY in and to the following described property:

TRACT 1:

All that certain 1.370 acre tract of land in the James Wimberly Survey, A-3 83, in Marion County, Texas, being all of Lots 2 through 6, Block 1, of Crestwood Subdivision, Section 1, according to the plat of same, recorded in Volume 251, Page 568, of the Deed Records of Marion County, Texas, and all of the called 0.5434 acre tract conveyed from Dale O. Simpson to Martin Behanessy and wife, June T. Behanessy by Warranty Deed dated March 14, 1983, and recorded in Volume 446, Page 435, of said Deed records, said 1.370 acre tract being more particularly described as follows:

BEGINNING at a 5/8" iron rod set in the east right of way line of Crestwood Drive for the southwest corner of Lot 1, Block 1, and the northwest corner of said Lot 2, and this tract;

THENCE: N 87° 28' 17" E with the south line of said Lot 1, a distance of 90.16 feet to a 3/4" pinched top pipe found in the west line of the called 30.44 acre tract conveyed to Dale O. Simpson by Warranty Deed recorded in Volume 406, Page 431, of said Deed Records, for the southeast corner of said Lot 1 and the northeast corner of said Lot 2 and this tract;

THENCE: S 02° 38' 48" E with the west line of said called 30.44 acre tract 104.09 feet to a 3/4" pinched top pipe found for the northwest corner of said called 0.5434 acre tract;

THENCE: N 87° 39' 35" E with the north line of said called 0.5434 acre tract 80.00 feet to a 3/4" pinched top pipe found for the northeast corner of same and the most easterly northeast corner of this tract;

THENCE: S 02° 34' 47" E generally along a fence and with the east line of said called 0.5434 acre tract 295.49 feet to a 3/4" pinched top pipe found for the southeast corner of same and the southeast corner of this tract, from which a wood fence corner post bears S 75° 04' 07" W 0.23 feet;

THENCE: S 87° 22' 32" W with the south line of said called 0.5434 acre tract and the south line of said Lot 6, Block 1, a distance of 169.81 feet to a 1" pinched top pipe found in the east right of way line of Crestwood Drive for the southwest corner of said Lot 6 and this tract, from which a fence end bears N 53° 19' 04" E 0.61 feet;

THENCE: N 02° 38' 48" W with said right of way line 400.13 feet to the POINT OF BEGINNING, containing 1.370 acres of land, more or less.

TRACT 2:

All that certain 1.000 acre tract of land in the James Wimberly Survey, A-383, in Marion County, Texas, being part of the called 27.464 acre tract conveyed from Timothy A. Dorman and wife, Michelle M. Dorman, to Louie Turner, by Warranty Deed dated July 15, 2015, and recorded in Volume 909, Page 610, of the Official Public Records of Marion County, Texas, said 1.000 acre tract being more particularly described as follows:

BEGINNING at a 3/4" pinched top pipe found for the northeast corner of the called 0.5434 acre tract conveyed to Martin Behanessy and wife, June T. Behanessy, by Warranty Deed recorded in Volume 446, Page 435, of the Deed Records of Marion County, Texas;

THENCE: N 87° 39' 35" E with the north line of said called 27.464 acre tract 147.60 feet to a 5/8" iron rod set for the northeast corner of this tract;

THENCE: S 02° 34' 47" E 294.76 feet to a 5/8" iron rod set for the southeast corner of this tract;

THENCE: S 87° 22' 32" W 147.60 feet to a 3/4" pinched top pipe found for the southeast corner of said called 0.5434 acre tract and the southwest corner of this tract, from which a wood fence corner post bears S 75° 04' 07" W 0.23 feet;

THENCE: N 02° 34' 47" W generally along a fence and with the east line of said called 0.5434 acre tract 295.49 feet to the POINT OF BEGINNING, containing 1.000 acre of land, more or less.