

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

INSTRUMENT BEING FORECLOSED AND MORTGAGE SERVICER INFORMATION

Deed of Trust dated November 07, 2012 and recorded under Vol. 694, Page 272, or Clerk's File No. 00002298, in the real property records of LAMB County Texas, with Zacariah D. Dwyer and wife, Kara Leigh Dwyer as Grantor(s) and Mortgage Electronic Registration Systems, Inc., solely as nominee for Amerigroup Mortgage Corporation a Division of Mortgage Investors Corporation, its successors and assigns as Original Mortgagee.

Deed of Trust executed by Zacariah D. Dwyer and wife, Kara Leigh Dwyer securing payment of the indebtedness in the original principal amount of \$75,825.00 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 Zacariah D. Dwyer and Kara Leigh Dwyer. Freedom Mortgage Corporation 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. Freedom Mortgage Corporation is acting as the Mortgage Servicer for the Mortgagee. Freedom Mortgage Corporation, is representing the Mortgagee, whose address is: 907 Pleasant Valley Ave, Suite 300, Mt. Laurel, NJ 08054.

Legal Description:

A TRACT OF LAND OUT OF LABOR 1, LEAGUE 664, STATE OF CAPITOL LANDS, LAMB COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS IN EXHIBIT "A":

SALE INFORMATION

Date of Sale: 11/03/2020

Earliest Time Sale Will Begin: 10:00 AM

Location of Sale:

The place of the sale shall be: LAMB County Courthouse, Texas at the following location: The steps at the front doors on the North side of the Lamb County Courthouse, 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.**



Vertical handwritten mark

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 Ronald Byrd, Thomas Delaney, Danya Gladney, Aaron Demuth, Codilis & Moody, P.C., or Xome, 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 09/28/2020.

/s/ Lisa Collins SBOT No. 24115338, 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:

Ronald Byrd

Printed Name:

Ronald Byrd

C&M No. 44-20-1013

EXHIBIT "A"

A tract of land out of Labor 1, League 664, State Capitol Lands, Lamb County, Texas, and more particularly described by metes and bounds as follows:

BEGINNING at a point in the South line of Labor 1, League 664 State Capitol Lands, Lamb County, Texas from whence the Southeast corner of Labor 1 bears South 89°27'30" East, 276.00 feet;

THENCE North 0°37'40" East, 208.7 feet to a point for the Northeast corner of this tract;

THENCE North 89°27'30" West, 104.35 feet to a point for the Northwest corner of this tract;

THENCE South 0°37'40" West, 208.7 feet to a point in the South line of Labor 1, the Southwest corner of this tract;

THENCE along the South line of Labor 1, 104.35 feet to the PLACE OF BEGINNING, containing 0.5 acre of land, more or less.

AND

BEGINNING at a 3/8" iron rod set in the South line of Labor 1, League 664, from whence the Southeast corner of Labor 1 bears South 89°27'30" East, a distance of 379.35 feet, said point also being the Southwest corner of a 0.5 acre tract of land;

THENCE North 0°39'30" East along the West line of a 0.5 acre tract, a distance of 208.7 feet to a 3/8" iron rod set for the Northeast corner of this tract;

THENCE North 89°27'30" West, a distance of 35.65 feet to a 3/8" iron rod set for the Northwest corner of this tract;

THENCE South 0°39'30" West, a distance of 208.7 feet to a 3/8" iron rod set in the South line of Labor 1 and in a graded county road, for the Southwest corner of this tract;

THENCE South 89°27'30" East along the South line of Labor 1, and a graded county road, a distance of 35.65 feet to the PLACE OF BEGINNING, containing 0.17 acre of land, more or less.

Parcel # 11964