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FILED FOR RECORD

RECORDING REQUESTED BY:

2023 OCT 26 PM 1:38

WHEN RECORDED MAIL TO:

MANDY SAWYER  
COUNTY CLERK  
RAINS COUNTY, TEXAS  
BY \_\_\_\_\_

Sue Spasic, Zoran W. Spasic, Robert LaMont, Sheryl  
LaMont, Harriet Fletcher, Ronnie Hubbard, Sharon St.  
Pierre or Allan Johnston  
c/o Malcolm Cisneros/Trustee Corps  
17100 Gillette Avenue  
Irvine, CA 92614  
(949) 252-8300

TS No TX06000018-23-1

APN 9848

TO No 230050827-TX-RWI

### NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on December 12, 2017, THOMAS W JORDAN, A SINGLE MAN as Grantor/Borrower, executed and delivered that certain Deed of Trust in favor of LAUREL A. MEYER as Trustee, MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., as Beneficiary, as nominee for FAIRWAY INDEPENDENT MORTGAGE CORPORATION, its successors and assigns, as original Beneficiary, which Deed of Trust secures the payment of that certain Promissory Note of even date therewith in the original amount of \$135,000.00, payable to the order of Lakeview Loan Servicing, LLC as current Beneficiary, which Deed of Trust recorded on December 28, 2017 as Document No. 20172732 in Rains County, Texas. Deed of Trust covers all of the real property described therein, including, but not limited to, all of the following described property, rights and interests (the "Property"), to-wit: **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

APN 9848

WHEREAS, the Trustee named in the Deed of Trust having been removed, the legal holder of the indebtedness described in the Deed of Trust appointed **Sue Spasic, Zoran W. Spasic, Robert LaMont, Sheryl LaMont, Harriett Fletcher, Ronnie Hubbard, Sharon St. Pierre or Allan Johnston** or either of them, as Substitute Trustee (each being referred to as the "Substitute Trustee"), upon the contingency and in the manner authorized by the Deed of Trust; and

WHEREAS, defaults have occurred in the covenants of the Deed of Trust, monetary or otherwise, and the indebtedness secured by and described in the Deed of Trust is now wholly due, and **Lakeview Loan Servicing, LLC**, the legal holder of such indebtedness and the liens securing same has requested either one of the Substitute Trustees to sell the Property in accordance with applicable law and the terms and provisions of the Deed of Trust.

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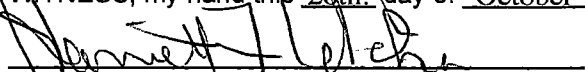
NOW THEREFORE, NOTICE IS HEREBY GIVEN that on **Tuesday, January 2, 2024 at 01:00 PM**, no later than three (3) hours after such time, being the first Tuesday of such month, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place in Rains County, Texas, at the area designated by the Commissioner's Court for sales of real property under a power of sale conferred by a Deed of Trust or other contract lien as follows: **THE WEST MOST SIDE OF THE RAINS COUNTY COURTHOUSE WHICH IS LOCATED AT 167 EAST QUITMAN STREET OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE.**

The Deed of Trust may encumber both real and personal property. Formal notice is hereby given of and Lakeview Loan Servicing, LLC's election to proceed against and sell both the real property and any personal property described in said Deed of Trust in accordance with and Lakeview Loan Servicing, LLC's rights and remedies under the Deed of Trust and Section 9.604(a) of the Texas Business and Commerce Code.

NOTICE IS FURTHER GIVEN, that except to the extent that the Substitute Trustee may bind and obligate Mortgagors to warrant title the Property under the terms of the Deed of Trust. Pursuant to Section 51.009 of the Texas Property Code, the Property will be sold in "as is", "where is" condition. Conveyance of the Property shall be made without any representations or warranties whatsoever, expressed or implied. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters and are advised to conduct an independent investigation of the nature and physical condition 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 expressed or implied warranties, except as to the warranted.

WITNESS, my hand this 26th day of October, 2023.



By: Sue Spasic, Zoran W. Spasic, Robert LaMont, Sheryl LaMont, (Harriett Fletcher) Ronnie Hubbard,  
Sharon St. Pierre or Allan Johnston  
Substitute Trustee(s)

**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.**

**SALE INFORMATION CAN BE OBTAINED ONLINE AT [www.Xome.com](http://www.Xome.com)  
FOR AUTOMATED SALES INFORMATION PLEASE CALL: Xome at 800-758-8052**

FOR REINSTATEMENT / PAY OFF REQUESTS CONTACT: (949) 252-8300

To the extent your original obligation was discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute an attempt to collect a debt or to impose personal liability for such obligation. However, a secured party retains rights under its security instrument, including the right to foreclose its lien.

TS No TX06000018-23-1

APN 9848

TO No 230050827-TX-RWI

**EXHIBIT "A"**

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

## EXHIBIT "A"

BEING A 0.965 ACRE TRACT AND BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE MARGARET TOLLETT SURVEY, ABSTRACT NO. 229, RAINS COUNTY, TEXAS, AND BEING ALL OF LOT 438 OF WHISPERING OAKS NO. 3 ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 137, PAGE 643, RAINS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND AT A 4 INCH BY 4 INCH POST AT THE SOUTHEAST CORNER OF SAID LOT 438 AND NORTHEAST CORNER OF LOT 439 AND ON THE WEST LINE OF OAK LEAF TRAIL, FOR A CORNER;

THENCE N. 90 DEG. 00 MIN. 00 SEC. W. ALONG THE SOUTH LINE OF SAID LOT 438 AND THE NORTH LINES OF SAID LOT 439 AND LOT 437 A DISTANCE OF 230.25 FEET TO A 1/2 INCH IRON PIPE FOUND AT A 4 INCH BY 4 INCH POST AT THE SOUTHWEST CORNER OF SAID LOT 438 AND THE NORTHWEST CORNER OF SAID LOT 437 AND ON THE EAST LINE OF THE WRIGHT WAY, FOR A CORNER;

THENCE N. 00 DEG. 18 MIN. 18 SEC. W. ALONG THE WEST LINE OF SAID LOT 438 AND THE EAST LINE OF SAID THE WRIGHT WAY A DISTANCE OF 75.21 FEET TO A 3/8 INCH IRON ROD FOUND AT AN ANGLE CORNER OF SAID LOT 438, FOR A CORNER;

THENCE N. 14 DEG. 44 MIN. 22 SEC. W, ALONG THE WEST LINE OF SAID LOT 438 AND THE EAST LINE OF SAID THE WRIGHT WAY A DISTANCE OF 82.88 FEET TO A 3/8 INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF SAID LOT 438 AND ON THE SOUTHEAST LINE OF OAKS CROSSING (BRIGGS BOULEVARD PER PLAT), FOR A CORNER;

THENCE N. 52 DEG. 55 MIN. 42 SEC. E. ALONG THE NORTHWEST LINE OF SAID LOT 438 AND THE SOUTHEAST LINE OF SAID OAKS CROSSING A DISTANCE OF 180.83 FEET TO A 4 INCH BY 4 INCH POST FOUND AT THE NORTHEAST CORNER OF SAID LOT 438 AND ON THE WEST LINE OF SAID OAK LEAF FOR CORNER;

THENCE S. 22 DEG. 07 MIN. 12 SEC. E. ALONG THE EAST LINE OF SAID LOT 438 AND THE WEST LINE OF SAID OAK LEAF TRAIL, A DISTANCE OF 285.37 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.965 ACRES OF LAND, MORE OR LESS.

NOTE: THE COMPANY IS PROHIBITED FROM INSURING THE AREA OR QUANTITY OF THE LAND DESCRIBED HEREIN. ANY STATEMENT IN THE LEGAL DESCRIPTION OF THE AREA OR QUANTITY OF LAND IS NOT A REPRESENTATION OF SUCH AREA OR QUANTITY, BUT IS FOR INFORMATIONAL AND/OR IDENTIFICATION PURPOSES AND DOES NOT OVERRIDE ITEM 2 OF SCHEDULE B HEREOF.

NOTE: THE ABOVE LEGAL DESCRIPTION FROM THE SUBJECT DEED OF TRUST DIFFERS FROM THE LEGAL DESCRIPTION ON THE VESTING BELOW.

NOTE: SEE BELOW LEGAL DESCRIPTION FROM WARRANTY DEED RECORDED BOOK 2021, PAGE 1525:

LOT 438 OF WHISPERING OAKS NO. 3, AN ADDITION TO RAINS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF  
RECORDED IN VOLUME 137, PAGE 643, OF THE DEED RECORDS OF RAINS COUNTY, TEXAS.