

Notice of Substitute Trustee's Sale

Notice Concerning Military Duty: **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. Tex. Prop. Code § 51.002(i)**

Deed of Trust Date: December 4, 2020	Original Mortgagor/Grantor: JOHN ADAIR AND HOPE ADAIR
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONICS REGISTRATION SYSTEM INC., AS NOMINEE FOR SFMC LP DBA SERVICES FIRST MORTGAGE COMPANY., ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: PLANET HOME LENDING, LLC <i>W</i>
Recorded in: Volume: 2020 Page: 3109 Instrument No: N/A	Property County: RAINS <i>RECORDED 2020 DEC -1 PM 1:13 TAMMY SAUER CLERK COUNTY CLERK COUNTY CLERK</i>
Mortgage Servicer: PLANET HOME LENDING, LLC	Mortgage Servicer's Address: 321 Research Parkway, Suite 303 Meriden, Connecticut 06450-8301

* 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.

Secures: Note in the original principal amount of \$203,030.00, executed by JOHN ADAIR; HOPE ADAIR and payable to the order of Lender.

Property Address/Mailing Address: 176 PRIVATE RD 7200, EMORY, TX 75440

Legal Description of Property to be Sold: BEING A TRACT OR PARCEL OF LAND SITUATED IN RAINS COUNTY, TEXAS, BEING PART OF THE GEORGE W. RITTER SURVEY, ABSTRACT NO. 189, BEING ALL OF A 0.762 ACRE TRACT OF LAND AS DESCRIBED IN A WARRANTY DEED WITH VENDOR'S LIEN FROM JOHN BALENTINE TO STEVE WADE BALENTINE AND JENNY BALENTINE AS RECORDED IN/UNDER DOCUMENT NO. 2017-2542 OF THE OFFICIAL PUBLIC RECORDS OF RAINS COUNTY, TEXAS AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR A CORNER AT THE NORTHEAST CORNER OF SAID 0.762 ACRE TRACT, SAID POINT OF BEGINNING BEING AT THE EXISTING SOUTHEAST CORNER OF A 0.472 ACRE TRACT OF LAND AS CONVEYED TO ROBERT AND JOY BEAIRD AS RECORDED IN VOLUME 456 AT PAGE 42 OF THE REAL RECORDS OF RAINS COUNTY, TEXAS;

THENCE S 00°08'22" E ALONG THE EAST LINE OF SAID 0.762 ACRE TRACT, A DISTANCE OF 227.05 FEET TO A 1/2 INCH IRON ROD FOUND FOR A CORNER AT THE SOUTHEAST CORNER OF SAID 0.762 ACRE TRACT;

THENCE S 89°41'05" W ALONG THE SOUTH LINE OF SAID 0.762 ACRE TRACT, A DISTANCE OF 206.10 FEET TO A 1/2 INCH IRON ROD SET FOR A CORNER AT THE SOUTHWEST CORNER OF SAID 0.762 ACRE TRACT ON THE EAST LINE OF RAINS COUNTY PRIVATE ROAD NO. 7200;

THENCE N 51°39'31" E ALONG THE WEST LINE OF SAID 0.762 ACRE TRACT AND THE EAST LINE OF RAINS COUNTY PRIVATE ROAD NO. 7200, A DISTANCE OF 76.30 FEET TO A 1/2 INCH IRON ROD SET FOR A CORNER;

THENCE N 05°36'30" E ALONG THE WEST LINE OF SAID 0.762 ACRE TRACT AND THE EAST LINE OF RAINS COUNTY PRIVATE ROAD NO. 7200, A DISTANCE OF 184.40 FEET TO A 1/2 INCH IRON ROD FOUND FOR A CORNER AT THE NORTHWEST CORNER OF SAID 0.762 ACRE TRACT;



THENCE S 88°48'09" E ALONG THE NORTH LINE OF SAID 0.762 ACRE TRACT AND THE SOUTH LINE OF SAID 0.472 ACRE TRACT, A DISTANCE OF 127.71 FEET RETURNING TO THE POINT OF BEGINNING AND CONTAINING 0.762 ACRE OF LAND AND BEING KNOWN AS NO. 176 RAINS COUNTY PRIVATE ROAD NO. 7200.

EASEMENT TRACT:

BEING A TRACT OR PARCEL OF LAND SITUATED IN RAINS COUNTY, TEXAS, BEING PART OF THE GEORGE W. RITTER SURVEY, ABSTRACT NO. 189, BEING PART OF A TRACT OF LAND AS DESCRIBED IN A WARRANTY DEED TO MELVIN SHUMATE AS RECORDED IN VOLUME 205 AT PAGE 381 OF THE DEED RECORDS OF RAINS COUNTY, TEXAS AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2 INCH IRON ROD FOUND FOR A CORNER ON THE EAST LINE OF RAINS COUNTY PRIVATE ROAD NO. 7200, SAID POINT OF BEGINNING BEING AT THE EXISTING NORTHWEST CORNER OF 0.762 ACRE TRACT AS CONVEYED TO STEVE AND JENNY BALENTINE AS RECORDED IN/UNDER DOCUMENT NO. 2017-2542 OF THE OFFICIAL PUBLIC RECORDS OF RAINS COUNTY, TEXAS;

THENCE S 05°36'30" W ALONG THE WEST LINE OF SAID 0.762 ACRE TRACT AND THE EAST LINE OF RAINS COUNTY PRIVATE ROAD NO. 7200, A DISTANCE OF 184.40 FEET TO A 1/2 INCH IRON ROD SET FOR A CORNER;

THENCE S 51°39'31" W ALONG THE WEST LINE OF SAID 0.762 ACRE TRACT AND THE EAST LINE OF RAINS COUNTY PRIVATE ROAD NO. 7200, A DISTANCE OF 98.67 FEET TO A POINT FOR A CORNER;

THENCE S 04°50'23" W ALONG THE EAST LINE OF RAINS COUNTY PRIVATE ROAD NO. 7200, A DISTANCE OF 119.27 FEET TO A POINT FOR A CORNER, SAID CORNER BEING AT THE INTERSECTION OF THE EAST LINE OF RAINS COUNTY PRIVATE ROAD NO. 7200 AND THE CENTER OF RAINS COUNTY ROAD NO. 3200;

THENCE S 88°31'52" W ALONG THE CENTER OF RAINS COUNTY ROAD NO. 3200, A DISTANCE OF 40.24 FEET TO A POINT FOR A CORNER;

THENCE N 04°50'23" E ALONG THE WEST LINE OF RAINS COUNTY PRIVATE ROAD NO. 7200, A DISTANCE OF 141.01 FEET TO A POINT FOR A CORNER;

THENCE N 51°39'31" E ALONG THE WEST LINE OF RAINS COUNTY PRIVATE ROAD NO. 7200, A DISTANCE OF 98.99 FEET TO A POINT FOR A CORNER;

THENCE N 05°36'30" E ALONG THE WEST LINE OF RAINS COUNTY PRIVATE ROAD NO. 7200, A DISTANCE OF 272.47 FEET TO A POINT FOR A CORNER;

THENCE S 84°23'30" E A DISTANCE OF 39.92 FEET TO A POINT FOR A CORNER;

THENCE S 05°33'56" W ALONG THE EAST LINE OF RAINS COUNTY PRIVATE ROAD NO. 7200, A DISTANCE OF 105.06 FEET RETURNING TO THE POINT OF BEGINNING AND CONTAINING 0.468 ACRE OF LAND.

PARCEL ID: 0189-1120-0011-43.

Date of Sale: January 03, 2023	Earliest time Sale will begin: 1:00 PM
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Place of sale of Property: 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 OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE

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.

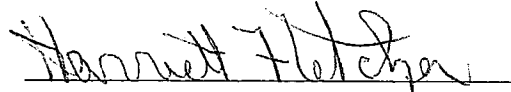
Appointment of Substitute Trustee: Default has occurred in the payment of the Note and in the performance of the obligations of the Deed of Trust, the same is now wholly due. Because of that default, *PLANET HOME LENDING, LLC*, the owner and holder of the Note, has requested Robert LaMont, Sheryl LaMont, Harriet Fletcher, Ronnie Hubbard, Sharon St. Pierre, Sue Spasic, Zoran W. Spasic or Allan Johnston whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

Terms of Sale: The Foreclosure Sale will be conducted as a public auction and the Property will be sold to the highest bidder for cash, except that *PLANET HOME LENDING, LLC* bid may be by credit against the indebtedness secured by the lien of the Deed of Trust.

Pursuant to section 51.009 of the Texas Property Code, the Property will be sold "AS IS," without any expressed or implied warranties, except as to the warranties (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the Property.

Pursuant to section 51.0075(a) of the Texas Property Code, Robert LaMont, Sheryl LaMont, Harriett Fletcher, Ronnie Hubbard, Sharon St. Pierre, Sue Spasic, Zoran W. Spasic or Allan Johnston whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee reserves the right to set further reasonable conditions for conducting the Foreclosure Sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by Robert LaMont, Sheryl LaMont, Harriett Fletcher, Ronnie Hubbard, Sharon St. Pierre, Sue Spasic, Zoran W. Spasic or Allan Johnston whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX 75254, Trustee.

Limitation of Damages: 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 Mortgagor, the Mortgagee, or the Mortgagee's attorney.



SUBSTITUTE TRUSTEE

Robert LaMont, Sheryl LaMont, Harriett Fletcher, Ronnie Hubbard, Sharon St. Pierre, Sue Spasic, Zoran W. Spasic or Allan Johnston, Trustee Posted 12/01/22

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,
10700 Abbott's Bridge Road, Suite 170, Duluth, Georgia
30097; PH: (470)321-7112