

**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)

<b>Deed of Trust Date:</b> August 15, 2003	<b>Original Mortgagor/Grantor:</b> JOHNNY W. RUSSWORM AND BILLIE RUSSWORM
<b>Original Beneficiary / Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR LRS FINANCIAL NETWORK, INC., DBA HNB MORTGAGE., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary / Mortgagee:</b> LOANCARE, LLC
<b>Recorded in:</b> <b>Volume:</b> 906 <b>Page:</b> 583 <b>Instrument No:</b> 00004528	<b>Property County:</b> HOWARD
<b>Mortgage Servicer:</b> LoanCare LLC	<b>Mortgage Servicer's Address:</b> 3637 Sentara Way, Virginia Beach, Virginia 23452

\* 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 \$60,000.00, executed by JOHNNY RUSSWORM and payable to the order of Lender.

**Property Address/Mailing Address:** 5613 E MIDWAY RD, BIG SPRING, TX 79720

**Legal Description of Property to be Sold:** TRACT ONE

BEING THE SURFACE ESTATE ONLY OF A 0.98 ACRE TRACT OF LAND OUT OF AND A PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION NO. 48, BLOCK NO. 32, TOWNSHIP 1-NORTH, T. & P. RY. CO. SURVEYS, HOWARD COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD LOCATED IN THE NORTH RIGHT-OF-WAY LINE OF A COUNTY PAVED ROAD FOR THE SOUTHEAST CORNER OF THIS TRACT; SAID IRON ROAD IS S. 74°35' W. 1957.3 FEET AND N. 15°25' W. 30 FEET FROM THE SOUTHEAST CORNER OF SECTION 48, BLOCK 32, TOWNSHIP 1-NORTH, T. & P. RY. CO. SURVEYS, HOWARD COUNTY, TEXAS, AND SAID IRON ROD IS AT THE SOUTHWEST CORNER OF THAT 1.0 ACRE TRACT CONVEYED TO A. R. GROVEN BY DEED OF RECORD IN VOL. 314, PAGE 373 OF THE DEED RECORDS OF HOWARD COUNTY, TEXAS;

THENCE S. 74°35' W. 203.6 FEET, ALONG AND WITH THE NORTH RIGHT-OF-WAY LINE OF A COUNTY PAVED, TO AN IRON ROD FOR THE SOUTHWEST CORNER OF THIS TRACT;

THENCE N. 15°25' W. 210 FEET TO AN IRON ROD FOR THE NORTHWEST CORNER OF THIS TRACT;

THENCE N. 74°35' E. 203.6 FEET TO AN IRON ROD LOCATED AT THE NORTHWEST CORNER OF THE AFORESAID GROVES TRACT, FOR THE NORTHEAST CORNER OF THIS TRACT;

THENCE S. 15°25' E. 210 FEET, ALONG AND WITH THE WEST LINE OF GROVES TRACT, TO THE PLACE OF BEGINNING, CONTAINING 0.98 ACRE OF LAND.



POSTED  
 FILED at 2:49 P.M. on 8/15/02  
 BRENT ZITTEKOPF, County Clerk, Howard County, Texas  
 By: *[Signature]* Deputy

**TRACT TWO**

BEING A 1.0 ACRE TRACT OF LAND OUT OF THE E/2 OF SECTION 48, BLOCK 32, T-1-N, T.& P. RR. CO. SURVEY, HOWARD COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A ¾" I.P. FOUND IN THE NORTH RIGHT-OF-WAY LINE OF HOWARD COUNTY ROAD, MIDWAY ROAD (60. R.O.W.) IN THE E/2 OF SECTION 48, BLOCK 32, T-1-N, T.& P. RR. CO. SURVEY, HOWARD COUNTY, TEXAS, FOR THE SE CORNER OF THIS TRACT; FROM WHENCE THE SE CORNER OF SAID SECTION BEARS S. 15° 25' E. 30.0' AN N. 74° 35' E. 1749.8'

THENCE S. 74° 35' W. ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID COUNTY ROAD (MIDWAY ROAD) 207.5' TO A ½" I.P. FOUND FOR THE SW CORNER OF THIS TRACT

THENCE N. 15° 25' W. 210.0' TO A ½" I.P. FOUND FOR THE NW CORNER OF THIS TRACT

THENCE N. 74° 35' E. 207.5' TO A ¾" I.P. FOUND FOR THE NE CORNER OF THIS TRACT

THENCE S. 15° 25' E. 210.0' TO THE PLACE OF BEGINNING

CONTAINING 43575 SQUARE FEET OR 1.0 ACRE OF LAND

PARCEL ID: R000047365; R000047453

<b>Date of Sale:</b> October 04, 2022	<b>Earliest time Sale will begin:</b> 10:00 AM
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**Place of sale of Property:** NORTH DOOR OF THE COURTHOUSE 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, *LOANCARE, LLC*, the owner and holder of the Note, has requested Shelley Nail, Zane Nail, Cassie Martin or Donna Trout 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 *LOANCARE, 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, Shelley Nail, Zane Nail, Cassie Martin or Donna Trout 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 Shelley Nail, Zane Nail, Cassie Martin or Donna Trout 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.

A handwritten signature in black ink, appearing to be 'Shelley Nail', written over a horizontal line.

**SUBSTITUTE TRUSTEE**

Shelley Nail, Zane Nail, Cassie Martin or Donna Trout,  
Trustee

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