

### 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> October 26, 2017	<b>Original Mortgagor/Grantor:</b> William F Bowen II and Tia S Bowen
<b>Original Beneficiary / Mortgagee:</b> Mortgage Electronic Registration Systems, Inc., as nominee for Planet Home Lending, LLC., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary / Mortgagee:</b> PLANET HOME LENDING, LLC
<b>Recorded in:</b> <b>Volume:</b> 88 <b>Page:</b> 431 <b>Instrument No:</b> 53289	<b>Property County:</b> KIMBLE
<b>Mortgage Servicer:</b> Planet Home Lending, LLC	<b>Mortgage Servicer's Address:</b> 321 Research Parkway Suite 303, Meriden, CT 06450

\* 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 \$160,000.00, executed by TIA BOWEN AND WILLIAM BOWEN II and payable to the order of Lender.

**Property Address/Mailing Address:** 16637 NORTH US HIGHWAY 377, LONDON, TX 76854

**Legal Description of Property to be Sold:** BEING 4.56 ACRE TRACT OR PARCEL OF LAND SITUATED IN KIMBLE COUNTY, TEXAS; BEING OUT OF SURVEY NO 293, CERTIFICATE NO. 88, ABSTRACT NO. 125, FISHER & MILLER; BEING PART OF THAT CERTAIN 27 ACRE TRACT CONVEYED BY JACOB FRITZ AND WIFE, AUGUSTA FRITZ TO R. L. MCKINNEY BY DEED DATED MAY 6, 1946, RECORDED IN VOLUME 53, PAGES 52-53, DEED RECORDS OF KIMBLE COUNTY, TEXAS; SAID 4.56 ACRE TRACT BEING ALSO COMPRISED OF TWO SEPARATE TRACTS AS FOLLOWS:

FIRST TRACT: BEING CONVEYED AS 4 ACRES FROM ALTON JACKSON TO GRANVILLE L. MAYS AND WIFE, BEVERLY JANICE MAYS BY WARRANTY DEED WITH VENDOR'S LIEN EXECUTED THE 2ND DAY OF DECEMBER, 2003, RECORDED IN VOLUME 157, PAGE 284, DEED RECORDS OF KIMBLE COUNTY, TEXAS;

SECOND TRACT BEING CONVEYED AS 1 ACRE FROM ALTON JACKSON TO GRANVILLE L. MAYS AND WIFE, BEVERLY JANICE MAYS BY WARRANTY DEED WITH VENDOR'S LIEN EXECUTED THE 2" DAY OF DECEMBER, 2003, RECORDED IN VOLUME 157, PAGE 284, DEED RECORDS OF KIMBLE COUNTY, TEXAS;

AND SAID 4.56 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 6" DIAMETER CEDAR FENCE POST MARKING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, THE SOUTHWEST CORNER OF SAID 4 ACRE TRACT AND THE NORTHWEST CORNER OF THAT CERTAIN 22.09 ACRE TRACT IN THE NAME OF ROGER E. GEHRELS AND WIFE, GUADALUPE P. GEHRELS RECORDED IN VOLUME 149, PAGE 98, DEED RECORDS OF KIMBLE COUNTY, TEXAS; SAID FENCE POST LIES IN THE SOUTHEAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 377;

THENCE WITH THE SOUTHEAST RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY NO. 377, THE FOLLOWING COURSES:

N 35 48 00" E, 475.20 FEET (RECORD CALL: N 35° 48' E, 475.2 FEET) TO A ½" REBAR ROD SET FOR A CORNER OF THE HEREIN DESCRIBED TRACT, THE NORTHWEST CORNER OF SAID 4 ACRE TRACT AND THE SOUTHWEST



CORNER OF SAID 1 ACRE TRACT

N 34 26 00" E, 435.00 FEET (RECORD CALL: N 34 26 E, 435 FEET) TO A ½ REBAR ROD SET MARKING THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT, THE NORTH CORNER OF SAID 1 ACRE TRACT AND THE NORTH COMER OF SAID 27 ACRE TRACT: SAID REBAR ROD LIES AT THE INTERSECTION OF SAID U.S. HIGHWAY NO. 377 AND COUNTY ROAD NO. 350:

THENCE WITH THE WEST LINE OF SAID 27 ACRE TRACT AN UPON SAID COUNTY ROAD NO. 350, S 0° 37' 10" E, 756.19 FEET (RECORD BEARING: SOUTH) TO A ½ REBAR ROD SET MARKING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT AND THE NORTHEAST COMER OF SAID 22.09 ACRE TRACT;

THENCE WITH THE COMMON BOUNDARY OF THE HEREIN DESCRIBED TRACT AND SAID 22.09 ACRE TRACT, N 88° 42' 49" W. (BEARING BASIS) AT 43.02 FEET PASSING A 6 DIAMETER CEDAR FENCE POST AND CONTINUING FOR A TOTAL DISTANCE OF 532.25 FEET (RECORD CALL: N 88° 42' 49" W. 534.60 FEET) TO THE POINT OF BEGINNING, CONTAINING 4.56 ACRES OF LAND, MORE OR LESS, WITHIN THESE METES AND BOUNDS.

<b>Date of Sale:</b> March 07, 2023	<b>Earliest time Sale will begin:</b> 1:00 PM
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**Place of sale of Property:** Kimble County Courthouse, 501 Main Street, Junction, TX 76849 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 Martha Rossington, T. Reynolds Rossington, Kevin Key, Jay Jacobs, Dylan Ruiz, Amy Ortiz, Daniel McQuade, Vanna Ho, Aarti Patel, Auction.com whose address is 1 Mauchly Irvine, CA 92618 OR Martha Rossington, T. Reynolds Rossington 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, Martha Rossington, T. Reynolds Rossington, Kevin Key, Jay Jacobs, Dylan Ruiz, Amy Ortiz, Daniel McQuade, Vanna Ho, Aarti Patel, Auction.com whose address is 1 Mauchly Irvine, CA 92618 OR Martha Rossington, T. Reynolds Rossington 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 Martha Rossington, T. Reynolds Rossington, Kevin Key, Jay Jacobs, Dylan Ruiz, Amy Ortiz, Daniel McQuade, Vanna Ho, Aarti Patel, Auction.com whose address is 1 Mauchly Irvine, CA 92618 OR Martha Rossington, T. Reynolds Rossington 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.

*Martha Rossington*  
SUBSTITUTE TRUSTEE

Martha Rossington, T. Reynolds Rossington, Kevin Key, Jay Jacobs, Dylan Ruiz, Amy Ortiz, Daniel McQuade, Vanna Ho, Aarti Patel, Auction.com OR Martha Rossington, T. Reynolds Rossington, Trustee

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

Filed January 19, 23  
at 11:32 o'clock A.M.  
Karen E. Page  
Karen E. Page, County Clerk, Kimble County, Texas  
By Carolyn W Hopkins Deputy  
CAROLYN W HOPKINS