

Notice of Substitute Trustee Sale

T.S. #: 22-8062

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.

Date, Time, and Place of Sale - The sale is scheduled to be held at the following date, time and place:

Date: 2/7/2023
Time: The sale will begin no earlier than **1:00 PM** or no later than three hours thereafter.
The sale will be completed by no later than **4:00 PM**
Place: **Red River County** Courthouse in **Clarksville**, Texas, at the following location: **200 North Walnut Street, Clarksville, Tx 75426 - or in the area designated by the commissioners court OR IN THE AREA DESIGNATED BY THE COMMISSIONER'S COURT, PURSUANT TO SECTION 51.002 OF THE TEXAS PROPERTY CODE**

Property To Be Sold - The property to be sold is described as follows:

Situate, lying and being in the County of Red River, State of Texas, described as follows:

All that certain tract lot or parcel of land, a part of the William Collum Survey A-181, Red River County, Texas, and also being all of that certain called 3.000 acre tract of land that is described in a Substitute Trustee's Deed dated April, 2014 by Craig C. Lesok, Trustee, et al, that is recorded under Instrument# 054465 of the Deed Records of Red River County, Texas, and being more completely described as follows to wit;

Beginning at a 5/8 Inch Iron Rod found for corner at the S.E.C. of said tract and the W.B.L. of C. R. # 3330; Thence North 89 degrees 34 minutes 42 seconds West, along the S.B.L. of said tract and the residue of a called 12.0 acres (vol 301 Pg 108) for a distance of 342.21 feet to a 5/8 Inch Iron Rod found for corner at the S.W.C. of said called 3.000 acres;

Thence North 00 degrees 06 minutes 11 seconds West, along the W.B.L. of said called 3.00 acres and continuing along said Residue for a distance of 384.13 feet to a 5/8 inch Iron Rod found for corner at the N.W.C. of said called 3.00 acres;

Thence South 89 degrees 10 minutes 26 seconds East, along the N.B.L. of said called 3.00 acres and the N.B.L. of said called 12.0 acres for a distance of 342.93 feet to a 5/8 inch Iron Rod found for corner at the N.E.C. of said called 3.00 acres;

Thence South 00 degrees 00 minutes 00 seconds East, along the E.B.L. of said called 3.00 acres and the W.B.L. of said C.R. # 3330 for a distance of 381.70 feet to the place of beginning containing 3.0111 acres, more or less.

Instrument to be Foreclosed - The instrument to be foreclosed is the Deed of Trust is dated 4/21/2015 and is recorded in the office of the County Clerk of Red River County, Texas, under County Clerk's File No 057032, recorded on 5/12/2015, in Book 706, Page 70, of the Real Property Records of Red River County, Texas.
Property Address: 341 COUNTY RD 3330 AVERY Texas 75554

Trustor(s): **KELLY D. ROSEBERRY AND
BRITTANY C. ROSEBERRY**

Original
Beneficiary:

**Mortgage Electronic Registration
Systems, Inc., as nominee for
American Financial Resources,
Inc., its successors and assigns**

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Current **Planet Home Lending, LLC**
Beneficiary:

Loan Servicer: **Planet Home Lending, LLC**

Current **Auction.com, Robert LaMont, David Sims, Harriett Fletcher, Ronnie Hubbard, Sherly**
Substituted **LaMont, Sharon St. Pierre, Rick Snoke, Prestige Default Services, LLC**
Trustees:

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.

Terms of Sale - The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the deed of trust permitting the beneficiary thereunder to have the bid credited to the note up to the amount of the unpaid debt secured by the deed of trust at the time of sale. Prospective bidders are strongly urged to examine the applicable property records to determine the nature and extent of such matters, if any. Pursuant to the Deed of Trust, the beneficiary 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. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property. Pursuant to section 51.0075 of the Texas Property Code, the trustee reserves the right to set further reasonable conditions for conducting the sale. Any such further conditions shall be announced before bidding is opened for the first sale of the day held by the trustee or any substitute trustee.

Type of sale - The sale is a non-judicial deed of trust lien and security interest foreclosure sale being conducted pursuant to the power of the sale granted by the deed of trust executed by KELLY D. ROSEBERRY AND WIFE, BRITTANY C. ROSEBERRY. The real property and personal property encumbered by the deed of trust will be sold at the sale in accordance with the provisions of the deed of trust and as permitted by section 9.604(a) of the Texas Business and Commerce Code.

Obligations Secured - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including by not limited to (1) the promissory note in the original principal amount of \$56,905.00, executed by KELLY D. ROSEBERRY AND WIFE, BRITTANY C. ROSEBERRY, and payable to the order of Mortgage Electronic Registration Systems, Inc., as nominee for American Financial Resources, Inc., its successors and assigns; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of KELLY D. ROSEBERRY AND WIFE, BRITTANY C. ROSEBERRY to KELLY D. ROSEBERRY AND BRITTANY C. ROSEBERRY. Planet Home Lending, LLC is the current owner and holder of the Obligations and is the beneficiary under the Deed of Trust.

The sale will be made, but without covenant or warranty, expressed or implied, regarding title, possession, or encumbrances, to pay the remaining principal sum of the note(s) secured by the Deed of Trust, with interest and late charges thereon, as provided in the note(s), advances, under the terms of the Deed of Trust, interest thereon, fees, charges and expenses of the Trustee for the total amount (at the time of the initial publication of the Notice of Sale) reasonably estimated to be set forth below. The amount may be greater on the day of sale.

Questions concerning the sale may be directed to the undersigned or to the beneficiary:

Planet Home Lending, LLC
c/o Planet Home Lending, LLC
321 Research Parkway
Meriden, Connecticut 06450-8301
(855) 884-2250

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Dated: January 03, 2023

~~Auction.com, Robert LaMont, David Sims, Harriett Fletcher, Ronnie Hubbard,
Sherry LaMont, Sharon St. Pierre, Rick Snoke, Prestige Default Services, LLC,~~

Prestige Default Services, LLC
9720 Coit Road, Suite 220-228
Plano, Texas 75025
Phone: (972) 893-3096 ext. 1035
Fax: (949) 427-2732

AFTER RECORDING, PLEASE RETURN TO:

Prestige Default Services, LLC
9720 Coit Road, Suite 220-228
Plano, Texas 75025
Attn: Trustee Department

FILED FOR RECORD
2:13 o'clock P M. on

JAN 03 2023

Shawn Weemes
SHAWN WEEMES, COUNTY CLERK
RED RIVER CO., TX