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Our Case No. 25-01190-FC

APPOINTMENT OF SUBSTITUTE TRUSTEE and NOTICE OF TRUSTEE SALE

THE STATE OF TEXAS
COUNTY OF SAN JACINTO

Deed of Trust Date:
August 4, 2021

Property address:
110 HICKORY LN
COLDSRING, TX 77331

Grantor(s)/Mortgagor(s):
MICHAEL PHILLIP GARZA, A SINGLE PERSON AND
KENDRA DENEEN FAIRCLOTH, A SINGLE PERSON

LEGAL DESCRIPTION: Being Lots One (1) and Two (2), of HICKORY LANE, a subdivision out of the J. S. Brown Survey, San Jacinto County, Texas, according to the plat thereof recorded in Volume 4, page 35 of the Plat Records of San Jacinto County, Texas.

Original Mortgagee:
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS,
INC. ("MERS"), AS BENEFICIARY, AS NOMINEE FOR
PILGRIM MORTGAGE, LLC ITS SUCCESSORS AND
ASSIGNS

Earliest Time Sale Will Begin: 01:00 PM

Current Mortgagee:
PENNYMAC LOAN SERVICES, LLC

Date of Sale: JUNE 3, 2025

Property County: SAN JACINTO

Original Trustee: ALLAN B. POLUNSKY

Recorded on: August 19, 2021
As Clerk's File No.: 20216070
Mortgage Servicer:
PENNYMAC LOAN SERVICES, LLC

Substitute Trustee: *Keata Smith*
Reid Ruple, Kathleen Adkins, Evan Press, Cary Corenblum,
Kristopher Holub, Joshua Sanders, Amy Oian, Matthew
Hansen, Jami Grady, Christian Brooks, Michael Kolak,
Crystal Koza, Aleena Litton, Aarti Patel, Auction.com, Dana
Dennen, Cindy Dennen, Aaron Crawford, Tommy Jackson,
Keata Smith, Stephanie Hernandez, Carolyn Ciccio, Ron
Harmon, Tiffany Beggs, Marinosci Law Group PC

Substitute Trustee Address:
c/o Marinosci Law Group, P.C.
16415 Addison Road, Suite 725
Addison, TX 75001
(972) 331-2300

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE. THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

The current Mortgagee and/or Mortgage Servicer under said Deed of Trust, according to the provisions therein set out does hereby remove the original trustee and all successor substitute trustees and appoints in their stead Reid Ruple, Kathleen Adkins, Evan Press, Cary Corenblum, Kristopher Holub, Joshua Sanders, Amy Oian, Matthew Hansen, Jami Grady, Christian Brooks, Michael Kolak, Crystal Koza, Aleena Litton, Aarti Patel, Auction.com, Dana Dennen, Cindy Dennen, Aaron Crawford, Tommy

Jackson, Keata Smith, Stephanie Hernandez, Carolyn Ciccio, Ron Harmon, Tiffany Beggs, Marinosci Law Group PC, as Substitute Trustee, who shall hereafter exercise all powers and duties set aside to the said original trustee under the said Deed of Trust, and, further, does hereby request, authorize and instruct said Substitute Trustee to conduct and direct the execution of remedies set aside to the Mortgagee therein.

WHEREAS, default has occurred in the payment of said indebtedness, and the same is now wholly due and the owner and holder has requested to sell said property to satisfy said indebtedness

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on **TUESDAY, JUNE 3, 2025** between ten o'clock AM and four o'clock PM and beginning not earlier than **01:00 PM** or not later than three hours thereafter. 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 be conducted at the San Jacinto County Courthouse, 1 State Hwy. 150, Coldspring, TX 77331 as designated by the Commissioners' Court, of said county pursuant to Section 51.002 of the Texas Property Code as amended; if no area is designated by the Commissioners' Court, the sale will be conducted in the area immediately adjacent (next) to the location where this notice was posted.

PENNYMAC LOAN SERVICES, LLC, who is the Mortgagee and/or Mortgage Servicer of the Note and Deed of Trust associated with the above referenced loan. 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 debt.

ACTIVE MILITARY SERVICE NOTICE

Assert and protect your rights as a member of the armed forces of the United States. If you 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.

WITNESS MY HAND, 4/9/25

MARINOSCI LAW GROUP, P.C.

By: _____

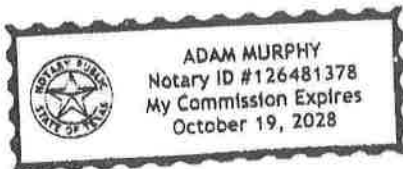
SAMMY HOODA
MANAGING ATTORNEY

THE STATE OF TEXAS
COUNTY OF DALLAS

Before me, Adam Murphy, the undersigned officer, on this, the 9 day of APRIL 2025, personally appeared SAMMY HOODA, ☐ known to me, who identified herself/himself to be the MANAGING ATTORNEY of MARINOSCI LAW GROUP PC, the person and officer whose name is subscribed to the foregoing instrument, and being authorized to do so, acknowledged that (s)he had executed the foregoing instrument as the act of such corporation for the purpose and consideration described and in the capacity stated.

Witness my hand and official seal

(SEAL)



Notary Public for the State of TEXAS

My Commission Expires: 10-19-28

Adam Murphy
Printed Name and Notary Public

Grantor: PENNYMAC LOAN SERVICES, LLC
3043 TOWNSGATE ROAD, #200
WESTLAKE VILLAGE, CA 91361
Our File No. 25-01190

Return to: MARINOSCI LAW GROUP, P.C.
MARINOSCI & BAXTER
16415 Addison Road, Suite 725
Addison, TX 75001

Vylla Solutions, LLC
P.O. Box 3309
Anaheim, California 92803
For Sale Information: (888) 313-1969
For Reinstatement Requests: 1-866-874-5860
Pay Off Requests: 1-800-561-4567
TS#: 25-33787

Accepted for Filing in:

San Jacinto County

On: Apr 10, 2025 at 12:16P

By Cindy Henderson

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NOTICE OF SUBSTITUTE TRUSTEE'S SALE

WHEREAS, on 9/21/2021, James Marr and Rebecca Marr husband and wife , as Grantor/Borrower, executed and delivered that certain Deed of Trust, in favor of Scott Gesell, as Trustee, Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Gateway Mortgage Group, a division of Gateway First Bank , as Beneficiary which deed of trust secures the payment of that certain promissory note of even date therewith in the original amount of \$900,000.00, payable to the order of Mortgage Electronic Registration Systems, Inc., as beneficiary, as nominee for Gateway Mortgage Group, a division of Gateway First Bank , which Deed of Trust is Recorded on 9/23/2021 as Volume 20216936, Book , Page , in San Jacinto County, Texas, Deed of Trust covers all of the real property, personal property, and fixtures described therein, including , but not limited to, all the following described property, rights and interests (the "Property"), to-wit;

See attached exhibit "A" attached hereto and made a part hereof

Commonly known as: **907 BIG WOODS RD NEW WAVERLY, TX 77358**

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 **Keata Smith, Stephanie Hernandez, Tommy Jackson, Dustin George** 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 Carrington Mortgage Services, LLC whose address is 1600 S. Douglass Road, Suite 200 A, Anaheim, CA 92806 is acting as the mortgage servicer for **Carrington Mortgage Services, LLC**, which is the mortgagee of the Note and Deed of Trust or mortgage and 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. Carrington Mortgage Services, LLC is authorized to represent the mortgagee by virtue of a written servicing agreement with the mortgagee. Pursuant to that agreement and Texas Property Code Section 51.0025, Carrington Mortgage Services, LLC is authorized to administer the foreclosure referenced herein.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN, that on **6/3/2025 at 10:00 AM**, or no later than three (3) hours after such time, in **San Jacinto County, Texas**, the Substitute Trustee will sell the Property at public venue to the highest bidder for cash. The sale will take place 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 North end of the Courthouse**

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, conveyance of the Property shall be made without any representations or warranties whatsoever, express or implied.

If the Trustee is unable to convey title for any reason, the successful bidder's sole and exclusive remedy shall be the return of monies paid to the Trustee, and the successful bidder shall have no further recourse.

If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The Purchaser shall have no further recourse against the **Mortgagor, the Mortgagee, or the Mortgagee's Attorney.**



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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.

THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY OR AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

WITNESS, my hand this 4/8/2025

Grecia Moreno

By: Grecia Moreno, Trustee Sale Specialist
Vylla Solutions, LLC as
authorized agent for Mortgagee or Mortgage
Servicer
1600 South Douglass Road, Suite 140
Anaheim, CA 92806

WITNESS, my hand this 4-10-25

Keata Smith

By: Substitute Trustee(s)
Keata Smith, Stephanie Hernandez, Tommy
Jackson
C/O Vylla Solutions, LLC
1600 South Douglass Road, Suite 140
Anaheim, CA 92806

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METES AND BOUNDS DESCRIPTION

of a

25.53 Acre Tract

J.H. Sheppard Survey, A-286

San Jacinto County, Texas

February 2, 2012

All that certain tract or parcel of land lying and being situated in San Jacinto County, Texas, out of the J.H. Sheppard Survey, Abstract No. 286, being out of a called 35.71 acre tract as described in a Corrected Warranty Deed from DSPI to Charles D. Spurgeon, et ux, dated May 21, 2007, of record in County Clerk File No. 08-2122 and more fully described as follows:

BEGINNING at a found 2 inch iron pipe with a brass disk marked "J-205", at the base of an 8 inch fence post, for the Northwest corner of the called 35.71 acre tract mentioned above, the Northwest corner of the J.H. Sheppard Survey, Abstract No. 286, the Southwest corner of Tract J-53f, called 114.14 acres, as described in an Exchange Deed to the United States of America as recorded in Volume 151, Page 329 of the Deed Records of San Jacinto County, Texas, the Southerly Southwest corner of the W.H. Thaxton Survey, Abstract No. 437, being in the East line of Tract Jlc as described in a Deed to the United States of America of record in Volume 32, Page 332 of the Deed Records of San Jacinto County, Texas and in the East line of the McKinney & William Survey, Abstract No. 235, from which a found 20 inch Pine tree brs. S 08°22' W, 23.5 ft., an 8 inch Post Oak tree brs. N 42°58' W, 34.2 ft., a 12 inch Pine tree brs. N23°37' E, 12.8 ft. and a 26 inch Pine tree brs. N 57°46' E, 42.4 ft.;

THENCE N 86°48'46" E, 1,135.03 ft., along a North line of the called 35.71 acre tract mentioned above, the North line of the J.H. Sheppard Survey, the South line of said 114.14 acre USA tract (151/329) and the Southerly South line of the W.H. Thaxton Survey to a found 3 inch iron pipe with a brass disk marked "J-212" for its Southeast corner, the Southeast corner of said 114.14 acre USA tract, a Southwest corner of said Tract Jlc USA tract (32/332), the Southwest corner of the H.&T.C.R.R. Survey, Abstract No. 176, from which a found 11 inch Water Oak tree brs. N69°48' W, 7.7 ft., a 22 inch Red Oak tree (leaning) brs. N54°35' W, 43.7 ft., a 20 inch Pine tree brs. N 10°16' E, 27.0 ft., an 18 inch Pine tree brs. N76°26' E, 31.9 ft. and a 14 inch Red Oak tree brs. S 41°54' E, 16.3 ft.;

THENCE N 87°31'24" E, 401.78 ft., along the South line of the H.&T.C.R.R. Survey, the South line of Tract Jlc USA tract (32/332) and a North line of the called 35.71 acre tract mentioned above to its Northeast corner, in the approximate centerline of Big Woods Road, from which a found ½ inch iron rod with plastic cap "R.L. Lang 3958" in a barbed wire fence under construction brs. N 79°29'00" W, 32.12 ft.;

THENCE S 07°13'05" W, 338.28 ft., along the approximate centerline of Big Woods Road and the East line of the called 35.71 acre tract mentioned above to the Easterly Southeast corner of the tract of land herein described, from which a set ½ inch iron rod in a barbed wire fence line for reference brs. S 79°19'23" W, 25.88 ft.;

THENCE S 79°19'23" W, 411.36 ft., through the interior of the called 35.71 acre tract mentioned above for the next 6 calls and along a non fenced South line of the tract of land herein described to a set ½ inch Iron rod, in a field, for an angle point in line for corner;

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THENCE S 55°21'18" W, 119.76 ft., along a non fenced South line of the tract of land herein described to a set 1/4 inch iron rod at the base of an 8 inch fence corner post for an angle point in line for corner;

THENCE S 54°32'19" W, 212.39 ft., along a barbed wire fence line and a South line of the tract of land herein described to a set 1/4 inch iron rod at the base of an 8 inch fence corner post for an angle point in line for corner;

THENCE S 33°05'50" W, 60.95 ft., along a barbed wire fence line and a South line of the tract of land herein described to a set 1/4 inch iron rod at the base of an 8 inch fence corner post for an angle point in line for corner;

THENCE S 09°07'42" W, 90.22 ft., along a barbed wire fence line and an East line of the tract of land herein described to a set 1/4 inch iron rod at the base of an 8 inch fence corner post for an angle point in line for corner;

THENCE S 80°20'22" W, 41.92 ft., along a barbed wire fence line and a South line of the tract of land herein described to a set 1/4 inch iron rod at the base of an 8 inch fence corner post for an angle point in line for corner;

THENCE S 02°44'28" E, 351.47 ft., along a barbed wire fence line and an East line of the tract of land herein described to a set 1/4 inch iron rod, in said fence line, for the Southerly Southeast corner of the tract of land herein described, same being in the South line of the called 35.71 acre tract mentioned above, in the North line of a called 12.00 acre tract as described in a Deed to John Edward Barndt II as described in a Deed to County Clerk File No. 11-3089, Page 13030;

THENCE S 87°50'13" W, 742.30 ft., along the generally fenced North line of said 12.00 acre Barndt tract (11-3089) and the South line of the called 35.71 acre tract mentioned above to a found 1/4 inch iron rod, about 2.5 ft. West of an 8 inch fence corner post, for its Southwest corner, the Northwest corner of said 12.00 acre Barndt tract, in the East line of said Tract Jlc USA tract (32/332) and same being in the East line of the McKinney & Williams Survey;

THENCE N 00°08'18" W, 1,048.91 ft., along the generally fenced East line of said Tract Jlc USA tract (32/332), the East line of the McKinney & Williams Survey and the West line of the called 35.71 acre tract mentioned above to the PLACE OF BEGINNING containing 25.53 acres of land.

Steven M. Wisnoski

Steven M. Wisnoski
Registered Professional Land Surveyor
State of Texas No. 6006
Job #: 2012-01-24-01



EXHIBIT "A"
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RONALD L.

Lange

36179

1224 University Avenue
Suite 201

Registered Professional Surveyor

(936) 295-1362
Huntsville, Texas 77340

TRACT 8

A tract of land containing 12.00 acres, being situated in the J. H. SHEPPARD Survey, Abstract number 286 of San Jacinto County, Texas and being out of that called 614.43 acre tract described in that deed from Oakhurst Properties, LP to DSP1, as recorded in the San Jacinto Clerk's File 06-1436. Said 12.00 acres being more particularly described as follows:

TO FIND the place of beginning, COMMENCE at a found concrete monument for the most northerly northwest corner of said 614.43 acre tract and said J. H. SHEPPARD Survey, the east line of the MCKINNEY & WILLIAMS Survey Abstract number 235 and the United States of America tract described as Tract J-16 and recorded in Volume 32, Page 332 of the Deed Record of said county, marking the southwest corner of the W. H. THAXTON SURVEY, Abstract number 437 and the United States of America 114.41 acre tract as described in Volume 151, Page 329 of the Deed Record of said county;

THENCE South 0 degrees 07 minutes 58 seconds East with the west line of a 35.71 acre tract known as TRACT 7 of this division of said 614.43 acre tract and the east line of the United States of America tract as described in Volume 32, Page 332 of the Deed Record of said county, a distance of 1048.93 feet to a set steel rod for the PLACE OF BEGINNING and the northwest corner of that tract of land herein described;

THENCE North 87 degrees 47 minutes 53 seconds East with the north line of that tract of land herein described and the south line of said Tract 7, a distance of 1397.02 feet to a point in Pine Valley Road for the northeast corner of that tract of land herein described, marking the southeast corner of said Tract 7, from said point a steel rod for a reference corner bears South 87 degrees 47 minutes 53 seconds West a distance of 30.41 feet;

THENCE South 7 degrees 13 minutes 16 seconds West with the east line of that tract of land herein described and generally with the center line of said Pine Valley Road, a distance of 386.18 feet to a point for the southeast corner of that tract of land herein described from said point a steel rod for a reference corner bears South 87 degrees 47 minutes 53 seconds West a distance of 30.41 feet;

THENCE South 87 degrees 47 minutes 53 seconds West across said 614.43 acre tract with the south line of that tract of land herein described, a distance of 1347.56 feet to a steel rod set for the southwest corner of that tract of land herein described, being on said east line of the United States of America tract;

THENCE North 0 degrees 07 minutes 57 seconds West with the west line of that tract of land herein described and said east line of the United States of America tract, a distance of 381.22 feet to the PLACE OF BEGINNING containing 12.00 acres.

EXHIBIT "A"
PAGE 3 OF 4

Ronald L. Lange

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TEXAS PROFESSIONAL SURVEYING, LLC.

3032 N. FRAZIER STREET, CONROE, TEXAS 77303
 (936)756-7447 FAX (936)756-7448
 FIRM REGISTRATION No. 100634-00

FIELD NOTE DESCRIPTION 0.093 ACRES IN THE J. H. SHEPPARD SURVEY, ABSTRACT NO. 286 SAN JACINTO COUNTY, TEXAS

BEING a 0.093 acre tract of land situated in the J. H. Sheppard Survey, Abstract No. 286, San Jacinto County, Texas, being out of and a portion of that certain called 11.00 acre tract described as "Tract 11" in instrument to Scott A. Draper and Celia E. Draper, recorded in Clerk's File No. 20165654, Page 26-76 of the Official Public Records of San Jacinto County, Texas (O.P.R.S.J.C.T.), said 0.093 acre tract, being more particularly described by metes and bounds as follows:

COMMENCING at a 3/8 inch iron rod with "009.3 1858" cap found for the common westerly corner of said Tract 11 and a called 12.00 acre tract described as "Tract 8" in instrument to John Edward Hamish, II, recorded in Clerk's File No. 11,3029, Page 12039, O.P.R.S.J.C.T., being the northwesterly corner of the herein described 0.093 acre tract, from which a 3/8 inch iron rod with cap stamped "009.3 1858" found for reference bears North 06°18'24" West, 181.38 feet;

THENCE North 87°49'55" East, 458.00 feet, with the common line of said Tracts 11 and 8, to a 3/8 inch iron rod with cap stamped "009.3 100834-00" set in a fence line for the westerly corner and POINT OF BEGINNING of the herein described 0.093 acre tract;

THENCE North 87°49'55" East, 344.00 feet, continuing with and common line, to a 3/8 inch iron rod with cap stamped "009.3 100834-00" set in a fence line for the easterly corner of the herein described 0.093 acre tract, from which a 3/8 inch iron rod with "large" cap found for reference bears North 87°49'55" East, 514.84 feet;

THENCE South 83°26'46" West, 200.63 feet, severing said Tract 11 along and with a fence, to a fence corner post found for the southwesterly corner of the herein described 0.093 acre tract;

THENCE North 58°17'38" West, 42.48 feet, continuing with said fence and across said Tract 11, to the PLACE OF BEGINNING;

CONTAINING a computed area of 0.093 acres of land within this Field Note Description.

This Field Note Description was prepared from a survey performed on the ground on November 22, 2017 by Texas Professional Surveying, L.L.C., Registered Professional Land Surveyors and is referenced as Survey Drawing Project Number 1219-01.

Bearings recited herein are based on GPS observations and are referenced to the North American Datum (NAD) 1983, Texas State Plane Coordinate System, Central Zone (2011).

Noted December 20, 2017
 Date

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Carey A. Johnson
 Carey A. Johnson
 R.P.L.S. No. 6524

EXHIBIT "A"
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