

### 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> July 25, 2016	<b>Original Mortgagor/Grantor:</b> EDGAR RIVIERA
<b>Original Beneficiary / Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ACTING SOLELY AS NOMINEE FOR AMCAP MORTGAGE LTD. DBA COLD FINANCIAL SERVICES., ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary / Mortgagee:</b> LAKEVIEW LOAN SERVICING, LLC
<b>Recorded in:</b> <b>Volume:</b> N/A <b>Page:</b> N/A <b>Instrument No:</b> 2016012821	<b>Property County:</b> LIBERTY
<b>Mortgage Servicer:</b> Nationstar Mortgage LLC d/b/a/ Mr. Cooper	<b>Mortgage Servicer's Address:</b> 8950 Cypress Waters Blvd, Coppell, TX 75019

\* 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 \$101,134.00, executed by EDGAR RIVIERA and payable to the order of Lender.

**Property Address/Mailing Address:** 1302 S FRANKLIN AVE, CLEVELAND, TX 77327

**Legal Description of Property to be Sold:** LOTS 12 AND NORTH 1/2 OF LOT 11, IN BLOCK 70, OF GLEN PARK ADDITION, A SUBDIVISION IN LIBERTY COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 1, PAGE 129, OF THE MAP AND/OR PLAT RECORDS OF LIBERTY COUNTY, TEXAS.

<b>Date of Sale:</b> August 2, 2022	<b>Earliest time Sale will begin:</b> 10:00AM
-------------------------------------	-----------------------------------------------

**Place of sale of Property:** On the front steps of the south side of the Liberty County Courthouse 1923 Sam Houston, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court 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, LAKEVIEW LOAN SERVICING, LLC, the owner and holder of the Note, has requested Tommy Jackson, Keata Smith, Margie Allen, Kyle Barclay whose address is 720 S. Colorado Blvd., Suite 200 Glendale, CO 80246 OR Tommy Jackson, Keata Smith, Stephanie Hernandez or Carolyn Ciccio whose address is 14800 Landmark Blvd., Suite 850, Dallas, TX



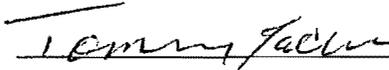
75254, to sell the property. The Trustee(s) has/have been appointed Substitute Trustee in the place of the original trustee, in the manner authorized by the deed of trust.

**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 *LAKEVIEW LOAN SERVICING, 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, Tommy Jackson, Keata Smith, Margie Allen, Kyle Barclay whose address is 720 S. Colorado Blvd., Suite 200 Glendale, CO 80246 OR Tommy Jackson, Keata Smith, Stephanie Hernandez or Carolyn Ciccio 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 Tommy Jackson, Keata Smith, Margie Allen, Kyle Barclay whose address is 720 S. Colorado Blvd., Suite 200 Glendale, CO 80246 OR Tommy Jackson, Keata Smith, Stephanie Hernandez or Carolyn Ciccio 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.

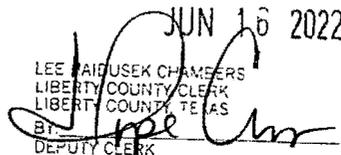
  
\_\_\_\_\_

SUBSTITUTE TRUSTEE

Tommy Jackson, Keata Smith, Margie Allen, Kyle  
Barclay OR Tommy Jackson, Keata Smith, Stephanie  
Hernandez or Carolyn Ciccio

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

FILED  
at 4 : 25 P M.

JUN 15 2022  
LEE PAIDUSEK CHAMBERS  
LIBERTY COUNTY CLERK  
LIBERTY COUNTY TEXAS  
BY   
DEPUTY CLERK



NOTICE OF [SUBSTITUTE] TRUSTEE'S SALE

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.

1. **Date, Time, and Place of Sale.**

Date: August 02, 2022

Time: The sale will begin at 10:00 AM or not later than three hours after that time.

Place: THE SOUTH SIDE DOOR OF THE LIBERTY COUNTY COURTHOUSE OR AS DESIGNATED BY THE COUNTY COMMISSIONERS or as designated by the county commissioners.

2. **Terms of Sale.** Cash.

3. **Instrument to be Foreclosed.** The Instrument to be foreclosed is the Deed of Trust or Contract Lien dated January 28, 2020 and recorded in Document INSTRUMENT NO. 2020003177 real property records of LIBERTY County, Texas, with BRANDON P, JOHNSTON AND MIRIAM R JOHNSTON, grantor(s) and MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS") AS NOMINEE, mortgagee.

4. **Obligations Secured.** Deed of Trust or Contract Lien executed by BRANDON P. JOHNSTON AND MIRIAM R JOHNSTON, securing the payment of the indebtednesses in the original principal amount of \$174,747.00, and obligations therein described including but not limited to the promissory note and all modifications, renewals and extensions of the promissory note. RUSHMORE LOAN MANAGEMENT SERVICES LLC is the current mortgagee of the note and Deed of Trust or Contract Lien.

5. **Property to Be Sold.** The property to be sold is described in the attached Exhibit A.

6. **Mortgage Servicer Information.** 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 lien securing the Property referenced above. RUSHMORE LOAN MANAGEMENT SERVICES, LLC, as Mortgage Servicer, is representing the current mortgagee, whose address is:

c/o RUSHMORE LOAN MANAGEMENT SERVICES, LLC  
15480 LAGUNA CANYON RD.  
SUITE 100  
IRVINE, CA 92618

FILED  
at 4 : 25 P M.

JUN 16 2022  
LEE MAIDUSEK CHAMBERS  
LIBERTY COUNTY CLERK  
LIBERTY COUNTY, TEXAS  
DEPUTY CLERK



**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 undersigned as attorney for the mortgagee or mortgage servicer 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, JULIAN PERRINE, AMY OIAN, MATTHEW HANSEN, JAMI HUTTON, ALEXIS BANKS, ALEENA LITTON, AARTI PATEL, AUCTION.COM, DANA DENNEN, CINDY DENNEN, AARON CRAWFORD, TOMMY JACKSON, KEATA SMITH AND STEPHANIE HERNANDEZ, KEVIN MCCARTHY OR BEATRICE CARRILLO whose address is c/o BARRETT DAFFIN FRAPPIER TURNER & ENGEL, LLP, 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320 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 beneficiary therein.



Israel Saucedo

Certificate of Posting

My name is Tommy Jackson, and my address is c/o 4004 Belt Line Road, Suite 100, Addison, Texas 75001-4320. I declare under penalty of perjury that on 11-16-22 I filed at the office of the LIBERTY County Clerk and caused to be posted at the LIBERTY County courthouse this notice of sale.



Declarants Name: Tommy Jackson

Date: 11-16-22

774 ROAD 5101 DRIVE  
CLEVELAND, TX 77327

0000009503368

0000009503368

LIBERTY

**EXHIBIT "A"**

LOT 1660 IN BLOCK 11 OF SANTA FE SUBDIVISION, SECTION 1, AN ADDITION IN THE JAMES T. DUNMAN SURVEY, A-167, THE W. MCWILKINSON SURVEY, A-317 AND THE H.T. & B. RR CO. SURVEY, A-443, LIBERTY COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED UNDER CLERK'S FILE NO. 2017005075 OF THE OFFICIAL PUBLIC RECORDS OF LIBERTY COUNTY, TEXAS.