

NOTICE OF SUBSTITUTE TRUSTEE'S SALE

T.S. #: 2022-02553

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: 11/7/2023
Time: The earliest time the sale will begin is 10:00 AM
Place: Brown County Courthouse, Texas, at the following location: Brown County Courthouse, 200 South Broadway, Brownwood, TX 76801
Or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioners Court, pursuant to section 51.002 of the Texas Property Code.

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

SEE ATTACHED EXHIBIT 'A'

Commonly known as: 1813 1ST ST BROWNWOOD, TX 76801

Instrument to be Foreclosed - The instrument to be foreclosed is the Deed of Trust dated 3/9/2021 and recorded in the office of the County Clerk of Brown County, Texas, recorded on 3/10/2021 under County Clerk's File No 2101507, in Book -- and Page -- of the Real Property Records of Brown County, Texas.

Grantor(s): Oliver Joe Hair, unmarried man
Original Trustee: Allan B. Polunsky
Substitute Trustee: Auction.com, Jim Mills, Susan Mills, Andrew Mills-Middlebrook, Ed Henderson, George Hawthorne, Marcia Elling, Louis Starzel, Tom Swearingen, Noel Wood, Steffany Fitzpatrick, Kim Anderson, Ron Anderson, Alexis Mendoza, Kevin Key, Jay Jacobs, Nestor Solutions, LLC
Original Mortgagee: Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for Open Mortgage, LLC, its successors and assigns
Current Mortgagee: Freedom Mortgage Corporation
Mortgage Servicer: Freedom Mortgage Corporation

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 referenced property securing the above referenced loan.

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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 mortgagee 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.

Those desiring to purchase the property will need to demonstrate their ability to pay cash on the day the property is sold.

The sale will be made expressly subject to any title matters set forth in the deed of trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the deed of trust. 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 mortgagee 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.

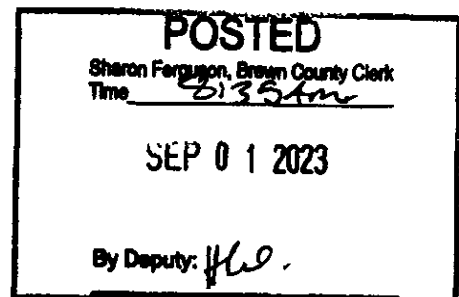
Obligations Secured - The deed of trust provides that it secures the payment of the indebtedness and obligations therein described (collectively the "Obligations") including by not limited to (1) the promissory note in the original principal amount of \$83,460.00, executed by Oliver Joe Hair, unmarried man, and payable to the order of Mortgage Electronic Registration Systems, Inc., as Beneficiary, as nominee for Open Mortgage, LLC, its successors and assigns; (2) all renewals and extensions of the note; and (3) any and all present and future indebtedness of Trustor(s) to the current holder of the Obligations to the mortgagee 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 Mortgagee:

Freedom Mortgage Corporation
10500 Kincaid Drive
Fishers, IN 46037
Phone: 855-690-5900

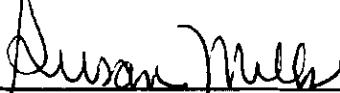
Default and Request to Act - Default has occurred under the deed of trust, and the mortgagee has requested me, as Trustee, to conduct this sale. Notice is given that before the sale the mortgagee may appoint another person substitute trustee to conduct the sale.



T.S. #: 2022-02553

Dated: 9-1-23

Auction.com, Jim Mills, Susan Mills, Andrew Mills-Middlebrook, Ed Henderson, George Hawthorne, Marcia Elling, Louis Starzel, Tom Swearingen, Noel Wood, Steffany Fitzpatrick, Kim Anderson, Ron Anderson, Alexis Mendoza, Kevin Key, Jay Jacobs, Nestor Solutions, LLC



c/o Nestor Solutions, LLC
214 5th Street, Suite 205
Huntington Beach, California 92648
Phone: (888) 403-4115
Fax: (888) 345-5501

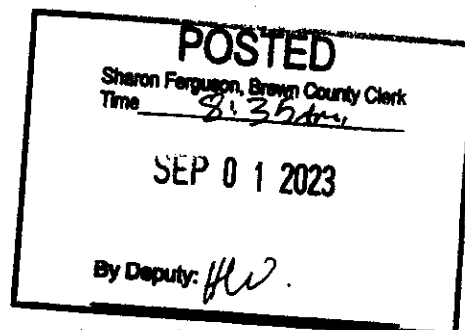
For sale information visit: www.auction.com or Contact (800) 793-6107.

SENDER OF THIS NOTICE:
AFTER FILING, PLEASE RETURN TO:

Nestor Solutions, LLC
214 5th Street, Suite 205
Huntington Beach, California 92648

POSTED
Sharon Ferguson, Brown County Clerk
Time <u>2:35 PM</u>
SEP 01 2023
By Deputy: <u>fw</u>

EXHIBIT "A"



FIELD NOTE DESCRIPTION of a called 0.217 tract of land, more or less, being part of Lot 2, Block 25 of the COGGINS ADDITION, an addition to the City-of-Brownwood as recorded in Volume 1, page 128, Plat Records, Brown County, Texas. Also being all of that tract as conveyed by Warranty Deed with Vendor's Lien dated October 22, 2009 from Phillip Arthur Wood et al to Deborah E. Low as recorded in Volume 1763, page 434, Real Property Records, Brown County, Texas. Also being out of and part of H.H. HALL SURVEY 49 Abstract 400. Situated within the city limits of Brownwood, Brown County, Texas, Said 0.217 acre tract of land is more particularly described by metes and bounds as follows:

POINT OF BEGINNING being a 1/2 inch iron rod with yellow cap stamped "G.W. LOYD PLS 2039" (Control Monument) found, for the Southwest Right-of-Way line of 1st Street, for the Northeast common Line of said Lot 2 of said Block 25, for the East corner of the John R. Green tract as recorded in Volume 175, page 460, Official Public Records, Brown County, Texas, for the North corner of said Deborah E. Low tract, for the Northeast corner of Basis of Bearing in Note 1 below, for the North corner of this tract, from whence a 1/2 inch iron rod with yellow cap stamped "G.W. LOYD PLS 2039" (Control Monument) found for the North corner of said John R. Green tract bears N 31° 11' 02" W 49.91 feet (Deed Call S 31° 00' 00" E - 50.00' - V. 175, P. 460, O.P.R.B.C.T.):

THENCE S 31° 37' 06" E, (Deed Call Northwest - V. 1763, P. 434, P.R.B.C.T.) with the common Southwest R.O.W. line of said 1st Street and the Northeast line of said Lot 2 of said Block 25, for the Northeast line of said Deborah E. Low tract, a distance of 48.23 feet to a 3/8 inch iron rod found, taken for the North corner of the James A. Hall tract, for the East corner of said Deborah E. Low tract, for the East corner of this tract, from whence a 3/8 inch iron rod found taken for the East corner of said Lot 2 of said Block 25, for the intersection of the Southwest R.O.W. line of said 1st Street and the Northwest R.O.W. line of Avenue K, for the East corner of said James A. Hall tract bears S 30° 58' 21" E a distance of 50.01 feet;

THENCE S 54° 40' 21" W, (Adjoiner/Deed Call Northeast - V. 1763, P. 434, P.R.B.C.T.) with the common Northwest line of said James A. Hall tract and the Southeast line of said Deborah E. Low tract, at 109.1 feet pass a 4" x 4" treated fence corner post found, for reference, in all a distance of 192.50 feet to a Point, for the Northeast R.O.W. line of an Alleyway, for the West corner of said James A. Hall tract, for the South corner of said Deborah E. Low tract, for the South corner of this tract;

THENCE N 31° 43' 58" W, (Adjoiner/Deed Call Southeast - V. 1763, P. 434, P.R.B.C.T.) with the common Northeast R.O.W. line of said Alleyway and the Southwest line of said Deborah E. Low tract, a distance of 50.00 feet to a 2 inch galvanized fence corner post (Control Monument) found, for the South corner of said John R. Green tract (V. 175, P. 460, O.P.R.B.C.T.), for the West corner of said Deborah E. Low tract, for the Southwest point of Basis of Bearing in Note 1 below, for the West corner of this tract, from whence a 2 inch galvanized fence corner post (Control Monument) found for the West corner of said John R. Green tract bears N 29° 25' 33" W a distance of 49.94' (Deed Call N 29° 26' 34" W - 50.1' - V. 175, P. 460, O.P.R.B.C.T.):

THENCE N 55° 12' 00" E, (Deed Call S 55° 12' 00" W - 192.50' - V. 175, P. 460, O.P.R.B.C.T.) with the common Southeast R.O.W. line of said John R. Green tract and Northwest line of said Deborah E. Low tract, a distance of 192.49 feet to the POINT OF BEGINNING, and containing 0.217 acres of land, more or less.

Notes: 1. Basis of Bearing: between a 2 inch galvanized fence corner post found for the South corner of John R.

Green tract as recorded in Volume 175, page 460, Official Public Records, Brown County, Texas to a

1/2 inch iron rod with yellow cap stamped "G.W. LOYD PLS 2039" found for the East corner of said

John R. Green tract as recorded in (V. 175, P. 460, O.P.R.B.C.T.) with a Deed Call bearing of

N 55° 12' 00" E a distance of 192.50 feet (Measured 192.49 feet).

2. This Metes and Bounds Description accompany the survey sketch prepared by and dated by same.

3. Survey date: February 25, 2021.