

**POSTED**

Sharon Ferguson, Brown County Clerk  
Time 2:36pm

DEC 14 2023

By Deputy *[Signature]*

23-122193

**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(f)**

<b>Deed of Trust Date:</b> June 3, 2008	<b>Original Mortgagor/Grantor:</b> JAMES RICHARD BURNETT AND NANCY CAROLE BURNETT
<b>Original Beneficiary / Mortgagee:</b> MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., SOLELY AS NOMINEE FOR TXL MORTGAGE CORPORATION, A TEXAS CORPORATION, ITS SUCCESSORS AND ASSIGNS	<b>Current Beneficiary / Mortgagee:</b> U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE FOR RCF 2 ACQUISITION TRUST
<b>Recorded in:</b> <b>Volume:</b> PR 1709 <b>Page:</b> 566 <b>Instrument No:</b> 2008 4548	<b>Property County:</b> BROWN
<b>Mortgage Servicer:</b> SELENE FINANCE LP	<b>Mortgage Servicer's Address:</b> 3501 OLYMPUS BLVD., SUITE 500 DALLAS, TEXAS 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 \$241,214.00, executed by JAMES RICHARD BURNETT and NANCY CAROLE BURNETT and payable to the order of Lender.

**Property Address/Mailing Address:** 1101 SWITZER STREET, BANGS, TX 76823

**Legal Description of Property to be Sold:** ALL THAT CERTAIN LOT, TRACT, OR PARCEL OF LAND, AND ALL IMPROVEMENTS SITUATED THEREON, LYING AND BEING SITUATED IN BROWN COUNTY, TEXAS, AND BEING LOTS 25, 26, 27, AND 28, SUNSET TERRACE THIRD ADDITION, TO THE CITY OF BANGS, BROWN COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 84, PLAT RECORDS OF THE COUNTY CLERK, BROWN COUNTY, TEXAS. .

<b>Date of Sale:</b> February 06, 2024	<b>Earliest time Sale will begin:</b> 10:00 AM
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**Place of sale of Property:** SOUTH (MAIN) ENTRANCE OF THE COURTHOUSE IN AN AREA NOT TO EXCEED 12 FEET FROM THE FRONT DOOR OR AS DESIGNATED BY THE COUNTY COMMISSIONER'S OFFICE 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, U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE FOR RCF 2 ACQUISITION TRUST, the owner and holder of the Note, has requested Kim Anderson, Ron Anderson, Jay Jacobs, Alexis Mendoza or Kevin Key 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 *U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE FOR RCF 2 ACQUISITION TRUST* 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, Kim Anderson, Ron Anderson, Jay Jacobs, Alexis Mendoza or Kevin Key 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 Kim Anderson, Ron Anderson, Jay Jacobs, Alexis Mendoza or Kevin Key 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.

Posted by: *Titaura Ortega-Smith*

*Kevin Key*

SUBSTITUTE TRUSTEE

Kim Anderson, Ron Anderson, Jay Jacobs, Alexis Mendoza or  
Kevin Key, Trustee

c/o Robertson, Anschutz, Schneid, Crane & Partners, PLLC,  
13010 Morris Rd, Suite 450, Alpharetta, Georgia 30004  
PH: (470)321-7112

<b>POSTED</b> Sharon Ferguson, Brown County Clerk Time _____  <b>DEC 14 2023</b>  By Deputy:
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