

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)

Deed of Trust Date: January 25, 2017	Original Mortgagor/Grantor: RUSSELL CHOATE AND CYNTHIA A. CHOATE
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR NATIONS LENDING CORPORATION., ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: NATIONS LENDING CORPORATION, AN OHIO CORPORATION
Recorded in: Volume: n/a Page: n/a Instrument No: 2017 673	Property County: HOPKINS
Mortgage Servicer: LoanCare, LLC	Mortgage Servicer's Address: 3637 Sentara Way, Virginia Beach, Virginia 23452

FILED FOR RECORD
 HOPKINS COUNTY, TEXAS
 2020 SEP 10 P 12:41
 TRACY SMITH
 COUNTY CLERK
 BY Susan Newberry

* 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 \$176,075.00, executed by RUSSELL CHOATE and payable to the order of Lender.

Property Address/Mailing Address: 1304 AZALEA LN, SULPHUR SPRINGS, TX 75482

Legal Description of Property to be Sold: ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE CITY OF SULPHUR SPRINGS, TEXAS, ABOUT 1-1/3 MILES SOUTHWEST OF THE PUBLIC SQUARE OF SAID CITY, BEING A PART OF THE JOSE Y'BARBO SURVEY, ABSTRACT NO. 1102, HOPKINS COUNTY, TEXAS, BEING LOT NO. ELEVEN (11) IN BLOCK NO. FIVE (5) OF THE HIGHLAND HILLS ADDITION, TO THE CITY OF SULPHUR SPRINGS, ACCORDING TO THE REVISED PLAT OF SAID ADDITION, OF RECORD IN VOLUME 5, PAGE 12, MAP RECORDS OF HOPKINS COUNTY, TEXAS.

Date of Sale: November 03, 2020	Earliest time Sale will begin: 1:00 PM
--	---

Place of sale of Property: At the southwest entrance door to the first floor of the Hopkins County Courthouse, 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, *NATIONS LENDING CORPORATION, AN OHIO CORPORATION*, the owner and holder of the Note, has requested Harriett Fletcher,

Robert LaMont, Sheryl LaMont, David Sims, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard, whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 OR Sue Spasic, Robert LaMont, Sheryl LaMont, Harriet Fletcher, Ronnie Hubbard, Sharon St. Pierre, Allan Johnston, Zoran W. Spasic, 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 *NATIONS LENDING CORPORATION, AN OHIO CORPORATION* 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, Harriett Fletcher, Robert LaMont, Sheryl LaMont, David Sims, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard, whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 OR Sue Spasic, Robert LaMont, Sheryl LaMont, Harriet Fletcher, Ronnie Hubbard, Sharon St. Pierre, Allan Johnston, Zoran W. Spasic, 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 Harriett Fletcher, Robert LaMont, Sheryl LaMont, David Sims, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard, whose address is 750 Highway 121 BYP Suite 100 Lewisville, TX 75067 OR Sue Spasic, Robert LaMont, Sheryl LaMont, Harriet Fletcher, Ronnie Hubbard, Sharon St. Pierre, Allan Johnston, Zoran W. Spasic, 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

9-10-2020

Harriett Fletcher, Robert LaMont, Sheryl LaMont, David Sims, Allan Johnston, Sharon St. Pierre, Ronnie Hubbard, Sue Spasic, Robert LaMont, Sheryl LaMont, Harriet Fletcher, Ronnie Hubbard, Sharon St. Pierre, Allan Johnston, Zoran W. Spasic, Trustee

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

Notice of Acceleration

Dear Borrower(s):

Please be advised that the undersigned law firm represents the Mortgage Servicer with respect to the above-referenced debt. Any individual to whom this notice is sent who is NOT obligated for the debt is given the following notice as a courtesy because your interest in the Property may be affected.

This letter constitutes formal notice to you of your default under the terms of the Note evidencing the Loan and the deed of trust (the "Security Instrument") securing the loan.

According to and relying on the information provided to this firm by the Mortgage Servicer, you have failed to bring the loan current despite the notice that your unpaid loan would be accelerated if the default was not timely cured.

Because of the non-payment of all past due loan installments and other amounts legally due, the Mortgage Servicer has ACCELERATED the maturity of the debt.

You have the right to reinstate the Loan after acceleration in the time and manner provided by the Loan Documents and you have the right to bring a court action to assert the non-existence of a default or any defense to acceleration, foreclosure, or other rights reserved by the Loan Documents and Applicable Law.

Should you wish to request a full payoff, please fax your written request to the fax number above. On your request, please include your name, loan number, property address, a phone number where you can be reached and either a fax number or a mailing address.

Further, this letter is to formally notify you that because of your default, the Mortgage Servicer intends to foreclose on the above-described property. Enclosed please find a Notice of Substitute Trustee's Sale, which will be posted for public sale of the real property described above. This sale is authorized by the Deed of Trust referenced in the enclosed Notice of Substitute Trustee's Sale.

Please give this letter your immediate attention. If you have any questions or need additional information, please contact our office. You will receive no further communication prior to the commencement of the foreclosure process.

NOTE: IF YOU ARE A DEBTOR PRESENTLY SUBJECT TO A PROCEEDING IN FEDERAL BANKRUPTCY COURT, OR THIS DEBT HAS BEEN DISCHARGED BY A FEDERAL BANKRUPTCY COURT, THIS NOTICE IS NOT AN ATTEMPT TO COLLECT A DEBT BUT IS BEING SENT FOR INFORMATIONAL PURPOSES ONLY OR TO SATISFY CERTAIN FEDERAL OR STATE STATUTORY OBLIGATIONS.

Sincerely,

Robertson, Anschutz, Schneid & Crane
LLC

James Robertson, Esquire
(1943 – 2019)
Everett Anschutz, Esquire
Member of Texas Bar
David J. Schneid, Esquire
Member of Florida Bar
John Crane, Esquire
Member of Texas Bar
Anthony Maselli, Esquire
Member of Georgia Bar



Daniel Chilton, Esquire
Member of Texas Bar
Brady Lighthall, Esquire
Member of OH, KY, and IN Bar
Brittany M. Taylor, Esquire
Member of MD Bar
Brandon Jordan, Esquire
Member of VA Bar
Genevieve Johnson, Esquire
Member of GA and SC Bar

September 9, 2020

Sent via Certified and Regular Mail

Borrower(s): RUSSELL CHOATE AND CYNTHIA A. CHOATE
1304 AZALEA LN
SULPHUR SPRINGS, TX 75482

RE: Deed of Trust Dated: January 25, 2017
Borrower(s): RUSSELL CHOATE AND CYNTHIA A. CHOATE
Original Principal Amount: \$176,075.00
Property Address: 1304 AZALEA LN
SULPHUR SPRINGS, TX 75482

Current Mortgage Servicer and Mortgagee:

Mortgage Servicer: LoanCare LLC
Mortgagee: NATIONS LENDING CORPORATION, AN OHIO CORPORATION

(Include if applicable: The Mortgage Servicer represents the Mortgagee under a servicing agreement with the Mortgagee, whose address is 3637 Sentara Way Ste 303 Virginia Beach, VA 23452)

NOTE: PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT YOU ARE ADVISED THAT THIS LAW FIRM IS DEEMED TO BE A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Notice pursuant to the Tex. Prop. Code Sec. 51.002(i): 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.