

**APPOINTMENT OF SUBSTITUTE TRUSTEE AND
NOTICE OF SUBSTITUTE TRUSTEE SALE**

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 AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.

**APPOINTMENT OF
SUBSTITUTE TRUSTEE:**

WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Jack O'Boyle, Chris Ferguson, Travis Gray, Lamar Cravens, Christopher D. Brown, and Stephen J. Haynes, Reyo Rossington, Kim Anderson, Ron Anderson, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

**SUBSTITUTE TRUSTEE'S
ADDRESS:**

c/o JACK O'BOYLE & ASSOCIATES, PLLC, Mailing Address: P.O. Box 815369, Dallas, TX 75381. Physical Address: 12300 Ford Road, Suite 212, Dallas, TX 75234.

**NOTICE OF SUBSTITUTE
TRUSTEE SALE:**

WHEREAS, default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on April 04, 2023 between the hours of 10am-1pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

LOCATION OF SALE:

The place of the sale shall be: On the south steps of the San Saba County Courthouse, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court in SAN SABA County, Texas or as designated by the County Commissioners.

**INSTRUMENT TO BE
FORECLOSED:**

Deed of Trust or Contract Lien dated 11/13/2020 and recorded under Volume, Page or Clerk's File No INSTRUMENT NO.: 2020092744L-LL in the real property records of San Saba County Texas, with MICHAEL MARK MOORE AND PAULA RAINWATER MOORE, MARRIED MAN as Grantor(s) and MIMUTUAL MORTGAGE as Original Mortgagee.

OBLIGATIONS SECURED:

Deed of Trust or Contract Lien executed by MICHAEL MARK MOORE AND PAULA RAINWATER MOORE, MARRIED MAN securing the payment of the indebtedness in the original principal amount of \$182,000.00 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by MICHAEL MARK MOORE. MICHIGAN MUTUAL INC is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

**MORTGAGE SERVICING
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 property securing the above referenced loan. Michigan Mutual Inc is acting as the Mortgage Servicer for MICHIGAN MUTUAL INC who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. Michigan Mutual Inc, as Mortgage Servicer, is representing the Mortgagee, whose address is:

DT: zNOS AND APPT (SVC)

AL: 434 APACHE LOOP



4773966



MICHIGAN MUTUAL INC
c/o Michigan Mutual Inc
1 CORPORATE DRIVE, SUITE 360
LAKE ZURICH, IL 60047

**LEGAL DESCRIPTION OF
PROPERTY TO BE SOLD:**

A 11.50 ACRE TRACT SITUATED IN THE FISHER AND MILLER SURVEY, NO. 366, A-378, SAN SABA COUNTY, TEXAS, OUT OF A CALLED 26.33 ACRE TRACT DESCRIBED IN VOLUME 83, PAGE 348, DEED RECORDS OF SAN SABA COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT FOUND IRON ROD AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF VALLEY SPRINGS ROAD AND THE WEST RIGHT-OF-WAY LINE OF APACHE LOOP, FOR THE NORTHEAST CORNER OF SAID 26.33 ACRE TRACT AND THE HEREIN DESCRIBED TRACT:
THENCE WITH SAID WEST RIGHT-OF-WAY LINE OF APACHE LOOP AND THE EAST LINE OF SAID 26.33 ACRE TRACT, S 02°02'02" W A DISTANCE OF 477.92 FEET TO A SET IRON ROD FOR THE NORTHEAST CORNER OF A 14.82 ACRE TRACT SURVEYED THIS SAME DATE AS TRACT 2 AND FOR THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND IRON ROD FOR THE SOUTHEAST CORNER OF SAID TRACT 2 AND SAID 26.33 ACRE TRACT BEARS S 02°02'02" W A DISTANCE OF 626.04 FEET;
THENCE WITH THE NORTH LINE OF SAID TRACT 2, S 89°33'46" W A DISTANCE OF 1035.26 FEET TO A SET IRON ROD IN THE EAST LINE OF A CALLED 10.6 ACRE TRACT DESCRIBED IN VOLUME 302, PAGE 581, OFFICIAL RECORDS OF SAN SABA COUNTY, TEXAS, IN THE WEST LINE OF SAID 26.33 ACRE TRACT, FOR THE NORTHWEST CORNER OF SAID TRACT 2 AND FOR THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT, FROM WHICH A FOUND IRON ROD FOR THE SOUTHWEST CORNER OF SAID TRACT 2 AND SAID 26.33 ACRE TRACT BEARS S 00°03'18" W A DISTANCE OF 632.59 FEET;
THENCE WITH THE EAST LINE OF SAID 10.6 ACRE TRACT AND THE WEST LINE OF SAID 26.33 ACRE TRACT, N 00°03'18" E A DISTANCE OF 482.60 FEET TO A FOUND IRON ROD IN SAID SOUTH RIGHT-OF-WAY LINE OF VALLEY SPRINGS ROAD, FOR THE NORTHEAST CORNER OF SAID 10.6 ACRE TRACT AND FOR THE NORTHWEST CORNER OF SAID 26.33 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;
THENCE WITH SAID SOUTH RIGHT-OF-WAY LINE OF VALLEY SPRINGS ROAD AND THE NORTH LINE OF SAID 26.33 ACRE TRACT, N 89°50'28" E A DISTANCE OF 1051.73 FEET TO THE POINT OF BEGINNING, CONTAINING 11.50 ACRE (the "Property")

**REPORTED PROPERTY
ADDRESS:**

434 APACHE LOOP, CHEROKEE, TX 76832

TERMS OF SALE:

The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

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 and the priority of the lien being foreclosed.

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 and/or Mortgage Servicer 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 their bid immediately in cash if their bid is accepted.

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. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the priority, nature and extent of such matters, if any.

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In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and/or Mortgage Servicer, or its attorney(s).

The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refilled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiling may be after the date originally scheduled for this 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.

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Signed on the 8 day of February, 2023

Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC

Travis H. Gray
Jack O'Boyle | SBN: 15165200

jack@jackoboyle.com

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P: 972.247.0653 | F: 972.247.0642

ATTORNEYS FOR MORTGAGEE AND/OR IT'S MORTGAGI
SERVICER

CERTIFICATE OF POSTING

My name is Lamar Crovins, and my address is c/o 12300 Ford Rd, Ste. 212, Dallas, TX 75234. I declare under the penalty of perjury that on February 14 I filed at the office of the San Saba County Clerk and caused to be posted at the San Saba County courthouse (or other designated place) this notice of sale.

Signed

[Signature]

Declarant's Name: Lamar Crovins

Date: February 14, 2023

FILED FOR RECORD
14th day of Feb, 2023
at 3:15 o'clock P.M.

[Signature]
Clerk County Court, San Saba, Texas

By _____ Deputy

