

22-033605

NO. \_\_\_\_\_ TIME 1:00 pm

Notice of Substitute Trustee's Sale

AUG 11 2022

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)

DONICE GREGORY COUNTY CLERK  
TYLER COUNTY, TEXAS  
By [Signature]

Deed of Trust Date: October 9, 2019	Original Mortgagor/Grantor: JUSTIN D. NELSON; NAOMI LEE NELSON; AND JAMES PARMER AND LINDA RUTH PARMER
Original Beneficiary / Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR LOANDEPOT.COM, LLC., ITS SUCCESSORS AND ASSIGNS	Current Beneficiary / Mortgagee: LOANDEPOT.COM, LLC
Recorded in: Volume: 1225 Page: 894 Instrument No: 19-2932	Property County: TYLER
Mortgage Servicer: LoanDepot.com, LLC	Mortgage Servicer's Address: 5465 Legacy Drive, Suite 400

\* 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 \$54,003.00, executed by JAMES PARMER; JUSTIN NELSON and payable to the order of Lender.

Property Address/Mailing Address: 148 CIRCLE 4758, WARREN, TX 77664

Legal Description of Property to be Sold: BEING 1.481 ACRES OF LAND, MORE OR LESS, IN THE BBB & C RR SURVEY, ABSTRACT NO. 135, TYLER COUNTY, TEXAS, AND BEING A RESURVEY OF LOT ONE (1), BLOCK FOUR (4), HIGH SCHOOL ESTATES, A SUBDIVISION OF BLOCKS EIGHT (8) AND NINE (9) AND TEN (10), OF WARREN COLONY, TYLER COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF TYLER COUNTY, TEXAS, UNDER PLAT FILE NO. 171, PLAT RECORDS, TYLER COUNTY, TEXAS, TO WHICH PLAT REFERENCE IS HEREIN MADE FOR ALL PERTINENT PURPOSES. SAID HIGH SCHOOL ESTATES BEING SITUATED IN THE BBB & C RR COMPANY SURVEY, ABSTRACT NO. 135.

Date of Sale: October 04, 2022	Earliest time Sale will begin: 1:00 PM
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Place of sale of Property: NORTH ENTRANCE TO THE SECOND FLOOR 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, *LOANDEPOT.COM, LLC*, the owner and holder of the Note, has requested 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 *LOANDEPOT.COM, 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, 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, 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.

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**SUBSTITUTE TRUSTEE**

Tommy Jackson, Keata Smith, Stephanie Hernandez or  
Carolyn Ciccio, Trustee

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